

DR. CHEDDI JAGAN
NATIONAL ASSEMBLY SPEECHES
VOLUME 2

**The Fourth Legislative
Council
January 1952 - April 1953**

Dr. Cheddi Jagan
National Assembly Speeches Volume 2
With a Preface by Dr. Roger Luncheon
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PREFACE

Dr. Jagan was first elected to the Legislature of British Guiana in 1947 and served until 1992, a span of almost fifty years in elected public office. During his period as a Legislator/Member of Parliament 1947 – 1953, Dr. Jagan served as an elected member; as a Head of Government 1957 – 1964 in the pre Independence period; and as a Leader of the Opposition Party in Parliament 1964 – 1992, until the PPP was returned to power in 1992. In 1997, he died in Office as Head of State and Head of the PPP/Civic Government.

Compiled in chronological order, these volumes contain Dr. Jagan's speeches made in Legislative Assembly/Parliament during his long career there. These speeches reflect his consummate attention to events that developed during the important periods in Guyana, the Caribbean region and the world.

Dr. Jagan was elected and entered the Legislative Assembly in the colonial era. The inequities and inhumanity of that period (the post World War II period) was the arena in which he started his life and career as a politician. With universal suffrage and the political party of his creation, the PPP, he entered the legislature and piloted the PPP that was poised to take British Guiana to Independence.

Betrayed by the Western powers, the PPP was removed from office in 1964 and led in Parliament as the Opposition Party for twenty-eight years. In 1992 his party regained power, removing the PNC after a free and fair election.

Dr. Jagan's speeches illustrate his humanism, his dedication to the working people, the poor and the powerless. He spoke as an Internationalist, joining his and Guyana's voice in the struggle for national liberation, independence and development. During the Cold War years, he argued for peaceful co-existence and non-alignment. His major contributions dealt with national issues impacting on socio-economic development in Guyana. He proposed initiatives that were well thought-out and carefully crafted, and which enjoyed the support of Guyanese. He emphasised good governance, economic planning and a tripartite economy. He exposed excesses and wrong-doings during the colonial regime and under the PNC Government and fought tirelessly in Parliament to succour the victims of colonialism and PNC misrule. For him, democratic Government needed to address issues of economic justice, for the sake of global security. The unnecessary and cruel wastage of human talent was his major concern. As he once declared, "Democracy can only prosper in an environment of economic, social and ecological development. Poverty atrophies the vigour and initiative of the individual and deprives the society of incalculable human re-

sources. If left unattended, the expansion of poverty with hunger and the hopelessness it engenders will undermine the fabric of our civilisation and the security of the democratic state, thus threatening world peace." He was equally passionate in the cause of environmental protection, recognising an intimate linkage with human economic development but also the human spiritual hunger for beauty. He put it memorably thus : "... the natural resources of our planet must be utilised for the benefit of mankind in such a way that they remain available for future generations, and that in the process of utilisation, fullest measures are taken to prevent environmental degradation. Sustainable development is an all embracing process which is centred on human development. There are two major needs which have to be satisfied. One is to use natural resources for the material and spiritual upliftment of all people. The other is to maintain the delicate balance in nature reflected in the various eco systems adorning our planet." Cheddi Jagan was, and is, the adornment of our country. His record of service is unsurpassable and the history of the party he led is intimately interwoven into the essence of things Guyanese.

Dr. Roger Luncheon
Head of the Presidential Secretariat

Biographical Summary of Dr. Cheddi Jagan

- Name:** Cheddi Berret Jagan
- Date of Birth:** March 22, 1918. Port Mourant, Corentyne, Berbice, Guyana
Died March 6, 1997
- Parents:** Son of indentured plantation workers; mother (Bachaoni) and father (Jagan) along with two grand mothers and an uncle came to the then British Guiana from Uttar Pradesh, India.
- Personal :** Married August 5, 1943, to Janet Rosenberg of Chicago, Illinois USA;
has two children: Cheddi (Joey) and Nadira
- Education:** 1933-1935: Queen's College, Georgetown
1936-1938: Howard University, Washington, D.C. USA
1938-1942: Northwestern University. Dental School, Chicago, USA, Doctor Dental Surgery (DDS)
1938-1942: Central YMCA College, USA. Bachelor of Science (B.Sc)

Trade Union and Political Career:

- 1946:** Organised and spearheaded the formation of the Political Affairs Committee and the PAC Bulletin.
- 1947-1953:** Elected Member of the Legislative Council
- 1950:** Founded the People's Progressive Party.
- 1952-1953:** President of the Rice Producers' Association.
- 1953:** From April to October, headed PPP elected government and was Minister of Agriculture
- 1954:** Spent 6 months in jail for breaking movement restrictions order.

- 1957-1961:** Headed second elected PPP government and was Minister of Trade and Industry.
- 1961 –1964:** Headed the third elected PPP government as Premier and Minister of Development and Planning.
- 1964-1973;**
- 1976-1992:** Leader of the Parliamentary Opposition.
- 1970-1997:** Honorary President, Guyana Agricultural General Worker's Union;
General Secretary of the People's Progressive Party.
- Oct 9, 1992-**
- Mar 6, 1997:** President of the Cooperative Republic of Guyana.

