

THE SENATE DEBATES

(OFFICIAL REPORT)

SECOND SESSION 1976 - 81

THE SENATE

Wednesday, 28th May, 1980.

The Senate met in the Senate Chamber, Public Buildings, on Wednesday the 28th May, 1980, at 2.40 p.m.

PRESENT

His Honour Senator the Honourable Sir ARNOTT CATO, M.B., Ch.B., LL.D., (President); His Honour Senator the Rev. G. ANDREW HATCH, M.A., (Deputy President); Senator O'BRIEN TROTMAN, (Parliamentary Secretary, Prime Minister's Office); Senator H. F. G. ROCHEFORD, B.A.; Senator AARON TRUSS; Senator H. R. LINTON, LL.B.; Senator K. E. HINDS; Senator Miss O. A. LYNCH, B.A., Dip. Ed.; Senator C. I. E. DEANE; Senator K. R. HEWITT, B.Sc., C.A.; Senator Mrs. E. M. LYNCH, B.A.; Senator J. D. S. MACKENZIE; Senator Miss M. I. St.C. BLACKMAN; Senator J. C. W. WICKHAM; Senator J. A. CONNELL, LL.B.; and Senator the Hon. D. G. BLACKMAN, (Minister of Labour and Community Services).

Prayers were said by REV. L. CRAWFORD.

EXCUSE FOR ABSENCE

Excuses were offered for the absence of Senator R. FIELD, Senator the Hon. N. A. BARROW and Senator R. E. BRATHWAITE.

Mr. PRESIDENT: Honourable Senators, I wish to announce that Senator the Hon. Donald Blackman will be acting as Leader of the Senate today and I take this opportunity of offering him best wishes on behalf of all Senators. Senator Blackman has an announcement to make.

SENATOR THE HON. D. G. BLACKMAN: Mr. President, I have the sad duty to announce to this

Honourable Chamber the passing of the father of Mr. Vic Johnson who is a member of the Other Place.

I did not have the privilege of ever meeting Mr. Johnson's father but I believe it is possible to extrapolate from the experiences of an offspring some idea as to what the father was like. It is an extremely hazardous business but it is the only information I have to go on and operating on the Aristotelian maxim that like produces like and that out of nothing comes nothing, it is the proposition from which like begets like is derived that I will venture to make some brief comments about the passing of this gentleman.

One may surmise from scrutinizing the activities of his son that he was an energetic man possessed of single-minded determination. One may surmise from the activities of his son that he was a person of great tenacity who permitted nothing to stand in his way in the achievement of his objectives. These qualities are much in need at our particular time in history, a time when people give up very easily, surrendering to temptation, surrendering to the seduction of material things; and so the qualities of tenacity and single mindedness of purpose, provided that it is a noble purpose, are qualities that cannot be over estimated.

This gentleman who has passed away has made a contribution to the public life of Barbados by giving us Mr. Vic Johnson, and in this day when family structures are disintegrating all around us it is becoming an increasingly important public service to be able to say of a man that he contributed an independent, intelligent son who has a sense of civic responsibility. Even if the late Mr. Johnson had achieved nothing else in his life, the fact that he participated in the procreation of Mr. Vic Johnson would suffice to enable us to say that he has made a significant contribution to this country, and I think that the Senate ought to take cognisance of this.

Mr. President, on behalf of the Government I would like through you to convey our condolences to Mr. Johnson and his other bereaved relatives and to hope that

they have the faith and courage to sustain them in this sad hour.

Mr. PRESIDENT: If there are no other hon. Senators who wish to associate themselves with the thought expressed by Dr. Blackman, I direct that the Clerk write the usual letter of condolence to the late Mr. Johnson's family and I would ask hon. Senators to observe the usual courtesy of a few moments' silence.

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR-GENERAL

Mr. PRESIDENT: I have a Message from His Excellency the Governor-General to the Honourable the Senate. His Excellency the Governor-General has the honour to inform the Honourable the Senate that acting on the advice of the Prime Minister he has appointed Senator O'Brien Trotman, Parliamentary Secretary to be Minister without Portfolio with effect from the 25th of May, 1980 until further notice.

Senator Trotman has also be assigned responsibility as Temporary Minister of Housing, Lands and the Environment for the period 28th May to 10 June, 1980 during the absence from the Island of the Hon. L. S. Craig, M.P.

I am sure members would wish me to express our best wishes to Senator Trotman.

PUBLIC BUSINESS

GENOCIDE ACT, 1980

Order No. 1 was called — to move the Second Reading of a Bill to implement the Convention on the Prevention and Punishment of the Crime of Genocide.

SENATOR THE HON. D. G. BLACKMAN: Mr. President, this Bill seeks to incorporate into the Law of Barbados the Convention on the Prevention and Punishment of the Crime of Genocide which was adopted in 1948 by the United Nations General Assembly.

The Constitution of the United Nations Charter provides for the progressive development of International Law and these activities proceed through the work of the 6th Committee and its Subsidiary Commissions and they ultimately appear in the form of Conventions which become part of the corpus of Public International Law.

The historical contents of this Convention of which we are addressing ourselves is the immediate aftermath of World War II when people were still staggering from the shock of Hitlerism and the event in Europe, or the chain of events in Europe known as the holocaust in which six million Jews were reported to have been killed by the

Nazi Regime. So horrified was the World by the pranks of genocide perpetrated by the Nazi Regime that the World Body which inherited the bandage of its predecessor, the League of Nations, felt impelled as one of its first acts to draft a Convention making genocide a crime and providing for its prevention and punishment.

Immediately, this particular Convention ran into heavy weather and one of the criticisms of the Convention was the fact that in the first two decades after its adoption by the UN General Assembly that it contained language that was too vague, language that was shot through with ambiguity.

I believe this particular criticism is a criticism that can be made of all Conventions because an International Convention, in the last analysis, is the product of inputs from a vast number of countries with variegated cultures and widely differing legal systems and because of this process in which a Convention must seek to reconcile widely disparaged cultures and legal systems always tend to be couched under somewhat nebulous language and as a consequence many countries take their time in subscribing to International Conventions.

This particular Convention has now been adopted by some 90 countries out of 150. There are some significant omissions to the list of signatories. Conspicuous by its absence is a country known for its strong advocacy of human rights, to wit, the United States, and many other countries whose refusal to adopt the Convention is perfectly understandable. Countries like South Africa with an ill social system could not be expected to subscribe to a Convention such as this since the practices of the South African Government are patently genocidal.

So against a background of the particular critique made in this particular Convention — and the language is vague — the Government of Barbados decided that it would accede to this particular Convention. My own view, restated, is that any International Convention must, by virtue of the process into which it comes into being, be vague in the use of language.

This Bill incorporates Articles II, III and IV of the Convention into the Laws of Barbados. Article II defines genocide as follows:

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

(a) Killing members of the group;

I believe that that is a pretty straightforward provision if, as happens in South Africa, the ruling group visits murderous activities upon a certain racial group with a view

to exterminating it, then this is genocidal, as long as we understand a group — we are talking about an entire race of people living within that jurisdiction.

- (b) Causing serious bodily or mental harm to members of the group.

This is a little more tricky Mr. President. It is not often thought that a man can be destroyed and his humanity virtually extinguished by systematically inflicting mental harm upon him.

I will advert to a well documented, historical incident in World War II, when, in a Nazi Concentration Camp, there were gathered the Jewish intelligencia of men; men who had scaled the heights in the academic world were confined to a Concentration Camp and, after a relatively short time of four years, the psychological warfare waged upon them as a group, resulted in the revampersation of some of the world's greatest scholars. Mr. President, it is recorded that some of those outstanding scholars spent time discussing such general matters as the breaking of wind, who broke wind most often during the course of the day and other discussions in one form or the other, bespeak the degradation and the serious mental harm that had been inflicted upon the group.

It seems to me, that in the annals of the history of genocidal activity that the most serious harm inflicted upon a man is not ending his life, but his ability to respect himself as a man. In Barbados, we have numerous people today walking about, who are victims of genocidal activity because when a section of one's self is destroyed, the person is, in effect, destroyed. This is what I take subsection (b) of Article II to mean by "mental harm to members of the group".

- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.

We all know what we mean by that. This is a post slavery society and we have seen the deleterious effects here in Barbados. There is no doubt that creating a certain kind of physical harm is genocidal.

- (d) "imposing measures intended to prevent births within the group;"

This is a more sophisticated form of genocide. There are many countries which practise this through purveying misinformation to a particular group and there are some countries, in which welfare agencies insert contraceptive chemicals in orange juice and other things they hand out to welfare recipients with a view to sterilising the individuals. There are other places, where people are denied medical treatment. Women are in fear of being sterilised, they must accept sterilisation, or they cannot get proper medical treatment.

- (e) "Forcibly transferring children of the group to another group."

Kidnapping of individuals into conditions of slavery still exists in the world today. It is still common practice for persons south of the Sahara to be kidnapped and transported into the Arab World to function as slaves. So that then, constitutes a definition of the crime of genocide in Article II.

Article III which will have legal force in Barbados once this Bill is passed lists the acts that would be punishable under the Convention: genocide as just defined in Article II, conspiracy to commit genocide, direct and public incitement to commit genocide, attempts to commit genocide and complicity in genocide. Article IV identifies those persons who are liable to punishment and it includes constitutionally responsible rulers, public officials or private individuals. The penalty that will be affixed to persons found guilty of genocide or complicity in genocide will be life imprisonment and imprisonment for a term of fourteen years for persons convicted of conspiracy to commit genocide, direct and public incitement to commit genocide and attempt to commit genocide.

Mr. President, nobody in this Chamber would quarrel with the objectives of such a Bill. We believe that here in Barbados today there are still problems of racism and racism is a pathology in which the crime of genocide has always had its beginning. In Barbados today as people migrate to this country from different cultural backgrounds, there is the problem of ethnicity and with a problem of ethnicity also comes on the part of irresponsible persons within a particular group to advocate or to practise genocide. Given this situation I believe that the introduction of such a Bill is a timely matter, but the implementation of this legislation must be conducted in such a way as not to interfere with the rights of any group that conceives itself to be attacked and to be injured by the activities of another group to declare that they are suffering.

