

Dr Jagan's defence before His Worship Mr R.G. Sharples.;

Sir, I told you that I was not going to enter a plea of guilty or not guilty because in the first place to do so would presuppose ~~no~~ a recognition not only of the validity of the Emergency Order, but also the justice of that Order. You have also refused me my only application to have His Excellency the Governor brought here as a material witness. The whole case depends upon his opinion which is set out in the Order. He says "and whereas with respect to Cheddi Beret Jagan with a view to prevent him from acting in a manner prejudicial to Public Safety and Order."

Sir, those words "Public Safety and Order" are indeed a very strange connotation. Let us go back to the Emergency Order, it was not my action or indeed the action of my colleagues in the Peoples' Progressive Party either as members of the Government ~~or~~ of the House of Assembly.....

The magistrate.- I am not interested in the ~~the~~ House of Assembly I am trying a case in which you are charged with a breach of the Emergency Regulations. What are you doing now. Are you submitting that there is no case to answer,? Either you make a defence or not. This is a court of Law.

Dr Jagan.- I am making a statement from here. I am making a statement from the dock, which I am entitled to do.

The magistrate.- You do not want to give evidence?.

Dr Jagan. No.

The magistrate.- You do not want to call witnesses in your defence?

Dr Jagan.- No Sir, with the exception of Sir Alfred Savage, whose application you have refused.

The magistrate.- You will understand of course that if you wish to make a statement from there, that statement would not bear the same weight <sup>as</sup> the one on oath.

Dr Jagan.- I do not want to waste any time. It is said here that the Governor is restricting my movements because he thinks that my free movement is prejudicial to Public Safety and Order, but what I would like to say is that it is not my movement which is prejudicial to good Government or Public Safety, but the movements of the troops in this country. The movement of Alfred Savage. You are interested in regulated force but I am interested in ~~the magistracy~~ justice. My rights are restricted, but the same people who have restricted my movements and have made the emergency order, they are the ones who have started the emergen-

cy in this country. I could not prepare a defence in this case because as I see it this justice is one-sided.

I was not given the opportunity to prepare a case, and if ~~this~~ this is the kind of justice handed out in this country, then all the citizens should be in jail. His Excellency and his boss Mr Lyttleton have ill-will against me, and if Alfred Savage did not have ill-will against me, he would not have deposed me as a Member of the House of Assembly when he created the emergency order.

Where is the threat to Public Order and Safety? Sir, the ~~present~~ present administration of this country is transforming a normal situation of peace and order to .....(Here ~~the~~ the magistrate interrupted). After the interruption letters which were sent to the Commissioner of Police and to the Governor were read to the magistrate.

When the letter was presented to the Commissioner of Police I was immediately summonsed by him, and he told me that he had no jurisdiction on the question of ~~granting~~ relaxing the emergency order placed upon ~~me~~. He suggested that I should contact the Colonial Secretary and seek an interview with the Governor. I therefore wrote the Governor asking him to direct his attention to paragraph 5 of the letter, and to reply as quickly as possible.

But before the evening was out, I received a letter signed by the acting Governor secretary stating that he was sorry and that he was not prepared to to relax the restriction placed upon ~~me~~ me. This emergency order has been flagrantly violated before by people in the puppet government--the present administration of this colony--, and one of the defeated candidates was brought before this court.

The whole country has been reduced to one vast prison, and we are not extending to the 42 colonial territories the meaning of human rights.

We are now making history in British Guiana, and history will remember you as the magistrate who has tried this case of the State against Jagan, but I want the people to know that these courts are not courts of justice, but courts of law. The Legislative Council are the cogs ~~in the~~ ~~which~~ which are grinding the fat of the poor people, and as far as I am concerned I do not expect justice in these courts., that was why I withdrew his plea ~~of~~ not guilty. I did that because the law is fascist and framed by the fascists and I am not bound to plea,.

This court is not interested in justice but in the law, but what I want to say is that justice had been dead in this country since the troops arrived here in October last, and the whole country is now a vast prison.

Whether I am in jail ~~or~~ or not it makes no difference to me I have enjoyed the slums of poverty and the pleasures of luxury I came out of poverty and my going back to jail is nothing at all.--from the Leader of the House of Assembly to the jail--perhaps that may be justice.

But I am looking forward to the day when there would be justice in these courts; when the Savages and the Lyttletons and the perpetrators of ill-deeds would be behind the prison bar. The clock is striking. I am advising the people of this country not to obey the fascist laws, and protest to show what is happening in these courts. On the 21st of April, I advise all my supporters to wear a ~~badge~~ badge/ of mourning on Queen's birthday.

Sir, you are fortunate that you are the magistrate in this court--because tomorrow my child and your children, would be able to get up and say that I have struck a blow for freedom. Thank you."

I have already known the limits of the jail, Sir, and that does not bother me. One member was brought before this court and was discharged under section 42, and there are members of the public who are doing the same thing and nothing happens. People like Sugrim Singh, Tello, Lyttleton and Savage, they are the ones who are the public threat, and they should be locked up, Sir.

Sir, you are free to take whatever action you like. I am not a magistrate, and I do not want to waste your valuable time any longer, because this thing here is a real farce. I am not interested in legislation, but in justice, but your job is to administer justice according to law, ~~and not to come into being~~. But my justice goes beyond the law. As far as I am concerned I do not recognise the emergency order which was born to give sub-birth to the brain of facists, who were prepared to take away the rights of the people willingly, not only in this country but all over the world.

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