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Estimates - Agriculture: January 9, 1952

Dr. Jagan: I would like to add a few remarks also. The Hon. the Colonial Secretary has stated that the Rice Producers' Association was expected for a long time to send in recommendations to Government for the amendment of its Ordinance, and I think the delay was due to the fact that there were certain people dominating the Rice Marketing Board who did not want any change in the setup.

(The Colonial Secretary: They have sent in suggestions for the amendment of the Ordinance.)

Dr. Jagan: I am glad to hear that, because the delay was due to the setup. The Hon. Member for Eastern Demerara referred to the manner in which the business of the Association is conducted, and that is due to the type of persons that have been placed on the Council. I remember that although the Hon. Member was nominated for a certain district he did not find a place on the Council of the Association. I was also in the same position. I think it should be obvious that the system of indirect voting which is employed by the Association is outmoded and the people would not have much confidence in that body when they see that in many cases their representatives who get the highest number of votes do not get into the Council of the Association. I hope this matter will be taken in hand and remedied very early.

I also want to point out that the Rice Producers' Association must be made into what its name implies — a rice producers' association. Landlords and millers should be regarded as being outside the association, as I feel that the rice planters are the people who should be regarded as the producers. The landlords and millers get their share, and get the major portion of the profits at that. I think that when this Ordinance is revised these matters should be given very serious consideration. There is one aspect which I think should be looked into especially, in these days of rising unemployment, agreements and so on. I see that in item 17 there is a vote for "*Experimental Farm Settlements and Demonstration plots—Maintenance*" (\$1,000). I have been giving this matter some consideration and I think Government will do well to look into it also.

It is a question of making homestead farms in the Rupununi district. There are many individuals on the coastlands today who, for want of something better to do, are roaming the streets and indulging in housebreaking and other illegal activities. While the Members of this Council were on a

visit to the interior we found small farms at some of the homes we visited, along with a few head of cattle and so on, and we were pleased to see how very nicely some of these places were thriving.

We have on the Estimates at present a vote for the purpose of setting up a small refrigerating plant at Lethem, in the Rupununi district, and if that is done I do not see any difficulty in bringing things like mutton, bacon and so on to the City. I think if we can settle some of these people—a few families to start with—on an experimental basis in this district, giving them a few acres of land so as to have an economy in so far as food is concerned it would be an excellent thing. They can grow the food they require for their own use, and they can keep a few head of cattle around the house so as to get milk for their families and to provide their farms with manure. They can produce certain types of crops, like tobacco, for which there is some demand at present; and other things which would be economical, taking the high cost of transportation from Rupununi to Georgetown into consideration.

There is another item which I would like to refer to, and that is Fisheries. We have had investigations made into the question of fisheries in this Colony, and we have sent abroad for training a young man who is now carrying out experiments in various parts of the Colony. But it seems to me that the fish situation is getting from bad to worse. It was announced a few days ago that Messrs. Wieting & Richter have decided to give up their deep sea fishing. Some time ago we were told of the possibilities of introducing fish into the rice fields, and there was also some talk of utilising the flood-fallowed rice fields for the same purpose. I do not know what is really holding back the development of the fisheries in this Colony, but it seems to me that from time to time we merely engage in experimentation. I think the time has come when Government should go into the matter more seriously. There are many small men who engage in fishing, particularly on the East Coast, at great inconvenience and despite many hardships. For one thing the insurance companies would not give insurance on their small boats, and because of that even the Department which grants loans (I do not know if loans are still being granted) is reluctant to give large loans to buy gear and boats. There is also the difficulty of getting ice, and I hope that when Government sets up its ice plant in conjunction with its Marketing Depot this problem will be solved.

I think the time has come when Government should build two or three large boats capable of being used for deep sea fishing. There are many fishermen of long experience in this country to whom the boats, when properly equipped, could be rented. I would not suggest that Government should run the fishing boats itself, because it is felt that anything run by Government is usually run at a loss. I myself am not a great champion of free enterprise, but if we take Puerto Rico as an example we find that the Government of that country has certainly done a great deal in industrialising and developing that country. It has set up factories and runs them itself. In

some cases they are rented on a subsidised basis to individuals who are willing to set up small-scale industries. I feel that this is one way in which we will be able to tackle this fishing problem, and I hope that in the coming year Government will give this matter some consideration.

I would like to make one observation on the question of farmers' security of tenure. Rice farmers in this country are certainly suffering a great deal despite the fact that there has been an increase in the price of rice, and certain individuals allege that they are making a lot of money. A rather amusing incident occurred yesterday at a meeting of the Agriculture Advisory Committee. The Director of Agriculture gave statistics of the cost of production, whereupon the Hon. Member for the North-Western District (Mr. Phang) said that the farmers could do it more cheaply. The basis of agriculture in this country is the cost of production. If the cost of production was always taken into account it would be found that it would not really pay a small farmer to pursue agriculture. It is only because he uses his own labour and that of his family at very low rates of pay he is able to make a living, and for that reason he maybe said to appear prosperous. But when we consider that the average farmer has only a few acres of land, and what the yield of rice is today we can very well appreciate that with three or four acres of land a farmer cannot obtain sufficient money in a year to maintain himself and his family in a decent standard of living.