This Bill cannot be used as an instrument of suppression. I take it to be an instrument for the creation of an orderly society in which all men regardless of their racial or ethnic background respect each other, but this legislation will not be respected if there are attempts by those who enforce or administer our laws to use it as an instrument to suppress one group at the expense of another. I believe that the public will not tolerate this, Mr. President, and confident in the knowledge that an alert public will never permit this Bill to be used for such perverse purposes, I have great pleasure in moving that it be read a second time.

SENATOR J. A. CONNELL: Mr. President, may I please you, I listened with great interest to the introduction of this piece of legislation by the temporary Leader of the Senate, shall we say. I think that in every civilised society there will be general agreement with the philosophy

behind this piece of legislation. One only has to scrutinize the definition of genocide contained in Article II of the convention to see that the human purpose behind the Bill is salutary. However, Sir, I have some concern about the specifics or rather the absence of them.

It is interesting that the Hon. Minister introducing the measure referred to vagueness in the Convention. What I also wish to refer to, Sir, is vagueness in the piece of legislation before us. I am concerned about the vagueness of this piece of legislation, and I am also concerned about the serious consequences that can flow from this inherent vagueness of the legislation. What I am saying, Sir, is that we may find that the legislation can be put to a purpose which we did not contemplate at the time that we lent ourselves to the passage of it. One of the questions that I would like to ask of the Hon. Minister who introduced this piece of legislation is whether it is envisaged that another piece of legislation will now be passed implementing the law in more specific terms. In other words, will the crimes set out in the Schedule to this Bill on page 4, killing members of the group, causing serious bodily or mental harm, deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part, imposing measures intended to prevent birth within the group, and lastly forcibly transferring children of the group to another group, will these in some future piece of legislation be specifically set out?

I would like, Mr. President, a clear and categorical answer from the Government on this question. Is this a final and definitive statement of the law so far as the creation of these offences is concerned? My point is simple, Mr. President. As the law stands, so far there is a rather detailed and specific definition of "murder". Over the long flight of years the common law in innumerable decisions has honed and defined the definition of murder to a degree of specificity that is now known to almost all lawyers.

At the end of the case for the prosecution counsel for the defence can make a submission of no case to answer on the grounds of the evidence produced by the prosecution not coming up to the charge laid. The definition of murder is specifically stated as the killing of a human being under the Queens peace without lawful justification or excuse, death ensuing within a year and a day. The law subscribes to a certain precision in this respect. What I would like to know is whether there is going to be further legislation defining what is killing of members of the group. What does that mean? Such a feature is not now known to our law. The offence of murder is specifically defined, and there are built-in defences to the charge of murder — self defence, provocation, diminished responsibility, etc. This is a matter of practice and experience over the years, but I am uncertain now as to

what is the position with this piece of legislation, and I would like to know whether it is proposed that further legislation will be brought down to amplify the meaning of these new offences that are going to be imported into our law. I think that hon. Senators ought to know this, and I venture to suggest that if a definitive answer cannot be given this afternoon we should ask to have the matter stand over until an explanation is forthcoming from the Ministry of the Attorney General. You see, when you turn, for example, to sub-clause 3 of article II, at the top of page 5, included in the definition of genocide is "Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part." This is a general statement, but it lacks specificity. The law as it is stated in Barbados has the merit of relative precision and it also contains what defences are open to the person charged.

Recently we have moved in jurisprudence to offences of strict liability. There are a number of cases — some of them which reached the House of Lords — in which the point is taken that if you are found in possession of a drug, whether or not you are aware that you are in possession of that drug you are deemed to be in possession of it. Now jurists tend to regard this sort of offence with grave suspicion. The tradition of the common law is hostile to strict offences. Running right through the common law like a golden thread is the dual aspect of crime — the *actus reus* and the *mens rea* or guilty mind. The law requires that persons be not only proven to have done the physical act but the person must also be shown to have had the necessary mental element to consummate the crime. It is this sort of context that I am saying that the general normative statements contained in this Article are vague, so vague indeed that the task of a person defending someone charged with this particular normative statement will be well nigh impossible. I wish to know therefore whether it is proposed to bring other legislation spelling this out. Even if that is the case, I have great difficulty with understanding how the legislation is going to be drawn so as to satisfy us that it accurately reflects what we have here, because any attempt to dilate upon this particular normative statement is bound to give rise to dispute. For example, the Hon. Minister who introduced it disagreed with the meaning of the word "group" and attached an interpretation to the word which I share in particular political and philosophical terms. The question is, however, whether a lawyer in the courts of law will accept this connotation of the word "group".

The Minister also dealt with the topic of kidnapping. Kidnapping does not appear in the normative statements here but yet the Minister placed an interpretation which yielded up a result that kidnapping could be involved. I do not agree with this either, but I am saying that if we are passing legislation that has as its penalty life imprisonment for one category of offences and 14

years imprisonment for another, we owe it to ourselves and to posterity to ensure that the legislation contains the necessary precision that is characteristic of legislation of this nature. In doing this we are doing no more than acting within the spirit of the Constitution of this country. The Constitution, Section 18, under the entrenched human rights provision provides — and I quote: "Every person who is charged with a criminal offence shall be presumed to be innocent until proven or he pleads guilty; that he be informed as soon as reasonably practicable, in language that he understands and in detail, the nature of the offence with which he is charged." What I am asking is: Will another piece of legislation be brought down setting out in detail within the spirit of Section 19 of this Constitution the *actus reus* and the *mens rea* of those offences? Until that is made clear I regret that I will not be able to vote on this piece of legislation. When I vote for this legislation I would have to know what are its consequences.

Now, Sir, I wish to turn to the question of the sentences.

SENATOR J. A. CONNELL: This is provided for, Sir, under Clause 4 of the Bill under the caption "offences". It provides "Any person who commits any of the acts set out in Article III of the Convention is guilty of an offence and is liable on conviction on indictment".

It further provides under Subclause (a) "In respect of the acts specified in paragraphs (a) and (e) of that Article, to imprisonment for life". This means that for genocide and for complicity in genocide the punishment is life imprisonment. For all the others, from (b) to (d), the punishment is 14 years imprisonment. That includes "for conspiracy, to commit genocide, for direct and public incitement to commit genocide and (d) for the attempt to commit genocide, the punishment will be 14 years imprisonment."

Now, Sir, from a jurisprudential standpoint, I find it interesting because 14 years imprisonment is the punishment of a felony. We still in Barbados have the old distinction between felonies and misdemeanours. Felonies are basically the more serious offences and misdemeanours the less serious offences. They have been abolished elsewhere but we have continued their use.

Now incitement in most of our laws is a misdemeanour. It is a lesser offence but in this Act incitement is treated as a felony, the more serious type of crime. Now it can be argued that since genocide is the killing physically or mentally of a whole group of persons, to incite someone to do this is necessarily a very serious crime.

One can agree with that in theory but at the level of precision and specificity which legal practice requires, which the constitutional rights of persons charged demand, I am saying that Article III of the Convention, Clause (c) in particular offends by being very vague.

"Direct and public incitement to commit genocide." Now this offence, Sir, would be one for which the person would be charged where no actual genocide took place. Naturally, if the genocide took place a person would be charged under (a) above or (e) but the ones between (d) and (b) are offences for which you will be charged where no act of genocide actually took place. These are what the law broadly calls inchoate offences, offences that have not yet matured into reality.

My feeling is that it is vague. First of all to be saying that it is an offence to incite some person directly and publicly to commit genocide, what words will amount to such incitement? Sometime ago, Sir, that gentleman who rejoices in the name of the former President of Egypt was charged under the Public Order Act for inciting members of the public in Barbados to take certain violent actions against a group.

Now, Sir, as it happened that particular charge was dismissed but I would like to know what is the distinction between the sort of incitement he was charged for and the incitement to commit genocide because a group of persons is involved and an interesting semantic discussion can take place as to whether that group is the group contemplated by this legislation. Yet, punishment under the Public Order Act for that incitement is far less than the punishment that this Act contemplates.

I am saying, therefore, that if this Act is going to make it an offence punishable by 14 years imprisonment to commit incitement, that incitement should be clearly and specifically set out. Any defences that exist should also be clearly and specifically set out so that persons charged can know within the terms of the Constitution exactly for what they are charged and what offences, if any, the law allows them.

During the Estimates, earlier this year, Sir, I informed the Honourable Leader of the Senate that I have received reports and complaints that a system of sterilisation is being conducted in Barbados involving young persons, females, who labour under the impression that sterilisation is temporary when in fact its consequences are irreversible.

I ask him to confirm or deny that this is so. He said, and I am paraphrasing his reply, that there is obviously no policy to do this and there is no practice either but that if it happened, it must be a case in which the patient did not know or did not understand what was happening.

Now, Sir, what I am saying is that if a young woman is rendered sterile through ignorance, her sterility is nonetheless final than if she knew what she was doing. Therefore, it is very important to ascertain that the medical procedures through which young women are caused to go through in Barbados are such that they clearly understand the consequences of the medical operation that they are undergoing.

Sir, when you are in public life in an honourable institution such as this members of the public come to you and make complaints and air grievances. I conceive it to be my duty and to this institution to air these reports here under circumstances in which we can be given categorical answers.

The Hon. Minister spoke about the age of Immigration in which we now live. He spoke of the problem of ethnicity and he also spoke of the advent of those who may advocate genocide. I think, Sir, that we have a public duty to look into matters of this nature, to understand what procedures are being applied in the matter of sterilisation and to ensure that the persons who are subjected to it thoroughly understand the irreversible nature of the medical operation that is performed upon them.

I say no more on that at this stage Sir, but I can promise you to raise it in this Hon. Chamber again. All in all Sir, as I said at the inception of my speech, I agree with the philosophy behind this Bill. As the Hon. Leader of the Senate said, the thinking arose out of the Second World War. The Western World ceaselessly educated by Jewish propaganda came to the shocking understanding of what had taken place in the Concentration Camps of Buchwald, Austwick and others.

