

An Oar Mace for the Supreme Court

A mace, being, essentially, nothing more than a large club reinforced with or manufactured entirely of metal, was one of the most ancient weapons of war. While it was not wholly replaced by more efficient weapons as society “developed”, when carried by persons responsible for protecting the King’s person, the mace easily evolved into a symbol of authority in its own right. The functional “battle mace” thus ceded its prominence to the ceremonial “civic mace”.

As a ceremonial object, the mace, crafted from a variety of materials, sometimes highly ornamented (a process which historians fix, in Europe, as commencing in the 13th century), soon migrated in various styles and sizes, from the Royal Court to, parliaments, cities, boroughs, universities, military commanders and courts. In every instance, however, it was intended to symbolise and verify the authority of the office-holder before whom or by whom it was carried.

The Mace of the Supreme Court has been in use for so long that, at the time of this writing, no practitioner can recall when the Court had no mace and the records of when the present mace was procured have yet to be located. This Royal Mace comprises a brass hemisphere, surmounted entirely by a crown, also of brass, the whole being attached to a 63 inch long wooden staff coloured black. Its design requires that, in procession, it is carried upright in the manner of a processional cross in liturgical processions. It is borne by the Head Bailiff, who is also the Deputy Provost Marshal of the Court, the Provost Marshal (who is the Commissioner of Police) being the Court’s “sheriff”, that is the officer charged with enforcing the judgments of the Court.

No longer in the best condition, the Royal Mace will be repaired as needed, rather than replaced, since the appropriateness of a Royal Mace as one of the symbols in use in The Bahamas will be overtaken by inevitable constitutional reform. In short, this Royal Mace, which symbolises that the Court dispenses justice in Her Majesty’s name, will only continue in use for so long as The Bahamas remains one of Her Majesty’s Dominions.

To mark the 30th anniversary of my admission as a Counsel and Attorney of the Supreme Court in October of 1976, I commissioned the production of an “Oar Mace” for presentation to the Court. It is anticipated that the Oar Mace will be used in conjunction with the existing Royal Mace for the foreseeable future.

What is an “oar mace”?

Within centuries of the evolution of civic maces from battle maces, the oar mace appears to have become associated with the exercise of the admiralty jurisdiction in England and it was even routinely displayed at public executions ordered in admiralty sessions for nautical crimes and piracy. The archetypal oar mace, the Oar Mace of the High Court of Admiralty in London, served as the prototype for oar maces for the Vice-Admiralty

Courts elsewhere in the British Isles as well as the Colonial Vice-Admiralty courts and increasingly spread across the globe. Silver Oars were crafted for the Vice-Admiralty Courts of Bermuda, Boston, Massachusetts, Calcutta, Toronto and Malta. The practice evolved in England, and elsewhere which followed the practice, of placement of the oar mace according to whether the court was exercising its admiralty or general civil jurisdiction

In more recent times, a number of modern oar maces have been created and presented to Admiralty Courts in several Commonwealth countries to celebrate special occasions or milestones in the admiralty jurisdiction. In 2002, on the occasion of the presentation of an oar mace to the High Court of New Zealand in memory of Bradley Harle Giles to acknowledge the significant role the late Justice Giles had played in maritime and admiralty law in New Zealand, both as an advocate and as a judge, Jennifer Sutton, Chair of the New Zealand Branch of the Maritime Law Association of Australia and New Zealand and Vice-President of the Federal Association observed:

“The Admiralty jurisdiction is in some respects unusual . . . The reality is that it is a field where the Court is confronted with disputes which by their nature often involve black letter law principles and the need to have regard to practical twenty-first century commercial realities. The manner in which counsel and Judges grapple with Admiralty disputes, calls upon a careful weighing of these sometimes conflicting considerations. More often than not the substantial Admiralty cases concern situations involving a plethora of domestic and international legal issues, numerous parties with diverse interests, related proceedings in overseas jurisdictions, and substantial sums. The pragmatic manner in which cases in the Admiralty jurisdiction are managed by the Court is an excellent example of the expeditious conduct of proceedings . . .”.

I consider the observations of Ms Sutton to apply beyond the admiralty work of the Supreme Court of The Bahamas to all aspects of the Court’s non-criminal business, especially the work of the Commercial Division, The Bahamas having the financial services industry as one of the pillars of its economy, and a component of the Commercial Division is the admiralty jurisdiction, the importance of which is a direct result of The Bahamas being one of the largest maritime registries in the world. Moreover, as far as the symbolism of the oar goes, Bahamians, in their own experience as inhabitants of an archipelago and use of small vessels as a means of transportation and communication, recognise the oar as both a means of propulsion and steering. For The Bahamas, therefore, the oar mace should have broader significance than was the original expression in 16th century England.

The Oar Mace was crafted by Mr Gilbert Elliston who had earlier carved and painted the rendition of the national Coat of Arms which is displayed on the wall above the bench in the main court room of the Supreme Court.

Originally from Jamaica, Mr Elliston, who has lived and worked in The Bahamas for the past 20 years, is Vocational Instructor at the Hopedale Centre and whose handiwork includes the maces of the College of The Bahamas, the Bahamas Baptist Community College and Sojourner Douglas College.

Measuring sixty inches, the Oar Mace is rendered from a single length of mahogany and the Coat of Arms of The Bahamas appears carved in relief on one face of the blade with the logo of the Supreme Court displayed on the other face. The judicial oath, “**to do right to all manner of people after the laws and usages of The Bahamas, without fear or favour, affection or ill will**”, appears in gold lettering around the edge of the blade.

The Royal Mace resides in wall bracket behind the bench in the main court room to the right of the presiding judge and the Oar Mace will complement this placement on the left.

Burton Hall
Chief Justice
31 August 2007