The problem of the peasant farmer is the lack of security of tenure. Every time there is an increase in the price of rice the landlords increase their rents for the land. I feel that the time has come when Rice Farmers' (Security of Tenure) Ordinance should be completely revised. As it is now it does not afford the tenants any security whatsoever. It provides security for the landlords. The Ordinance should be amended so as to bring it in line with the Rent Restriction Ordinance, so that if a tenant feels that he is being charged too much he should have the right to appeal to the District Commissioner if there is no desire to put further burden on the Magistrates. Various pretexts are used in order to take lands away from the farmers. I remember taking up with Government a case in which a landlord in Essequibo said he wanted his land to build houses. The District Commissioner gave him the land but when the tenant protested he was allowed to remain on the land on the condition that he paid an increase of \$2 on the rent. The rent has been further increased this year, and so it goes on. The result is that the increase in the price of the rice is not going into the farmers' pockets. I trust that Government will take the matter in hand quickly and see that the Ordinance is amended so as to give the farmers the protection which was originally intended. The last speaker referred to the fact that in many cases landlords rented Government lands at 20 and 25 cents per acre and leased them to farmers at \$8 and \$10 per acre. I hope Government will look into the matter.

Another aspect of the question, in respect of which legislation should be introduced, is the question of compensation for improvements made to

land. I have read in the Land Tenure Symposium of the Caribbean Commission that in the English Statute provision is made for compensation in that respect. In this country people improve and cultivate lands and when they are kicked out there is no provision in law for compensation to be paid to them. Apart from losing their means of livelihood, what they have put on the land in the form of permanent crops is taken away from them. I hope this matter will also receive the attention of Government.

Estimates Education: January 10, 1952

Dr. Jagan: I was fortunate to attend a meeting with the Indian Commissioner for the West Indies who visited this Colony recently and toured several parts of the country. On the subject of the teaching of East Indian languages he said that the money provided by this vote was not being properly used for the purpose intended. He pointed out that there were many individuals who were receiving very small amounts for teaching Indian languages while others, because of their association with some religious body, were receiving larger amounts than they deserved, because they were not really teaching Indian languages.

Another point I would like to raise is the question of the literacy campaign. I feel that we should do everything possible to make all the people of this Colony literate – not only those of school age but those between the ages of 17 and 30 and even beyond. We know that there are many persons in this Colony who may be considered literate because they can sign their names, but such persons cannot be considered literate at all. That is certainly not good enough. We are realising more and more that for a country to develop and become prosperous its people must not only be able to use their hands but their brains also so as to be able to produce as much as possible with the technical facilities at their disposal. This is where the importance of reading and writing comes in, particularly reading, which is a great help, because one begins to understand processes and to take an interest in things like chemistry and scientific agriculture, which are essential in a country like British Guiana where so much depend on agriculture.

I hope that something will be done in the near future to have the literacy campaign going again. It is a great pity that after Government has spent so much money that the campaign was abandoned after books had been prepared for adult education and were about to be printed. I do not know why the campaign was suddenly dropped. I hope it will be resumed, and that the books which were prepared by the Literacy Officer might be examined by some Committee to see whether they can be useful for a new literacy drive.

Estimates Local Government: January 10, 1952

Dr. Jagan: I too would like to make a few observations under this Head, especially with reference to the Local Government Board. I think the time is long overdue for a complete revision of the system of local government in this Colony. As long ago as 1932, the then Attorney-General the late Mr. Hector Josephs, headed a Committee which reviewed the whole question of local government in this Colony. I know that reports are being written, books are being published and the system of local government in British Guiana is praised to the skies, but that is simply because the system in this Colony is compared with other more retrograde systems in the West Indies and other places. Today we have a system of dictatorship so far as local government is concerned. I wonder if the Members of the Local Government Board have the time or ever take the trouble to go and find out what is happening in all the nooks and corners of this country, because we know that they not only administer the affairs of villages but also of country districts, which have nominated councillors, and rural districts which have no councillors at all but are directly under the administration of the Local Government Board.

Why is it that the recommendation made by the Hector Josephs Committee in 1932 for the establishment of the County Council system in this Colony has not yet been given further consideration? I feel that the people must be given an opportunity to rule themselves. We talk a great deal about democracy. Some Members talk about the importation of foreign ideologies into this Colony, but the way to prevent such importation is to give the people a chance to govern themselves. We are to have adult suffrage and a new Constitution but we are going to base the new structure on this rotten system of local government. We are told that leaders must be trained from the bottom so that the Legislative Council may be composed of representatives of the people from all parts of the country. But that is not being done at the moment. After village elections we find the Local Government Board appointing as Government nominees candidates who were defeated at the elections. If we talk about democracy we must practise it. There is nothing more retrograde than the nomination by the Board of a person who has been defeated at an election. The people can have no confidence in a Government which does that sort of thing. We hear a lot about political agitators, but those are the things which agitate the people. They are not going to be governed in that manner.