International Jury has the most highly perfected propaganda machinery in history. They are not wanting in the ability to bring injury inflicted upon their individuals, or members of their race, forcibly to the notice of all the World. It is largely the result of the horrible crimes perpetuated and the Hitlerism in Nazi Germany that the whole question of Human Rights has come to the fore in the way that it has today.

Following the atrocities of the Second World War, persons sat down and begun to think that there must necessarily have been a much higher Law in all the municipal, legal systems by which these systems were developed and they went back through the Catholic Jurists, right back to the Romans and the Greeks and re-activated the concept of International Law. This concept Sir, decides that there is a higher Law by which Municipal Laws can be judged in terms of humanity and equity. Those persons who conjugated on this matter, also came to the conclusion that the mere fact of being a human

being, a person was entitled to a certain dignity, protection against certain forms of punishment, discrimination and unjust treatment. It is out of this that this Legislation comes. I am in complete agreement with this philosophy, but, not for the first time in history, Legislation has been used for a purpose which those who passed it did not envisage. It is therefore incumbent upon us to ensure that this Legislation is buttressed with the degree of specificity and precision that makes it impossible for this piece of Legislation to be abused.

Thank you.

SENATOR THE HON. D. G. BLACKMAN: Mr. President, Senator Connell concluded his interesting speech on the very points that I propose to start my reply and it is, that not so much has International Law been formulated to conform to some metaphysical *jus naturale*, but there is an attempt on the part of International Jurists, those persons who work on Conventions such as this, to adhere to what Kant called a deontological standard of right which is separate and distinct from the *jus naturale* which postulates that right. Certain rights, inalienable rights, rights that cannot be criticised, or questioned, are inherent in the human condition. The *jus naturale* is now a disreputable doctrine among modern Jurists and modern Jurists feel that a standard which stands over and above the international spectrums must be justified, not by an emotional appeal to human conditions, but, by its own intrinsic logic. That is why within the field of ethics, following the Manual of Kant, there have been attempts to establish a standard of right and wrong set over and above the feelings and emotions of men, or, the prejudices which stand, not because there are men, but because of the cogency of this logic.

Now, I believe that the Kantian enterprise while laudible, is just as bogus as the exponents of the *jus naturale* because I believe that there are some conflicts which involve judgment and taste that can never be resolved by that appeal to some fictitious standard of right or wrong, whether it be *jus naturale*, or the Kantian categorical imperative.

I believe that when one begins to make comparisons and pass judgment on things that people do within a particular culture and counterpose them to things done in another culture, then it is like chasing rainbows to attempt to find a standard which will justify the practice in one culture and reject the practice in another culture. You may therefore draw the conclusion that I move away from a normative theory of right and wrong to a theory of ethical relativism, and yet the problems with ethical relativism are so severe that it is impossible for any person who wants to see an orderly world to seriously talk about ethical relativism.

I believe, Mr. President, that the British Philosopher A. J. Ayer was able by a process of ridicule to point up the weakness of ethical relativism in which he argued that when we say of something that it is right, we could merely substitute the word "hurrah", and if we say of something that it is wrong, we could merely substitute the word "boo". I believe that it is a little unfair to say all ethical relativism could be reduced to psychologistic terms of likes and dislikes. So that when one comes to frame a Convention that deals with problems relating to crime, one has to strike a balance between the idealistic demands of Kantian's "an inherence of the *jus naturale*" and the more pragmatic extremists who subscribe to the ethics of relativism, and any contradictions or vagueness found in a document such as this is a recognition of the extreme difficulty in reconciling what I may call the universal with the particular.

Time and again in the Sixth Committee which is the Legal Committee of the United Nations perfectly reasonable proposals, seen as reasonable from the perspective of a society with our legal system come to grief when they are face to face with the demands and imperatives of other legal systems. So in a patch-work situation such as this, where internationalists believe that the world must do something about the crime of genocide, you have a document such as this that makes gestures to those who subscribe to a deontological theory of ethics and those who subscribe to ethical relativism, and this is the result of that particular compromise. If this document had been framed strictly with regard to principles of the *jus naturale* or an objective standard of right, it would have looked completely different from this. I believe it would have been even more abstract and more general than it is now, but because there are concepts that are recognisable in our legal system, synthesised with general principles; this is why we have this uneasy and linguistically unsatisfactory conclusion. This is always a problem in framing international conventions and until some scholar perhaps yet unborn can solve the age old ethical conflict that I have spoken about, then we will never be able to get the legal document that will satisfy the rigorous demands of Senator Connell. That is the conceptual problem.

Senator Connell alluded to the fact that the law relating to murder in Barbados has achieved a high degree of precision. The answer is "yes". The law relating to genocide as expounded in this Bill is vague. The answer is "yes"; but it is very good reason for this. Jurists have been addressing their minds to the law of murder for thousands of years, and in the common law system for 1,000 years jurists have been talking about murder. It is therefore no surprise that the law relating to murder is highly refined and very precise. The crime of genocide however is not the same as the crime of murder, and I think that because murder is contained in the concept of genocide that it would be wrong to make them

synonymous. The Logician Walter Brennan calls it the fallacy of hasty generalisation where you seek to equate the part with the whole. In the definition of genocide, Murder may be contained in genocide, but it is only a part, because one may commit the crime of murder by murdering a single individual, but one commits a crime of genocide only when one is committing mass murder. So genocide as a crime known to jurists has had a particularly brief history and it can only achieve precision after it has gone before tribunals and they have been able to study the multifarious ways in which it presents itself to them, and then in the fulness of time it may develop a precision which approximates to that of the crime of murder.

No crime is ever precisely defined early in its life. If we look at the definition of murder as a common law offence centuries ago we will see that it bears characteristics of vagueness not dissimilar to the crime of genocide. This is a relatively new thing and that is precisely why there is not the precision or the details which will provide the lucidity that Senator Connell is demanding.

Insofar as the stricture level as mentioned by Senator Connell is concerned, about the absence of *mens rea*, I am inclined to disagree. I believe Article II is very explicit and it demonstrates clearly that there is a mandatory element in the crime of genocide. In the present Convention genocide means any of the varying acts committed with intent, plainly the equivalent of *mens rea*.

Insofar as the other comments about malpractices in Barbados are concerned, these are matters which I myself have heard about. I have brought them to the attention of all those persons concerned with those things and they have assured me that investigations are taking place and where such malpractices are discovered the offenders will be dealt with in accordance with the utmost severity.

The question, that the Bill be read a second time was put to the Senate and agreed to, Senator Connell abstaining.

SENATOR J. A. CONNELL: Mr. President, I wish that my abstention be recorded.

On the motion of Senator the Hon. D. G. BLACKMAN, the Senate resolved itself into Committee on the Bill, Senator the Rev. A. HATCH in the Chair.

On the motion of Senator K. HINDS the Bill was taken as read.

Clauses 1 to 7 inclusive were called and passed.

The Schedule to the Bill was called and passed.

On the motion of Senator the Hon. D. G. BLACKMAN, Mr. CHAIRMAN reported the passing of the Bill in Committee and Mr. PRESIDENT resumed the Chair and reported accordingly.

On the motion of Senator the Hon. D. G. BLACKMAN, the Bill was read a third time and passed.

**BILL TO GIVE EFFECT TO THE NEW YORK CON-
VENTION ON THE RECOGNITION AND
ENFORCEMENT OF FOREIGN
ARBITRAL AWARDS**

SENATOR THE HON. D. G. BLACKMAN: Mr. President, the same kind of historical introduction that I made with respect to the previous Bill just passed is pertinent to this Bill. The Foreign Arbitral Awards Bill seeks to enable Barbados to accede to the Convention on Foreign Arbitral Awards which was adopted by the United Nations in New York in 1958. While this legislation deals with commercial disputes arising out of commercial agreements, it is nonetheless extremely important that Barbados promote wherever possible the universal recognition of Arbitral Awards that have United Nations or Supra-national sanctions. It is very important that this is done because in the troubled history of international relations there are many cases where countries have seen fit to repudiate awards after committing themselves to accepting decisions on arbitration.

A case that vitally concerns Barbados is the unilateral rejection of the Arbitral Award involving territorial dispute between United Kingdom and Venezuela on land situated in South America. The present boundaries of the Republic of Guyana were determined by the Arbitral Award of 1890 arriving out of a dispute with Britain and Venezuela.

The rejection of this award has created a situation where the people in Guyana lived in the knife edge of punishment as a result of the saber rattling of the Government of Venezuela and some years ago incursions into Guyanese territories by Venezuela.

Now some of us who are not accustomed to the ways of the thinking of imperialists and sub-imperialists natures may well ask what has that got to do with Barbados but in Latin America today there is a jingoistic element that intransigently refuses to accept that there are Governments in the Caribbean or that there are people who speak English in charge of Government.

This element perceives the Government of Barbados and all English speaking Governments as legatees of usurpation of the rights of the King of Spain by the British Government, and in this hispanic confraternity these individuals believe that they have a historic responsibility to ensure that the King of Spain's rights are restored and are vindicated.

Now, this may well sound bizzare. Some people might be minded to smile at what they consider the fantasizing of these jingoists in the hispanic world but it is real, nonetheless, and those of us who know that history has produced its Neros, its Hitlers and its Mussolinis, should not doubt for a single moment that it is likely to repeat itself and to throw up a madman bent on territorial expansion in the Western Hemisphere.

There is nothing too bizzare that certain kinds of political situations cannot create. We have even known it to happen in Barbados. I would not be more specific. But, Mr. President, what this means is that Venezuela in the Law of the Sea Discussions claims that its continental Shelf extends in the region of Barbados. This is one removed away from a full blooded claim for Barbados which is consistent with the view of the manifest destiny of the jingoists in the hispanic World.