I think the time has come when there should be a system of centralisation so far as local government is concerned. There is a great deal of waste in the duplication of administrative services. We have Officers of the Public Works Department and the Sea Defence Department travelling up and

down, and I am sure that if there was decentralisation of services Government would effect considerable saving. I do not know what are the views of the Village Chairmen's Conference on this particular issue. I recall that the Chairman of the Conference submitted a Motion in this Council some time ago, but as Your Excellency was out of the Colony at the time I believe it was decided that in view of its importance the debate on the Motion should be deferred until you returned. Since then I have been told that the Village Chairmen's Conference had changed its decision in the matter, and I do not know what is its present attitude. I only know that the Motion has not come up for discussion in the Council. I feel that the time has come when we must remove the dictatorial powers of the Local Government Board.

I think Government should go into the question in order to find out where these so-called savings will be effected by the amalgamation of these two villages. We cannot depend upon the Local Government Board any longer. The people have no confidence in many of the officers of the Board, and if Government does not introduce a proposal very shortly for the reorganisation of the Local Government Board under a system of County Councils I shall be forced to move a Motion myself.

Another important matter is the question of the franchise. We have all types of franchises in this Colony, and we are now going to have adult suffrage. In the City of Georgetown one has to own property or pay a rental of \$6 per month and he must also be literate before he can be a Municipal voter. But in the rural districts we have the anomaly that a person cannot be a voter at a village election unless he owns property, but he need not be literate. So that we have a hotchpotch as regards franchise conditions in this Colony. I think the time has come when we should have one list of voters for Municipal, Village Council and Legislative Council elections. I see no difficulty about such an arrangement. All that would be necessary would be to divide the list into various areas and arrange the voting on the basis of residential qualification. I hope that such a system will be given consideration now that we are embarking on a new venture of adult suffrage in this Colony.

I would like the Hon. Member to tell us in view of his experience abroad, in what way our system will be different from those obtaining in England and so on. All he has given us is a general picture but I would like to know in what way we would benefit in this country from what he has learnt abroad. Recently I have been more than worried over the dictatorial attitude of the Board. The Board has not taken the trouble to find out, but his saying that local authorities do not want to be elevated. I would like to ask the Hon. Member what about Hopetown? Has the issue been put to the people in each of the country districts? In the case of Sparendam the rate-payers have voted against amalgamation with Plaisance. The Hon. Member does not say that. When notices are sent out by the Board they are sent to the country authorities where there are many individuals who do not

want the country districts to be elevated to village districts because they are afraid that in case of election they would lose their seats. That is one of the big reasons why the people in these districts have been prevented from accepting elevation which they really want, and it is not correct to say that they do not want it.

Estimates Social Welfare: January 10, 1952

Dr. Jagan: I would like to make a suggestion under this Head, with respect to old age pensions and social assistance. We note with alarm a large number of crimes that have been recently reported in the Press — thefts, house-breaking and so on. Apparently the unemployment situation is getting worse from day to day. All these factors including the increase in the cost of living lead to crime and, consequently, we have this problem of people trying to earn a livelihood by crime, particularly in a city like Georgetown where there is no means of catching a few crops as can be done in the country districts. I do hope Government will give serious consideration to the question of increasing the allowances being made to the indigent and unemployed. The present allowance cannot really enable these people to do anything to help themselves. So far as old age pensions are concerned, we accepted an amendment in this Council some time ago to raise the age limit to 60 years, but up to now that has not been implemented. We also agreed to accept a means test of \$10 per month, but that has not been implemented either. It would be unreasonable to expect anyone in these days—old people particularly—to live on \$10 per month because their children, even if they are willing, cannot afford to assist them. I hope some effort will be made by Government now that increases are being allowed on rent and so on, to see that better allowances are given to the old age pensioners and also to those people who come under the Social Assistance Department.

The Hon. Member for the Eastern Demerara has raised an important point, however. We should know what is Government's view on certain matters. For instance, it is nearly two years since the amendment for the extension of the age-limit relating to old age pensions was adopted by this Council and nothing has been done by Government up to the present to implement it.

I do not know if Government has given very serious consideration to the question whether the money could not have been found from other sources. I have in mind the question of free leave passages. I think that when they were first introduced—

Estimates Magistrates: January 10, 1952

Dr. Jagan: We have heard the views of two practising lawyers on the subject of Magistracy, and as a layman I would also like to record what I know about the matter. I have also had brought to my notice several complaints about Magistrates. I agree that local people should be appointed to positions of responsibility for which they possess the necessary qualification, but such people should not behave, as the Hon. Member has said, in a bombastic manner towards ordinary persons simply because they sit upon a high chair. We are constantly hearing the remark in this country that justice is bought and sold. We often hear people say that they engage a certain lawyer because he is "*the Magistrate's friend*". We have known things like that going on all the time. Justice is certainly not meted out according to the principle of law, but in many cases is bought and sold over the counter.

(**The Chairman:** The Hon. Member says that justice is bought and sold over the counter. A statement of that kind may give a rather serious impression to people who are less educated than we are. What really does the Hon. Member mean when he says that justice is bought and sold over the counter? I must ask the Hon. Member to be careful.)

Dr. Jagan: I appreciate that, and that is why I will clarify my remark by giving this illustration. Another practice which is prevalent in the Courts is the way in which the ordinary man is handled. He gets up to speak and the first thing he is asked "*Where is your lawyer?*" I do not think justice demands that an individual must have a lawyer on every occasion. If an individual cannot afford to retain a lawyer the Magistrate should hear what he has to say. In other countries, like the United Kingdom, I think the Government provides somebody to give legal aid to such people. I think it is a common practice among local Magistrates not to give much attention to persons who are charged before them if they do not have a lawyer. I think it is wrong and a stop should be put to that practice. Many persons are unable to explain themselves in proper language, and many of them are afraid when they appear before the Court. An opportunity should be given to them to explain themselves. We know how many lawyers practise in this country. In the rural areas the cases do not require any long preparation, and in some cases touts are used.

In many cases, especially in the rural districts, a lawyer takes on a case at almost the last minute before it comes before the Court. Many persons would represent themselves if the Magistrate would give them an oppor-

tunity to do so and give them a patient hearing. People are very poor in this country and I feel that every opportunity should be given them to put their cases fully and squarely before a Magistrate. They should not have to rush at the last moment to Magistrates' friends, who may be lawyers, and spend money unnecessarily. I am simply bringing to the notice of Government what is a common practice. Unfortunately, Government does not know everything that goes on in this country.

The Hon. Member has made the alarming admission that Magistrates do not have the time to listen to ordinary individuals, so that lawyers have to be retained. He said that if Magistrates were expected to listen to those individuals Government would have to double the number of Magistrates. He went on to say that in imposing fines Magistrates take due consideration of the fees paid to lawyers. That simply means that instead of employing an adequate number of Magistrates Government is subsidising the lawyers by taking part of the fines. I hope that is not so.

Estimates - Medical 10th January 1952

Dr. Jagan: Reference has been made to the report of the Venn Commission and this question of hospitalisation, but I, for one, do not agree with what the Venn Commission has said. The Hon. Member for Eastern Demerara has been advancing legal and moral grounds as to why these estate hospitals should be continued, but the Venn Commission has pointed out that from the time the system of immigration ceased, there was no longer any obligation on the part of the estate authorities to maintain these hospitals. If we examine the conditions relating to modern factories in other parts of the world we would find what is being done today. Great Britain is very backward in this respect, and no doubt conditions are very much the same as they were to the past, but I have been to Czechoslovakia and Eastern Germany and visited factories, and have seen the up-to-date medical facilities that have been placed at the disposal of the workers in the factories themselves. And these things are all coming out of profits, or what is known as profits.

(**The Chairman:** Does the Hon. Member suggest that the new hospitals should be built out of profits made by the sugar industry?)

Dr. Jagan: When we speak of hospitals I think we are using a misnomer in so far as the estates are concerned. Those are merely clinics. These estate hospitals have no doctors; they only have dispensers and dentists. I visited one factory abroad which had two doctors and four dentists working all the time. I do not agree with the Venn Commission that this responsibility as regards estate hospitals should be transferred to the State. We know that at present the Government of this Colony is carrying a very heavy burden in so far as sugar estates are concerned. Nearly 30% of the old age pensions we are paying go to sugar estate workers, and we must not say that the State does not have any responsibility at present with regard to these workers. I feel that instead of closing down the estate hospitals or clinics and pushing the responsibility on Government some effort should be made to find out whether the Social Welfare funds could not be increased to run them, especially now that increased prices have been granted to sugar by Great Britain and it is a long time since the Sugar Welfare Fund was given.

As I have already stated, sugar has been recently granted an increase in price and I think application should be made to His Majesty's Government to increase the allowance so that medical facilities could be provided for the workers on the estates. I do not agree that this service should become a

charge on Government and paid for by the people. As regards the recommendation for a pension scheme for the estate workers, we find that it has not been implemented but that another provident scheme has been established in its stead by the estate authorities. I agree with the Colonial Secretary that these estate hospitals should continue in operation until such time as proper hospitals and clinics are established throughout the Colony. Let us not fool ourselves and think that these estate hospitals are providing wonderful care and attention for the workers. I know that in my early days when I used to frequent the estate hospital at Port Mourant, the three standard treatments were castor oil, cough mixture and quinine. These hospitals do not provide modern treatment, but I know that the estates are in a position to do so because they have large populations and staff.

Legislative Council (Elections Amendment): January 18, 1952

Dr. Jagan: It seems that Members are very reluctant to speak on this very auspicious occasion. There can be no doubt that this issue of universal adult suffrage is one of the very remarkable things now taking place in this Council. I do not want to spend too much time discussing the pros. and cons. of the question because I think it is an accepted fact that no one would really oppose it. What I would like to do is to discuss adult suffrage in connection with this whole report. At the very outset of this report mention is made of democracy and I would like, first of all, to clarify what in my opinion is meant by democracy, and also to discuss whether the Constitution that is being given to us fulfils what we can consider to be democracy. Apparently, in these days one word conjures up several meanings to several different people, and democracy is such a word. On page 22, par. 78, of the Commission's report we find these words:-

"78. Democratic governments derive 'their just powers from the consent of the governed.' This doctrine of consent is distinctive of democracy and fundamental to it. It means, for one thing, that a government elected by a majority of the population should always consult the interests of all. For this reason, and to enable the will of the community to be more perfectly discovered, checks and balances are an integral feature of democratic government as western civilisation understands it...."