Sir, the Awards fixing the boundaries of Guyana and Venezuela therefore would be rendered nugatory by an invasion of Venezuela by Guyana which becomes sanctioned by inaction on the part of the super powers. Then, it is only a matter of time before Trinidad falls and when one considers that one of the most outstanding representatives of Venezuela is a cartographer who is responsible for drawing a Map showing Trinidad and Tobago as Provinces of Venezuela, this is a man who is influential in policy making in Venezuela, so you will understand that it is no joke and if Trinidad and Tobago falls, then a domino effect would result and Barbados could not remain an Independent country.

This is precisely why the Government of Barbados has found it necessary to refuse to cede one square inch of territory of Guatemala in the dispute of Belize. Therefore, it is in the national interest of Barbados. It is important to the survival of Barbados to ensure that the respect for arbitral awards is maintained and Barbados, while a small state, could nonetheless lend whatever strength and weight it has to the achievement of this objective.

Recently manufacturers in Barbados and elsewhere have been complaining about failure to receive payments for their exports. All of these are matters which are subjected to arbitral awards in this Convention and it may well be that the material living conditions of persons in Barbados will be vitally affected at some date in the future as we expand our trading links by the existence of such a Convention.

I do not believe, Mr. President, that I need to expediate any more upon it. I believe the few illustrations that I have given serve to underscore the importance of incorporating this Convention in our legislation and I beg to move that this Bill be read a second time.

The question that the Bill be read a second time was put and agreed to.

On the motion of SENATOR THE HON. D. G. BLACKMAN, the Senate resolved itself into Committee to study the Bill, SENATOR THE REV. A. HATCH in the Chair.

On motion of SENATOR K. HINDS, the Bill was taken as read.

Clauses 1 to 7 inclusive were called and passed.

Clauses 8 and 9 were called and passed.

The Schedule was called and passed.

On the motion of SENATOR THE HON. D. BLACKMAN the passing of the Bill in Committee without amendment, was reported to the Senate and Mr. PRESIDENT resumed the Chair and reported accordingly.

On the motion of SENATOR THE HON. D. BLACKMAN, the Bill was read a third time and passed.

INTRODUCTION OF BILLS

Order No. 3 was called – To move the First Reading of a Bill to provide for the protection and punishment of crimes against internationally protected persons.

SENATOR THE HON. D. BLACKMAN: Mr. President, I beg to move that the Bill to provide for the protection and punishment of crimes against internationally protected persons be read a first time.

SENATOR THE HON. O'BRIEN TROTMAN: Mr. President, I beg to second that.

Mr. PRESIDENT: Let it be known that the Hon. Minister does not propose to proceed with this Bill any further today and that the Bill has been read a first time.

Order No. 4 was called – To move the passing of the Resolution to approve the compulsory acquisition of land at the Ivy, St. Michael, for the purpose of housing development.

SENATOR THE HON. O'BRIEN TROTMAN: Mr. President, the Ministry of Housing undertook a survey of various spots of land in Barbados, with a view of building up what they called a land bank. The whole idea was that, if such a land bank were built up and if the necessary acquisitions were made at an earlier date, then, the whole process of establishing new housing areas, or, new areas of public housing, could be accelerated if this were done in advance.

One such site belongs to the estate of one C. Atwell who is now deceased and it is at the Ivy. It comprises – I am trying hard to find the metric equivalent. Unfortunately, the document before me has acres. It is 1.586 hectares Mr. President, situate in the Ivy; so those people in the Ivy would know it – abutting and abounding on the lands of Frank Fields, Thelma Jones, Linda Fields and the public road which we all know as the Ivy. There are, I think, two other such Resolutions on today's Order Paper Sir, on this question of the land bank which is being built up. There are probably some 10 such areas, but these are the ones which are more pressing, in that the Ministry is now in a position to start early erection of houses in these areas and it is considered necessary to acquire these lands compulsorily, in order to avoid further complications with titles, etc. In all cases Sir, some negotiations, or negotiations, have been carried out with the owners or the managers thereof and it is considered advisable that Parliament be asked to concur in these Resolutions as I said earlier, to avoid conflicts with titles etc.

Having said this Sir, I do not know if there is any matter which I can help the Hon. Senate with, except to regret to announce that on this particular question of the Ivy, I have not been supplied with the usual map, but I am sure Sir, that I will supply that map at the next Meeting of the Senate and I give my word to that effect Sir.

I beg to move Sir, that this Resolution do now pass.

SENATOR THE HON. SIR MENCEA COX: I beg to second that.

The question was put to the Senate and agreed to.

Order No. 5 was called – To move the passing of the Resolution to approve the compulsory acquisition of land at Lower Estate, St. Michael, for the relocation of the Barbados Marketing Corporation.

SENATOR THE HON. O'BRIEN TROTMAN: Mr. President, the Barbados Marketing Corporation established by an Act of Parliament in 1961 at present occupies premises on the Princess Alice Highway. These premises are now considered to be inadequate and for some time the Corporation has been looking for a new home. It is now considered after looking at certain other alternative sites that the Corporation should be located in Lower Estate and it is proposed to site the headquarters of the BMC on a portion of land measuring some 8.603 hectares or thereabouts, and this Resolution seeks to acquire that property which is now owned by Mr. Evelyn. There had been some protracted negotiations with the gentleman's attorneys. As I understand it, no agreement has been

reached as yet and it was therefore considered in the interest of speed to acquire the land compulsorily. The land has therefore been valued by the Commissioner of Valuations. The gentleman's attorneys have been in communication with the Crown Solicitor and all instruments have been set in gear for compulsory acquisition which does not now lead to any complications provided the Resolution is passed. It is a fairly large area of land, 21 acres I believe or thereabouts, and this large area is necessary because of the expansion which the Barbados Marketing Corporation hopes to engage itself in in order to carry out those functions which were laid down by the Act of Parliament which established the B.M.C. in 1961 and the amendment of 1964 which further expanded the duties of the Barbados Marketing Corporation. I know Sir, that other areas nearer to the City centre had been considered but for reasons of water protection and other complications we had to move into the Lower Estate area.

I beg to move that this Resolution be concurred in.

SENATOR J. A. CONNELL: Sir, I should like to know from the Minister who introduced this measure the following. He referred to a land bank. Is it contemplated that this land will be another accretion towards the land bank or is contemplated that the Barbados Marketing Corporation will be constructed in the immediate future? If it is so contemplated, can he give us some indication as to what it will cost to build? Can he tell us who are the vendors of the land, and will he indicate from whom is the land being acquired and will he indicate whether he possesses a plan for this particular parcel of land?

SENATOR A. TRUSS: Mr. President, I am sure the Minister who introduced the Resolution would be able to correct the point, but the last Senator who spoke mentioned a land bank. In the introduction to this particular Resolution the Minister did not mention a land bank, but I think he mentioned a land bank in the previous Resolution.

As I understand it, Sir, and to clarify a few points because there has been a lot of misunderstanding about the Barbados Marketing Corporation, the Cabinet at a meeting of 13th October, 1977, decided to have.....

SENATOR J. A. CONNELL: Are we having a Cabinet statement? What are we having in here, I do not understand. I wish to understand. I understand Senator Trotman is the Minister dealing with this matter.

Mr. PRESIDENT: I think you must allow the hon. member to make his speech. He may or may not indicate the source of his information. You have requested answers from the Minister, and I will just let the hon. member say what he has to say.

SENATOR A. TRUSS: Thank you, Mr. President, I was not attempting to answer Senator Connell. I just thought I would clarify the point. Senator Trotman never mentioned anything about a land bank in the introduction to this Resolution dealing with the Barbados Marketing Corporation.

SENATOR J. A. CONNELL: I only asked a question. I asked if this is part. I hope he is not misrepresenting me as he seems to be. I am not saying that it is; I am asking if this land is going to be part of the bank. Can't I ask that question now?

Mr. PRESIDENT: Just have a little patience. The Minister is entitled to reply when all the other members who desire to speak have spoken. I think what the last speaker was saying was that when he referred to a statement by the Minister of a land bank he had actually said, and that is my recollection, he had actually used those words in connection with the previous Resolution but he is quite entitled to explain himself afterwards when he comes to answer your question. Let us proceed.

SENATOR A. TRUSS: Thank you, Mr. President. I would like to clarify that I am not answering any questions which may have been asked by the last Senator. I would just like to make my contribution to this particular matter with reference to the relocation of the Barbados Marketing Corporation from its present place.

A decision was taken by Cabinet on 13th October, 1977, to relocate the Barbados Marketing Corporation at the Pine. Subsequent to that decision loan agreements were signed by the Caribbean Development Bank and the Barbados Development Bank and of course the Government of Barbados and the Barbados Marketing Corporation. Now a particular company, Harlowe Caribbean Limited were given the undertaking to provide professional services to carry out marketing and economic surveys and to prepare preliminary drawings and so on and so forth, and they discovered that the site which was selected which is the site at Wildey was not the best site suited for the B.M.C. It was totally unsuitable for the purposes for which the Barbados Marketing Corporation had planned to use it and also in addition to that the recommendations were that the site as proposed by Cabinet in October of 1977 was too close to the Pine Hill Dairy and this constituted several problems because they would be subjected to contamination from poultry infestation by the large amount of flies which is not unusual in a tropical climate, taint from onions dying and so on and so forth.

The consultants also found that this particular plant should be placed away from residential areas and not too directly upon them for obvious reasons; so therefore they made certain other recommendations and they investigated several other sites. As I understand it, they looked

at Husbands in St. James, Spring Garden in Black Rock, Lower Estate in St. Michael, Lowlands in Christ Church, Exchange in St. Thomas and Applewhaite also in St. Thomas.

Some of this property is privately owned, but the parties concern after they met with the BMC came up with certain recommendations that suggested Lower Estate as the place for the erection of the BMC, because it had good road communications, was very close to collection and distribution areas and was in part bounded by Highway 3. It was also found that there was no particular drainage or foundation problems and that it was a relatively flat area. At present it has clusters of sugar cane and grass. It is isolated from residential areas and this would avoid any problem of stench coming from the plant.