There seems to be some contradiction in what I have just read. On the one hand we are told that the just powers of democratic governments derive from the consent of the governed, and then we see that checks and balances have been brought into the picture. We must, therefore, ask ourselves this question: if a people by their free votes choose their representatives who, apparently, would sit and make laws and would constitute the sovereign body, then who should be using these checks and balances—these restrictions on the people's will? The answer is covered somewhat ambiguously in the statement that:

"It means for one thing, that a Government selected by a majority of the population should always consult the interests of all."

Obviously, we cannot have a democracy in which every single individual would be able to sit in a Chamber and speak out his mind—we cannot have all the people of a city or a village sitting in a Council with

each individual putting forward his views. That is why we have to give these individuals the vote and let them select their representatives who would speak on their behalf. Having got all these representatives together—the men who are supposed to represent all the people—where are those other interests whom we must consult? If men are elected to represent all the people then, obviously, they speak for all the people and all the people's interests. But what seems to be implied here in this report, is that all the people's representatives must sit together and make a certain set of laws and then those laws must be subject to some interest that does not derive from the people at all. I cannot understand that kind of argument.

Throughout the whole of this report there is this idea of checks and balances, and it has been put here deliberately—merely to beguile the uninformed and to make it appear that this is a very democratic Constitution. On the one hand the Constitution Commission has given us something—it has given the people universal adult suffrage, it has told them that they can sit in the Legislative Council without having any property or income qualification—but after having done that it proceeds to take away the rights and privileges which it gave to them. It has taken them away by the inclusion of these checks and balances which are mentioned all over the report. Of course, we are told by the Commission at the same time—over and over that *“checks and balances are an integral feature of democratic government as western civilisation understands it.”* Perhaps the more correct words should have been *“western imperialism.”* Why must checks and balances be put into any democratic constitution?

Let us take one of the earliest Constitutions — the American Constitution. When the framers of that Constitution were thinking of their independence they drew up what was then known as the Declaration of Independence, and behind that there were men like Thomas Jefferson, Tom Payne, Adams, Patrick Henry and others who were inspired by the motives behind the French ideas of Equality and Fraternity. These people were in France for some time. Thomas Jefferson was an Ambassador there and, holding a post of that kind, he saw despotic French rule and at the same time he saw the democratic movement of the people growing up with their own ideas of liberty and freedom. Therefore, when these people wanted to get rid of British imperialism in the 13 Colonies in America they took as their model the ideas which were incorporated in the French Revolution. There was no communism in those days. Today communism is being blamed for everything. When the Declaration of Independence was framed one clearly saw the hand of the people behind it—the people's will to rule themselves and to set up a government which was for the people and by the people.

But, how did these checks and balances creep in? It may be said that the American Constitution has its checks and balances in the Senate—the upper House—but if we were to accept these checks and balances simply because they are in a Constitution framed years and years ago, then we

must analyse the historical reasons behind them and find out whether the same historical necessity exists today. I want to speak about the American Constitution because it is held up as one of the first Constitutions and is perhaps the premier Constitution in existence today. The reason why checks and balances were put into the American Constitution was because certain interests in America got afraid after the revolutionary spirit got going. If we read the great historian of America we would find that he states that the people who really started the movement in the 13 Colonies were the businessmen who were fighting against the restrictive practices then prevailing— and in that respect we remember the dumping of tea in the sea, and so on.

It was these people who objected seriously to the restricted practices of British imperialism on their profits and their business ventures, and so on, in America. But after this spirit of opposition which they started was got hold of by the masses, it became so big and strong that it became a national movement for independence. There we saw the influence of people like Thomas Jefferson who really framed and wrote the Declaration of Independence. But afterwards, because of the influence of people like Hamilton and Washington—people who themselves were large estate owners, slave owners and large businessmen—the original ideas which were incorporated into the Declaration of Independence—the democratic ideas which were then incorporated into the Declaration of Independence—were gone back upon gradually. You must remember, Sir, that the Constitution was drafted a long period after the Declaration of Independence. And so we find when the final Constitution was drafted the interests of big businesses, the interests of the Virginian planters the interests of the men in the South, the slave owners, prevailed. It was those people's will which finally prevailed. That was the reason why we have the check of the Senate put into the American Constitution. There was another reason why a check was put on the American Constitution, and that was to give equality to the 13 colonies or states.

Is that the reason why our State Council will now have two Members from each county? I suppose that is the same analogy. The House of Congress was to have members represented on the basis of population as our lower body is to be. In order to give equality of representation to the then thirteen colonies the framers of the Constitution, in order to protect their economic and slave owning rights and in order to play up to the people dominating the various colonies, gave them two Members each from within those Colonies. But let us look carefully and we will find that the framers of the American Constitution did not say that the Governor-General or President was to hand-pick two men from each colony and put them into the Senate. Our Constitution makers, while they preach about checks and balances and they talk about democracy which we all know they care very little about, are really and truly trying to perpetuate the old imperialist order, the old system of exploitation and plunder of the Colonies, in a

different form of course. But the thirteen colonies could even have drafted a Constitution which will provide checks and balances, but at least they gave the appearance of democracy; laying aside the fact that their economic interests were preserved by the whole constitutional framework, they gave a semblance of democracy by allowing all the Members of the Senate to be elected, two from each State. But our Constitution-makers do not feel that that principle should be accepted. In fact even with the Federation Constitution we had the same thing. We must have an Upper House, but by all means we must profit from the experience of the U.S.A. which at least elected the Members of the Lower House. In Australia strangely the Members of the Lower House are also elected. Why not elect them in British Guiana? Why not elect them for the proposed Federation of the West Indian Colonies?

That brings me to the point, whether the Lower House is necessary, whether checks and balances are necessary at all. We must admit that the people's representatives are the ones in whom are deposited all powers. Sovereignty rests with the people, and the British Government has recognised that since the days of Charles the First, the one who was beheaded. They recognised that the King could not do as he liked when the Commons told the King that sovereignty rests with the people. If sovereignty is to rest with the people, then surely we must not have a second or Lower House made up of Nominated Members, saying that the will of the people must not prevail whether it is in respect of policy or otherwise. Under this Constitution the will of the people will prevail but it will be delayed so long that by the time opportunity is given to the will of the people we will find that it will not have time to put anything into effect as the three years will have expired.

Examine the proposed Constitution very carefully, and we find that on money issues the delaying powers will be limited to three months but in the case of other bills, very important bills, the matter can be delayed for at least one year. That means that any measure introduced in the very last year can be completely killed. That means that the Council will have to operate very quickly, within the first two years, if it wants to get things going, and from my experience of this Council and the way things move in this Colony I know very well that no serious legislation will be introduced or any attempt made to push them through. First of all, to introduce serious legislation would mean that we must control the Executive. Can we say honestly it is not impossible under prevailing conditions even if we were to control the Executive? When I say "*we*" I mean the people's representatives. Even then we find the repository of powers is in the hands of the Official Members—the Financial Secretary is the Minister of Finance, the Colonial Secretary will be responsible for Foreign Trade, External Relations and Information Matters. I would like to control the Ministry of Information. Then the Attorney-General will be responsible for Law and Order and Justice. But we remember the old statement by the philosopher,

Schopenhauer, that justice is in the interest of the stronger. It is true I may have used an exaggerated statement when I said that justice is bought and sold, but it cannot be denied that justice is in the interest of the stronger who makes the laws and rules the Colonies and has been making the laws all these years. It does not matter what the individual feeling or sense of justice of the Magistrate or Judge may be, he has to govern or rule according to the law of the land. So when we find these three Official Members holding the most important positions under this new Constitution— Minister of Finance, Minister of Foreign Trade and External Relations and Minister of Law and Order and Justice —where will the people’s representatives come in?

I would like, Sir, to analyse the Executive for a moment. I do not want to spend too much time on the unicameral Constitution recommended by Sir John Waddington because that is similar to the Constitution recommended in Trinidad. We saw what happened there. With 18 Elected Members, 6 Nominated Members and three Officials we have 18 against 9 to start with. For one party to appoint all the members of the Executive Council it will mean that party will have to have a majority of at least 13 out of the 18 seats, because that will give them a majority of the 18, and they will have to have 14 to have a real control. Let us look at it from the other side as to what may happen, as in Trinidad. The other Members of the Executive Council can be hand-picked. You go to a member and say to him *“We will put you on the Executive Council as Minister of so-and-so”*—and the salary of the very handsome sum of £1,500 a year is a very enticing bait — *“provided you vote for four or five others.”* And so the ball goes around the table and before we find ourselves the Ministers have been appointed. Unless the people’s representatives have 13 or 14 seats as a party they will find themselves not having one Member on the Executive Council. That is so far as the unicameral legislature is concerned.

In the bicameral legislature a party must have at least 13 out of 24 seats, but according to the socialist Labour Minister, Mr. James Griffiths, socialism has certainly gone down these days. According to his recommendation not only will the 24 Members be allowed to vote for Members of the Executive Council, but he recommended that the three Officials should be included, so that instead of having a majority only in 24 one party would have a majority in 27—24 Members and 3 Officials who will be voting together for the Executive Council. It is not impossible that one party will capture in the bicameral set up the majority of those seats—13 or 14 of the 24 seats. In the Gold Coast we saw where the leader of the People’s Convention Party was sitting in gaol and his party was able to win 34 out of the 38 seats. So it is not impossible here. It is for that reason that the checks have been put in at a later stage— just in case one party can capture 14 out of the 18 seats in the unicameral set up or 13 out of the 24, or 14 out of the 24 according to Mr. Griffiths, in the bicameral set up.

How does this come about? First it will come about in the composition

of the Executive Council. In the Executive Council we will have 3 Officials, one representative from the Upper Nominated Chamber and the people's representatives will have six, according to Professor Harlow and Dr. Rita Hinden, and five according to the Secretary of State for the Colonies. So we have there a composition of three Officials and one representative from the Upper Chamber against 5 or 6 people's representatives from the Lower House. Let us take the Constitution recommended in the despatch of the Secretary of State for the Colonies and examine that in detail, because it is more likely that will be the Constitution which will be handed down.