Another factor which contributed to the selection of this particular parcel of land was that an application for sub-division for 112 acres was applied for and agreed to in August 1976, prior to this Government coming into office, and part of this area — 21 acres — would fall into the area designated for agricultural purposes. So this is the reason why the BMC was shifted from the original area intended and designated instead at Lower Estate.

I want to state that I am supporting the Resolution. I think the Government has again done its homework and I merely want through this brief synopsis to inform you, Sir, and the Senate, because I believe that when a decision is made by any of the Ministries or the Cabinet the persons involved are men enough that if they make a wrong decision they would rescind it and make a new decision, since they are always prepared to investigate the facts and try to ensure that they make decisions that are in the best interest of the community at large.

SENATOR THE HON. O'BRIEN TROTMAN: Mr. President, dealing with the five points raised by Senator Connell starting with the last one — the plan. I see he has a copy of the plan before him. The Resolution answers the second question. The Resolution also states in the Schedule that the land is being acquired from Cliviston Evelyn. I can also tell Senator Connell that Mr. Evelyn's interest in this matter is being represented by his attorneys. The price of the land is not yet settled. As I can see from the documents before me, the gentleman's solicitors is asking one price and the Crown Solicitor is offering another, but it looks as though they are getting nearer than they were at first.

Lastly, the question of the land bank is related to Housing and not Government properties, and therefore the question of immediate use does not arise.

I beg to move that the Senate concur in this Resolution.

The question was put to the Senate and agreed to.

LEASE OF LAND AT REEF ROAD, FONTABELLE, ST. MICHAEL

SENATOR THE HON. O'BRIEN TROTMAN: Mr. President, nobody is going to quarrel if Government leases a portion of land to Mr. Altman who then rents it to Chefette's so that they may seat their patrons. The position is that the land we are discussing is the land at Fontabelle on which Chefette now stands. The Government has leased the land to Mr. Altman and Mr. Altman has rented it to Chefette's. What the Resolution seeks to do is to increase the rental rate from Mr. Altman to the Government to \$2,000 per annum. It is considered that in terms of rental value the Government was not getting its fair share of rent for the land and so we are asking the gentleman to pay \$2,000 a year for 6,000 square feet of land.

The new lease will terminate on 31st December, 1982 so that it will coincide with the rental arrangements between Mr. Altman and Chefette's. The conditions of the lease are that the area be kept clean, that no permanent structure be put on the land and that Mr. Altman be given permission to sublet to Chefette restaurant.

I beg to move that the Resolution do now pass.

SENATOR A. TRUSS: As far as I know, Sir, this is the same piece of land which is presently used by Chefette. It is not an additional piece of land, and the contract was originally made between Mr. Altman and the DLP since 1975 at a rental of \$700 per year. All the Government is doing now, as far as I understand, is to increase the rent to \$2,000 per annum and give until 31st December, 1982 for renegotiation of the lease. Right now on the existing land there are just stools and umbrellas where people sit and eat when they go to Chefette.

SENATOR J. A. CONNELL: Sir, I want to comment for the record, since what is said in here is a matter of public record, that a situation exists in which the Minister introducing this resolution cannot give us the information, and an ordinary Senator, — we have no backbenchers here — but a backbencher Senator to all intents and purposes can give us the information.

To me it is irrelevant, whether it is relative to Chefette or Bernstein or Cave Shepherd. The point is that it is public land and we have a right to see all the information relating to it. It does not matter who rented it in the first place.

I would wish to see the taxpayers' of Barbados get the best available market price for land irrespective of who have the use of it but I am only saying that

when these things are brought before us we should be given adequate information so that when we come in here to debate it we know what it is about and because of certain *sotto voce* remarks made at this table when the Senator who last spoke got up and gave additional information which obviously the Hon. Minister himself would not have and I am saying, Sir, that that is beneath the required standard at which measures of the Government being introduced in this Chamber should aim.

It is irrelevant to me who rents the land. What I am concerned about is that the taxpayers of Barbados get a good market price for the land and I think, Sir, that that information should have been included in the Schedule so that we could see what was the purpose of this Resolution because the situation exist in which the explanation given does not come from the person who is piloting the measure through Parliament which I think is unsatisfactory.

SENATOR THE HON. O'B. TROTMAN: I find it difficult, Mr. President, to handle the last Senator. It is irrelevant information. It does not matter who made the last agreement with Mr. Altman, whether it was the DLP, the CLP or the BLP. He said it was not relevant but then he is quarrelling because it was not given by the Minister. He is quarrelling because the Minister did not give him irrelevant information. I cannot handle him, Sir. He is too much.

I beg to move that the Resolution do now pass.

The question was put to the Senate and agreed to.

RESOLUTION TO APPROVE THE COMPULSORY
ACQUISITION OF LAND AT BRIGHTON,
BLACK ROCK, ST. MICHAEL, FOR
THE PURPOSE OF INDUSTRIAL
DEVELOPMENT

Order No. 7 was called — to move the passing of the Resolution to approve the compulsory acquisition of land at Brighton, Black Rock, St. Michael, for the purpose of industrial development.

SENATOR THE HON. O'B. TROTMAN: Mr. President, for the general information of the Senate, Sir, there is a new road being constructed from Brighton to Black Rock which is commonly known as the Spring Garden Road. That road, Mr. President, passes through Brighton.

It is considered, Sir, that the construction of the new Spring Garden Road would entirely change the feature of the surrounding areas, Brighton, Brandon and Fontabelle to some extent and the Government

is spending large sums of money constructing this road and because of the changing feature of the area surrounding the road, it is considered that the best purpose which should be put to the land next to the new Spring Garden Road is to have Industrial Development and somewhere housing, along the road.

My information, Sir, is that a Chemical Plant is to be established somewhere in the area and that other Industrial Enterprises have indicated interest in establishing their businesses along that Highway.

The Resolution in its Schedule sets out that we are acquiring some 3 hectares of land for this specific purpose of Industrial Development. There are other areas which are involved which have been acquired through earlier Resolutions of Parliament and I believe that this is the last such spot of land which the Government considers necessary to acquire in order to develop the entire Brighton/Brandon area in keeping with the large investment on the Spring Garden Road.

I beg to move, Sir, that the Resolution do now pass.

SENATOR THE REV. A. HATCH: The Minister in introducing this Resolution, Sir, said that the areas of Spring Garden, Brighton and Brandon would be affected by the development of the Spring Garden Road and therefore that this land was being acquired for Industrial Development.

He mentioned that a Chemical Plant was likely to be in this area. We have heard on previous occasions another Senator in this Chamber speak on the effect that the Spring Garden Road and the proposed Industrial Estates would have on the value of residential properties.

I am not sure whether the indications are that the property value would go up or down but presumably an Industrial Estate will effect the residential areas possibly upwards. The Minister, as I said, stated that it would affect the Brandon area. It has been brought to the notice of the public that there is a Committee which is acquiring some 400 signatures making the point that the rights and privileges and the enjoyment of people who swim at Brandons Beach would be affected by the development of the Spring Garden Road.

I believe that while the Government and the country is intent on industrial development with which everyone would agree, it should not be at the expense of the social conditions of the people of the area and the many more who go to swim and enjoy themselves on Brandons Beach. I therefore urge the Senate and the Government that consideration be paid to the history

of the Brandon area and the large number of people who for a very long time have enjoyed the privilege of swimming and playing on the beach and that consideration should be given to facilitate the access and egress from the bay. This may require Government to consider an overpass, or underpass, or pedestrian crossing or sleeping policemen or such sort.

I imagine that the Town Planners and the Engineers are well able to provide a solution which will pay attention to the needs and the rights of those who enjoy Brandon's Beach.

A solution which will pay attention to the needs and rights of those who enjoy Brandons Beach and I want publicly – because as Senator Connell is constantly reminding us, this is an Honourable Chamber in which our statements are recorded – I wish to urge Government publicly to consider the needs of people in the area and those who go to Brandons and to ensure that their historic rights, privileges and needs are in no way diminished by the pushing through of the Spring Garden Road and the economic development of the country.

SENATOR A. TRUSS: Mr. President, already the wisdom of the Government in creating the Spring Garden Road can be seen as has been pointed out by Senator Trotman, the Hon. Minister who introduced the Bill with reference, of course, to industry in that particular area. As I understand it, there would be industries, but the major industry which Senator Trotman touched on was the chemical plant – some of which Senator Hatch had to say – perhaps I could shed some light on it. There is a company called the Caribbean Petrol Chemical Plant, it is the Caribbean Petro Chemical Barbados Limited and on 31st October, 1978, they approached the Government.....

Mr. PRESIDENT: Although Senator Trotman made vague reference, it seems to me that Senator Truss is prepared to go into some detail and it appears to me that that will entail a question which Senator Connell asked. It is true that that question was asked in June last year and that is anticipated – I think that is the date, if I am wrong, so much the better – This is the one in March. It means that the possibility of an answer to the question is somewhere in the near future.

If the date is the one I gave, it does not seem that the likelihood of an answer to this question is in the near future. I would not like Hon. Members to anticipate Senator Connell's question by going into debate on this now.

SENATOR A. TRUSS: I am sorry, I missed Senator Connell's question. I will revert to it another time.

Dealing with the compulsory acquisition of land at Brighton, Black Rock, this land is needed for industries. I had not seen Senator Connell's question relating to the Chemical Plant.

SENATOR THE HON. O'B. TROTMAN: I myself share some of the concern of Senator Hatch and I wish to assure the Hon. Senate Sir, that his observations were drawn to the attention of the Cabinet, Sir.

I beg to move that this Resolution do now pass.

The question was put to the Senate and agreed to.

Order No. 8 was called – To move the passing of the Resolution to approve the compulsory acquisition of land at Six Roads, St. Philip for the purpose of housing development.

SENATOR THE HON. O'B. TROTMAN: Mr. President, Sir, the land involves 2.023 hectares. (Asides). It is the property of one Mr. Compton Fraser who has indicated that he is willing to sell the land and as I understand it Sir, the only problem of a straightforward sale was the question of price. It does seem as though his price was a bit or, maybe 100% higher than what the Crown Solicitor thought was the value at that time. The land is already approved for residential purposes and the present owner had in fact obtained earlier Town Planning permission to divide it into 30 residential lots, so there is no question of usage involved. The only question is that of money.

Negotiations are continuing with the dear gentleman, between the Crown Solicitor and his own Attorneys but, in order to proceed with the housing programme, it is necessary to have the Resolution which we are now considering. As I said, it is part of the land bank I mentioned earlier and I believe Sir that we will be having more and more of this land bank as we proceed in the Session of Parliament.

I beg to move Sir, that the Resolution do now concur in.

The question was put to the Senate and agreed to.

SENATOR J. CONNELL: Mr. President, I have a few general remarks to make on this Resolution, some of which are equally applicable to the Resolutions concerning land being acquired for the Bank. Basically, Sir, what I am suggesting is that the Government should take the opportunity at this stage, to plan very carefully the future development of these areas in which it is acquiring land for housing development.

Historically, communities in Barbados seem to have grown up, around and out of the plantation system. Except for communities such as Belleville which has its own peculiar history in this country and to some extent also, for Strathclyde, residential areas in Barbados have not at all been well-planned.

Residential areas in Barbados have not all been well planned. I have a friend called Mr. Albert Alleyne, a man given to research into important social areas of Barbados who has done a detailed study of Belleville as a residential area. He has come to the studied conclusion that with all of the negative aspects of its history it stands out as perhaps the best planned residential area in all of Barbados. Today it lies there still adorned by many majestic cities, its streets are straight and well planned and there are pavements. I am told that the investigations reveal that it has its own electricity linkup and that when other areas are plunged in darkness, light is still available in Belleville.

Now these investigations reveal that Belleville was the creation of a human mind that had enough foresight to plan a residential area and to include in it many of the amenities that make life worthwhile. Since those spacious days residential areas have tended to be rather cramped. There is a conspicuous lack of space; there is an even more conspicuous absence of virtue, trees, flowers, grasses and open areas in which adults and children in particular can walk about and recreate themselves.

There seems to be some provision in the Town and Country Planning Department that those who are responsible for planning and building residential areas must allocate some portion of the land for recreation. It does not appear however, Sir, that this provision is well policed. I remember when I was serving on the Parks and Beaches Commission having to go to a residential area just north of Grazettes, either in or near St. James, the Oxnards area I think it is, to inspect on the invitation of the builders an area which they had conceived to be suitable for a children's play park. The houses had been constructed and this area was left. They wrote the Government and they asked them if they would be kind enough to get Parks and Beaches to plan an area for a recreation ground for children living in the area. When we got there, Sir, what we discovered was that the area assigned for this purpose was no more than a very large hole in the ground in which it was impossible to erect any house or other building for human habitation. That was the area that the builders and planners had relegated to the purpose of recreation for children living in the area, and as one goes through the whole Grazettes/Oxnards complex, what one witnesses is in fact a burgeoning city without adequate space for recreation facilities which give to a residential area that character of a home for human beings.

What I am saying, Sir, in relation to all these Resolutions to which Senator Trotman spoke as being in-

tended for housing development is that we must prevent this sort of development. I use the term in quotation marks because I question whether that can probably be described as development. Any physical construction which tends to cramp the human spirit in my view does not merit the name "development". I have pondered on the reason why we in Barbados seem content to live in cramped conditions, narrow streets, a city basically treeless compared say with Georgetown and other cities in the Caribbean region. I have come to the conclusion that this is partly associated with the fact that Barbados suffers from a paucity of land. I think, however, that we can carry the economising of land space too far. There must be some limit to this business of building houses cheek by jowl, beething over narrow streets unto which children can run and indeed in which they have to play because there are no adequate recreational areas.

What I am asking therefore, Sir, in respect of all of these Resolutions is that adequate thought be given to providing amenities which the occupants of these houses will need in the last decades of the 20th Century and the opening ones of the ensuing Century. Let the planners exercise some imagination as to what the society hard-pressed by the combustion engine, buffeted daily on the streets and in the offices and at their work places by the new phenomenon of noise in this community will need when they go home to relax. Let them think a little about providing the amenities that will make these areas as beautiful and as desirable as some of our predecessors in this country have constructed other areas.

With specific reference now to Six Roads, Sir, all that I say may be taken to apply to that area so far as housing development is concerned; but with specific reference to Six Roads as such, I wish to make with your leave this additional comment that it is one of the important meeting points in Barbados; it is if you wish a sort of Clapham Junction though perhaps there are associations of that term that are somewhat negative, but in a sense it is true to say that all roads lead to Six Roads. Apart from the people who live there and who must travel to and fro from there, all Barbadians pass there at some time on their way either to the Labour College, to the hotels, to the beaches, to the Children's Homes, to George V Park or to one of the important institutions or recreation areas in that parish. At the moment it is characterised by the same cramped conditions that characterise other areas in Barbados: Carrington Village, Speightstown, Eagle Hall. There are areas in which Barbadians live in large numbers under very cramped conditions; I am asking that for the future beginning perhaps with Six Roads we depart from this and begin to create residential areas in which the human personality can develop much more easily and in which life can be much more meaningful.

I was perusing the latest copy of the Barbados Development Plan for the period 1979-80 to see what was planned in respect of Six Roads. I speak subject to correction, but I think this must be the only six roads converging at one point in Barbados and this in my view is of some historical value. Is it beyond the ingenuity of the architects to devise some plan to preserve its character but still phase it out for residential and community uses? At the moment buildings tend to teeter down on the highway. There is a large school in the area, a gas station on the other side of the road, and certain land marks are fixed fairly close to the highway. The Development Plan indicates there is going to be at some time a Fire Station there. There was talk about putting a magistrates courts there at one stage, though I notice the Development Plan now talks about renovations to the existing magistrates court. But where will the gas station go? Is it going to fit into this pattern of density of building? I am urging this honourable Chamber and the Ministers in it in particular to prevail on the decision makers to exercise a degree of imagination and human understanding to plan Six Roads as an area of which the present and future generations of Barbadians can be proud. It will appear that people in a given community in Barbados have to wait until there is a Prime Minister or Deputy Prime Minister who has that community at heart to have a Ministerial interest and concern directed towards it, and I do not know if Six Roads will have to wait — as Oistins had to wait — on such a person. I think that on the whole this is most unfortunate. We as Barbadians born here or living here must be sufficiently empathetic to the human needs of all of us and be able to see the development possibilities of an area and plan it in advance so that future generations can add to it in a way that the development is enhanced. Barbadians leave this country every year and go to London, Washington, Philadelphia and to Europe and they return and talk about how beautiful these places are, how well planned, no garbage on the streets, and so on. Do we not have the possibility of creating the same thing? Is it beyond the ingenuity of our planners to make of Carrington Village, Speightstown, Eagle Hall and Emmerton, areas in which the people who live there can be proud and feel the joy of living and of which visitors to Barbados can also say what beautiful areas they are in Barbados? I think therefore that we should seek to prevail on the decision makers responsible for the development of Six Roads to consider the planning of the road system in that area carefully, the planning of the Fire Station and of shopping facilities. These developments do not have to be left — especially a shopping facility — to the private entrepreneur in the classic economic thought dominated by market considerations for the entrepreneur does not primarily take into consideration the general community; he will get the choicest piece of land for his purposes, put up the conventional supermarket, conventional parking and so on. What is needed now is

an over all plan for that Six Roads area and a phased development of the area according to what the tax payers of the country can afford at any given time.

As far as the housing area is concerned, let us not create another Pinelands. There is a tendency in Barbados to give people a bad name and hang them. I have seen in court the fact that a person hails from Pinelands taken as something against him. Yet if you were brought up in certain parts of Pinelands where the accommodation is just basic, where people live in boxes and have to go outside in the yard to have the use of lavatory facilities — where basically there are no immediate recreation areas — when people are reared under these conditions it is almost inevitable that they will end up with deviant behaviour. Yet there are persons who say you come from so and so, so we can expect so and so. There is a certain social fatalism in it all, in which persons have to be brought up in a certain area and as a result find themselves induced into following certain paths in life. What I am suggesting is that the planners must take these factors into account and plan their housing areas in a more humane way so that there will not be this sense of stigma which attaches to the more depressed housing areas of this country.

There is a great craze among the youth of Barbados for playing fields, and any active politician knows he will be assailed by youths asking for a playing field, and I think that we must be receptive. An Island the size of Barbados cannot have playing fields without limit. There are countries larger than Barbados in which persons have to travel some distance to have the use of a playing field. But there should be some system in the placing of recreational areas. The King George V Park, for instance, was well chosen, and I compliment those who had a hand in planning that park. Sometime ago we paid tribute in this Chamber to Mrs. Daysh and others who made an outstanding contribution to the establishment of that park. I think what the Government should do now is to acquire the land immediately east of the park — in the vicinity of the hospital — to make sure that future extension of the park is not barred. We should not do the development of these areas in an *ad hoc* manner. Someone or group should sit down and view the entire area for development and work out phased plans which can be implemented on the basis of five year programmes. I think we should reach the stage in Barbados where this is no longer a party political matter. I remember Mr. Frank Walcott used to say when the other party was in power and he was a member of that party that he did not think that this whole business of putting a road here or installing water there or a light over yonder should be a matter in which a political party member should have to go and ask the relevant Minister to do him that favour and give some particular group of persons water or light.

It should be part of the programme, he said, at the inception of the Government to say, well, I wish to do so many installations of light and water and people would know across the country what we are about. I think as we go through the closing stages of the 20th Century that we must come to this point in which we plan the development of Barbados for all Barbadians in a long prospective. When we fail to do this we end up with projects like the Building Project in the Pine Lands, some of the first houses that we built there and all of the social problems that flow from having to live in that sort of house.

Some time ago we debated in here the possibility of using the manorial type house on Brittons Hill, I think either associated with the Challenors, as a special sort of library area where persons can go and read books of a special type dealing with Black Culture, etc. That is a suggestion in the right direction.

We have to move, in my suggestion, to a greater degree of centralisation and a greater degree of community services. For a long time we have been talking in this Chamber about having a Community Act and we need that. We need to think more in terms of the community.

The Law of Indecent Language is related to the highway, the using of indecent language on or near a highway. I think we have to rethink these concepts of using indecent expressions, derogatory expressions, particularly to females in the community and in the structural architectural sense as well as in the cultural community sense. We have to plan on a broad basis with a view to improving the quality of life for people who live in the particular community in Barbados.

Sir, that is my contribution to this subject.

SENATOR THE REV. A. HATCH: Sir, I think that Senator Connell is on target when from time to time he reminds us of the relationship between the physical environment and the type of society that eventuates therefrom.

When one speaks to the people of planning and architecture in the Island, one is aware that they are sensitive and environmentally aware of the issues which Senator Connell raised but Town and Country Planning, is I believe, an inexact art. It is one that changes with the opportunities and constraints of the country and so it is one that is very much influenced by public opinion and Senator Connell is often a voice in the wilderness calling for a much more informed public opinion on the issues to which he has drawn attention this evening and many others.

I used to live at Cave Hill and when we stood on our verandah and looked over Bridgetown, we used to say

it was the only forest left in the Island because apart from Turner's Hall, with skills of people like Senator Deane, most of the trees have been cleared away to plant sugar cane and in truth when you look down on Bridgetown it really does appear to have a lot of trees but I think the point to which Senator Connell was leading us to is that we do not seem to design our roads with trees between the traffic and the pedestrians and this is certainly a point that needs emphasizing.

As I said, I live at Cave Hill and I was involved in the Diocese when the developers of Rock Dundo Park, to my mind, fobbed off on the Church, I think nearly two acres of land on which the Church of Christ the King now stands. The Diocese desired to buy the land for the establishment as a place of worship there and the plan called for where the Church stands by the Supermarket to be a place for the public and so the Church could acquire the spot which it wanted but, to my mind, the developers fobbed off on the Church the public area which was required by the Town and Country Planning Department which meant that thereafter in perpetuity the Church is responsible to keep it clean and it is not very clean.

I think better arrangements have to be made. Truly the Church should be a vibrant community and that the community as a whole should keep it in a better manner than which it is presently maintained but with the limited resources it may not be feasible and I think it is in the interest of the country as a whole not to allow developers to fob off communal lands on the Church or anybody but to see that it should be maintained for the community as a whole in some suitable manner.

I have seen in Holland which everyone knows is a very flat country, housing developments where now they actually channel the water and build what you could only call mounds, 30 or 40 feet high to provide a variation in the landscape and where it is planted in trees, walks are provided and where people can walk and enjoy themselves and there is a sad lack of sensitivity in Barbados. One knows that we are a poor society and that these things are unlikely to be a mark of a developed or developing society but it is time now that we are a fast developing society that we pay more attention to these factors.

I am well aware that some people in here are sociologically very well informed and that I am not, but I have an educated power of observation and these developments such as Belleville and Strathcyde of which reference has been made, and one can think of later ones such as Marine Gardens, the Navy Gardens and so on, it seems to me that while undoubtedly one imagines they are well planned from a certain perspective, nonetheless seem to have sociological negatives attached to them to which we might well turn our attention and it is that the ones I men-

tioned, have created white ghettos in Barbados for the first time.

Without being able to demonstrate it, it seems to be one of the reasons for relatively healthy inter-racial climates in Barbados that before these comparatively recent developments and I believe all of this century, there were no white ghettos in Barbados, that indeed, as is easy to see, as we drove along the City and the country, the upper class, using this in terms of the income, the middle class and the chattel house people lived cheek and jowl so my question is whether we are wise in this day and age to be developing as a national policy housing areas which represent one class only.

I believe planning should now in more developed countries desire that there should be homes of different income levels in any new development and that thereby a more healthy community inter-action is enabled.

Thereby, a more healthy community interaction is enabled, but we do not seem to be doing this. For the most part, one acknowledged the development of the Oxnards, Husbands and the Paradise Heights Developments in the last decade, where Government housing is now into — I do not know the technical terms, lower, lower middle, or middle, or upper middle class housing, but for the most part, when we talk about governmental housing, we are talking of what I think is regarded as artisan, working class housing schemes. We tend, therefore, as a national policy, if not intended, to be falling into the trap of developing communities which are all of one income group and I think this is a development that perhaps will prove to be unhealthy in the future and that we should be aware of the possible dangers.

SENATOR D. S. MACKENZIE: Mr. President, I would just like to ask a couple of questions on this Resolution. I know that the Hon. Minister who introduced it has not held the post for very long, so if he does not, or, is not able to answer, I will understand.

In the 1976 Physical Development Plan, in Chapter 4, in defining the hierarchy of settlements, they went through to describe; the first in ascending order of magnitude was the village, then there was the district centre and a regional centre. By this definition and on the figure 4(1) of this document, Six Cross Roads falls into a district centre, whereas places like Oistin and Speightstown fall into the larger one, which is the regional centre. For the Six Cross Roads, it says here that it would be desirable. A service that is proposed in the Physical Plan, would be a Primary School. It already had local shops, a church, community centre and they would plan for a playing field, and a communal bath.

It already had a vegetable market, post office, and a secondary school. They would plan to put a clinic there.

It already had a filling station and a library and it would plan to put a police station, main shops and an outpatients' clinic. Those were the things that were planned.

Basically, in the definition of a district centre, they were thinking in terms as they list here, of secondary schools, banks and department stores, garages, post office, library, police station and I listed all of them there.

Well now, towards the end of 1976, a company in which I have an interest made an application to the Town Planning Office for permission to locate a supermarket and a hardware store in the area and the application, quite unexpectedly, was turned down. The company then appealed to find out really why it was turned down because it seemed to be in contradiction to the Physical Plan that had been drawn up. It went to the Appeal Board, which consists of three people and I understand unofficially that the three people upheld the appeal, but the then Hon. Minister in charge of the Town Planning Office turned it down. I think we received the letter somewhere early in 1979 and the letter that the company received said that the company's proposed development might prejudice the Government's plans for the development of the St. Philip area. It did not specify Six Roads, it said St. Philip the parish, which was then under study.

The letter also did go on to say that if a similar application, or the same application were made to the Chief Town Planner subsequently, or later, that consideration would be given to it. The company has not worried to make any further application because I understand that the study that was going on — I understand this unofficially — that the study that was going on, was a study to do with the development of oil resources in the area of Woodbourne, but not too far away from Six Roads in the St. Philip area and not knowing what the potential for finding oil in that area would be, they wanted to slow down the development, so that they could ascertain whether or not, hydro carbons would be found close to the area of Six Roads.

Seeing this application here, I would just like to ask if, in fact, now that we are being asked to approve a Resolution that would compulsorily acquire some land for the purposes of putting houses on it, whether or not, that study has now been done and whether in fact, it has been ascertained whether the Six Cross Roads area can now go ahead and be further developed along the lines the Government decides that it can be developed. It would be quite wrong of us to offer the Government to buy and acquire, through compulsory acquisition, if, in fact, the study had been finished and there is a possibility that the area cannot be developed because of the finding of hydro carbons close in the proximity of where the houses, or whatever other development they were planning.

I do not know if the Hon. Minister can throw any light on it. I would be curious to know whether, in asking us to pass this Resolution, whether that study was in fact, a study to do with the development of energy resources; whether it has been completed, and whether the Six Roads area now, since we are being asked to buy this land, can be developed for other things which the Development Plan of 1976 envisaged that it would be desirable for it to have as a regional centre.

Thank you, Sir.

SENATOR THE HON. O'B. TROTMAN: The question, Mr. President, of Senator MacKenzie is an easy one because the land which we are discussing in this Resolution is already approved for housing development and has been approved since 1975, so that whether the Government puts houses on it, or, whether the private developer puts houses on it, it is going to be for housing and the question of the study cannot undo the already given authority to develop this particular area for housing.

As I understand it, the study to which he refers involving resources of oil and natural gas, is not yet complete and I believe that the Ministry is still continuing that exercise.

But, back to Senator Connell Sir, the question of the development of Six Roads is a thing which we, on this side, understand Sir. We are happy to see that at least one Hon. Member of that corner Sir, has some interest in the development of Six Roads as a district centre. I do not want to say that side Sir because it represents more than..... (Asides) and we welcome his support.

We welcome the support. It is unfortunate that he could not get his views across to his colleagues, because history, Sir, will show that the development of Six Roads as a district centre is entirely the doings of this side. We hear a sucking of the teeth, Sir, but the housing area in Six Roads was established prior to 1961, the market which never came into its own was established before 1961, the Princess Margaret School was built before 1961, the Post Office was before 1961, the health centre was before 1961, the Library was before 1961 and the branch of the Savings Bank, now the Barbados National Bank, was before 1961. Between then and now nothing new happened in Six Roads, and for the second time Six Roads is getting a lease on life. There is now industrial development in Six Roads, there is going to be more housing in Six Roads, and the Development Plan for the next four years shows that we intend to do something for Six Roads. So we are happy to see that Senator Connell shares our views on the development of Six Roads as a district centre.

The question that the Resolution be concurred in was put to the Senate and agreed to.

RESOLUTION TO COMPULSORILY ACQUIRE LAND AT CLAPHAM, ST. MICHAEL

Order No. 9 was called — to move the passing of a Resolution to approve the compulsory acquisition of land at Clapham, St. Michael for the erection of a new primary school.

SENATOR THE HON. O'B. TROTMAN: Mr. President, as suggested by this Resolution there is going to be a new primary school in the Clapham area. Senator MacKenzie is going to have new neighbours of some hundreds of school children next to his place. The map has been circulated and I hope it has reached all Senators by now.

There are seven parcels of land to be acquired to erect this school. The school is being erected with funds received from the World Bank for the building, revamping and maintaining of primary schools in this country. The land is between lands owned by McEarnay and Laynes Road. I do not have a copy of the map now, Sir, I have sent it around, and all these school children are potential purchasers of motor cars, so there is going to be no objection.

Negotiations are as usual continuing. We have not completed all the negotiations and it is hoped that the new school will soon be constructed, which has become necessary because of shifts in population. Senator Connell earlier referred to the build-up in the Pine and Wildey areas, and it has become necessary to provide additional amenities for this area. I think last year a new playing area was opened somewhere on the other side of the street, Wildey South I think it is called, and now we are going to have a school on the other side of Highway 6; so that the Government is not unaware of the problems and the social strains which are placed on these greatly developed areas of Pinelands and Wildey.

I beg to move that this Resolution be concurred in.

The question was put to the Senate and agreed to.

RESOLUTION TO COMPULSORILY ACQUIRE LAND AT WELCHMAN HALL, ST. THOMAS

Order No. 10 was called — to move the passing of a Resolution to approve the compulsory acquisition of land at Welchman Hall, St. Thomas, for the purpose of road improvement.

SENATOR THE HON. O'B. TROTMAN: Mr. President, the five small portions of land to be acquired at Welchman Hall have to do with road improvement. Going towards the country from Holy Innocent's Church into Welchman Hall is concerned a dangerous area for

pedestrians and motorists as well who have to negotiate a rather dangerous bend near to the new St. Thomas Post Office. Some of the owners have been cooperating with the Government as far as acquisitions are concerned, and others are not so cooperative...*(Asides)* There are no such people in St. Thomas. They are relatively small bits of land because of the several owners involved on the two sides of the street. The complete area is a matter of 5,000 square feet of land, not a very large portion, and we hope to be able to establish a better corner as well as some footpath especially for those persons who have to negotiate the road coming from the Church down the hill at Holy Innocent's going towards Welchman Hall.

I beg to move that the Senate concur in the Resolution.

SENATOR J. A. CONNELL: Mr. President, I have no desire of making any reference to St. Thomas at all. Indeed I had not planned to speak on this matter, but I feel constrained to say a few words on two points. Basically the two are a reference to what Senator Hatch has said and a cultural reflection that I wish to make.

I wish to associate myself with the remarks made by Senator Hatch in the debate on the previous Resolution. I think that in the development of communities we must make every effort not to perpetuate this idea of people living together in social ghettos. This is what I meant when I suggested that the planners must sit down and think of humane ways in which to plan the physical development of Barbados. I wish to congratulate Senator Hatch on his statement. I am certain that Hon. Senators will applaud the degree of sensitivity that he evinces in relation to environmental matters. He is one of the few people who not only speaks but acts as well. The community knows the efforts that he is making in relation to the windows on the sea, a fast disappearing phenomenon in Barbados.

I also rose to make this point: that it has occurred to me and it would be good to hear Senator Wickham on this, that some of the cramped physical conditions under which we live socially and the matter of mis-planning has to do with the English heritage. Many years ago Napoleon, I think it was, scathingly referred to the English as a nation of shopkeepers, and there is a certain commercial utilitarian pragmatism in the way in which the English planned the cities and towns in the Caribbean for which he was responsible.

When one comes to the Spanish and French countries one tends to notice a greater degree of spaciousness. Returning recently from the Dominican Republic I had to reflect that the people who lived there 300 years ago had a greater sense of art and culture as reflected in

the architectural monuments, the way the roads were constructed, with tree-lined highways. But in Bridgetown and other parts of the Caribbean for which the English were responsible there seems to be this spartan utilitarianism in the architecture and planning of the physical development of a country. One of the outstanding exceptions to this is Georgetown, a beautiful tree-lined City. But when one enquires further one comes to the Dutch ancestry in the development of the country. And perhaps it is the basic residual Englishness of the Barbadian character that lends itself to these cramped unattractive buildings. Strangely enough, in England it is not so, but it seems as though the English masters had a way of doing differently at home from what they did in the colonies. I throw this out as one of the possible explanations for some of the basically bad urban and rural planning that we have inherited and seem to be perpetuating in our society.

SENATOR J. WICKHAM: Mr. President, my name has been mentioned in this debate and it is only polite to respond.

One of the first things one notices about the Caribbean is how the European imagination extended itself in the colonies — and after all, the colonies were only reflections of that imagination. The truth in fact is, as Senator Connell pointed out that the kind of Englishman who settled in Barbados was not the same kind who stayed at home, and Barbados, for all its benefits, did not have the benefit of that wide artistic expression which the French Islands had and which Trinidad certainly had. There was a genuine French aristocracy in Trinidad; there was the Spanish aristocracy in Jamaica. But the sons of the gentry who came out to Barbados were either for the most part failures at home or second or third sons who were not going to do very well at home. So we have inherited — in addition to cricket and church buildings — a kind of paucity of imagination. One notices it in literature for example. The kind of poetry which comes out of the French islands or Jamaica or Trinidad has not to a large extent come out of Barbados. Barbados is noted for other kinds of literature — strong journalism and the ability to organise writing but not to write itself.

But to come nearer to the actual question before us, it is significant that the kind of speech which Senator Connell and Senator Hatch made, and the kind of comment I am making now are now possible, when 50 or 60 years ago it would not have been possible to even think of the buildings which we inhabit as ugly buildings; we would have revered them as inheritors of that kind of style; we would never have thought of them as ugly. The fact that we can say that now means that we are expanding our minds. Travel and — for better or worse — the influx of tourists have brought a new vision to us and therefore Senator Connell's and Senator Hatch's pleas

for some attention to communal spaces is more likely to fall on receptive ears now than it ever has been.

SENATOR THE HON. O'B. TROTMAN: If I may respond, I have to thank the Senator for taking us from a minor road works in St. Thomas to a cultural, architectural educational exercise into France, Britain, Santo Domingo, Jamaica and Trinidad.

Mr. PRESIDENT: This sounds very much as though you are criticising the Chair. I think that these cultural and philosophical excursions are very useful and are the sort of thing we expect and delight in in a Chamber such as this, which you might not find elsewhere.

The question that the Senate concur to the Resolution was put and agreed to.

BILL TO AMEND LAND TAX ACT, CAP. 78A

The eleventh Order was called – To move the First Reading of a Bill to amend the Land Tax Act, Cap. 78A.

Mr. PRESIDENT: Let it be recorded that the Bill was read a first time. The Minister does not propose to proceed any further with it today.

RESOLUTION TO APPROVE THE GUARANTEE BY THE GOVERNMENT OF THE REPAY- MENT OF LOAN TO BARBADOS DEVELOPMENT BANK

The twelfth Order was called – To move the passing of the Resolution to approve the guarantee by the Government of the repayment of a loan of \$2,000,000 to be made by the Central Bank of Barbados to the Barbados Development Bank.

SENATOR THE HON. D. G. BLACKMAN: Mr. President, the Barbados Development Bank now enjoys the benefit of a short term facility of \$4 million guarantee by the Government of Barbados through the Ministry of Finance which was authorized by a Resolution passed by Parliament in 1977. The guarantee was signed by the Minister of Finance in 1978.

Section 9 of the Barbados Development Bank Act, Cap. 323 makes provision for borrowing by the Bank within certain limits, and Section 10(1) of the Act provides that with the approval of Parliament the Minister may guarantee in such manner and condition as he may think fit the payment of the principal and interest on any borrowings of the bank. It is this legislative authority which gives rise to the short term facility of \$4 million.

This Resolution seeks to increase that facility by \$2 million. The reason being that there has been an

anticipated increase in the volume of the work of the Barbados Development Bank and in order to maintain the present cash flow level, it is necessary to have this extra \$2 million.

The terms and conditions which apply to the original \$4 million short-term facility are also applicable to this additional facility. Each drawing may be for a period not exceeding 180 days. The amount of money is not paid to the Barbados Development Bank at one time. The Barbados Development Bank draws it down in installments. Interest will be charged by the Central Bank monthly on the outstanding drawings at the rate of 4% per annum and a Letter of Guarantee by the Government of Barbados should be provided to cover the total amount of drawings.

This Resolution seeks, Mr. President, to authorise the Government to make that guarantee and I now move that the Senate concur in this Resolution.

The question was put to the Senate and agreed to.

PRIVATE MEMBERS' BUSINESS

Mr. PRESIDENT: Senator Wickham, give notice of the Resolution.

SENATOR J. WICKHAM: Mr. President, I wish to give notice of a Resolution in my own name which reads as follows:—

“BE IT RESOLVED that the Senate considers that the Report of the Constitutional Review Commission provides the basis for expedient and rational amendment to the Constitution of Barbados.”

Mr. PRESIDENT: Let the Private Member's Motion be placed on the Order Paper.

I understand that the Leader of the Senate has some late papers to lay or business to introduce.

PRESENTATION OF PAPERS

SENATOR THE HON. D. BLACKMAN: At the appropriate moment in going through the Items on the Order Paper this information was not available to me since it reflects business that was concluded in the Other Place yesterday. I crave your indulgence, Mr. President, to give notice of the following:—

A Bill to alter the Constitution to enable payment of certain expatriate public officers' pensions to be assumed by the Government of the United Kingdom pursuant to an agreement between the Government of the United Kingdom and the Government of Barbados.

A Resolution to approve the compulsory acquisition of land at Charnocks, Christ Church, for the purpose of Road improvement.

A Resolution to approve the Civil Establishment (General) (Amendment) (No. 3) Order, 1980.

Mr. PRESIDENT: Let it be recorded in the Minutes that the Bill has been read a second time.

I think I ought to draw it to the attention of hon. members that the Bill in question necessitates alterations to the Constitution and under the Constitution it will

require the support of two thirds of all the members of the Senate. Actually, all the members of both Houses but I am not concerned about that.

ADJOURNMENT

SENATOR THE HON. D. G. BLACKMAN: Mr. President, I beg to move that the Senate do now adjourn *sine die*.

The question was put to the Senate and agreed to, and Mr. PRESIDENT adjourned the Senate accordingly.
6.20 p.m.