If we start out with 3 Officials and one representative from the Nominated Council—4 members—as against 5 Elected Members from the Lower House, we would have a very delicate balance indeed. We will have the Governor sitting there with a casting vote. I do not know what will happen in this case, because in the case of the Constitution recommended by the Commissioners the casting vote is to be employed only where the balance was 4 against 6. But in the other case presented by the Secretary of State for the Colonies there will be a delicate balance of 4 against 5. I do not know whether the position will be made more delicate by giving the Governor an original vote which will mean 5 against 5. In Jamaica and Barbados we have a similar position. That point is not clear, and we would like to know whether under the Constitution proposal of the then Secretary of State it is intended that the Governor should have an original vote and also a casting vote to make a delicate balance even more delicate.

(The Colonial Secretary: The Secretary of State for the Colonies did not suggest any such thing.)

Dr. Jagan: That is what I am saying. I am seeking information because in the case of the Constitution Commission it was definitely stated that the Governor will have a casting vote, but in that the balance is 4 against 6 so that the casting vote although it does have value can only be exercised if certain members do not vote.

I am sorry that the Hon. the Colonial Secretary does not follow the trend of my argument.

I am speaking of the balance of Elected Members against Official and Nominated Members, and I am saying that if the Governor has a casting vote, when the opportunity arises to use it he would use it on the side of the Official and Nominated elements. Of course that is the general practice.

(The President: Would the Hon. Member read paragraph 117 on page 32 of the Report which gives the position of the Governor under this Constitution.)

Dr. Jagan: I quite agree with that. I think I understand this report and

what you have said. I am sure that is the intention of His Majesty's Government. It is written all over the place, and that is to lead the people to self government in the shortest possible time when they are ready. "*Shortest possible time*" is never defined. As regards when they are ready, they will never become ready. I do appreciate the fact that what is being sought is to put more powers in the hands of the people, but what I am trying to show is that actually and in fact more powers — I mean real powers — are not going to be put in the hands of the people. I am talking about decisive policy-making powers. That is why I say I was analysing the composition of the Court of Policy, because if this body is going to be the body which is to introduce legislation and make the laws actually they would be the policy-making body. They will discuss what is to be introduced and then it will be brought to the Legislature. That is where the policy will be determined, and we know as a fact that policy is determined according to the interests of the people who are looking at things from their own point of view. One cannot tell me that a representative of Bookers sitting in the Executive Council with me, a representative of the people, will be framing a similar type of legislation. I do not know if anybody can put that over with me, maybe with someone else. Professor Arthur Lewis some time ago wrote a statement, and he is a strong critic of British imperialist policy, even though he is now being drawn into the imperialist orbit as I see him drawn into the net of the Colonial Development Corporation. This is what he said in his book "*Labour in the West Indies*":

"The impression is now widespread among the people that the Governor and Officials are little more than the tools of a white oligarchy of planters, merchants and bankers, in whose society they spend most of their time and whose will it is that the policy of the government is the policy of the local club decided on perhaps, over a round of golf or a whisky and soda."

I do not think we are far removed from this state of things today.

- It is my paper which I intend to publish later on.

You can be sure that I am not misquoting Professor Arthur Lewis. I can assure Hon. Members that British imperialist policy has not changed much since 1940. Coming back to the whole composition of the Executive Council. I, more than anyone else in this Council, possibly want to see powers put into the hands of the people in the Executive Council but, as I said, before the main posts are held by the three Officials. The other posts— the Heads of certain Departments— will be given to the other five Ministers. In another part of the report, (par. 108), it is stated that in case of a dispute between a Minister and the permanent Head of his Department, the Governor will decide.

(The President: The Court of Policy, not the Governor.)

Dr. Jagan: The matter will be discussed in the Court of Policy and the

Governor will decide who is right. I have referred to that all over the place and have also written to the United Nations about it. The paragraph reads:—

“108. Ministers are entitled to a loyal and willing cooperation from the permanent officials of their Departments, and we see every reason to expect that this cooperation will be given, and that they will work in harmonious association. Nevertheless, a minister and the permanent head of his Department may, upon occasion, differ upon a matter of principle, and, where this happens, the disagreement should be resolved, after discussion in the Court of Policy, as the Governor may direct....”

Here again we see that there will be no power whatever in the hands of the Ministers. So far as I can see, these Ministers will be mere puppets. Let us examine also the framework in which they would be working. It is the same old colonial system because foreign relations and foreign trade — two of the most important things in any country — will be determined by the Colonial Secretary.

I have been too long in this Council not to know what takes place here and in other places. It is true that if there is any policy to be determined it would be determined by the Court of Policy as a whole, but it is also true that before it becomes law it would be agreed upon by the Legislative Assembly. One must take care to analyse the situation carefully. In the Legislative Council itself we do not have any one party with a majority which would enable it to capture most of the elected seats in the Court of Policy and we would find that by a system of bargaining and what not certain people — the Ministers — would get elected to the Court of Policy, and the very fact that they have been elected by the Legislative Council to the Executive Council where they would have to determine questions of policy, implies that when the decisions on those questions go down to the Legislative Council they would find ratification there. I am not a child not to know that at present, and that is why these Ministers would be hand-picked in the first place. We all know how each Hon. Member thinks here, and one can tell from the ideology and views of a particular Member what kind of legislation he would prefer, and so on. The very fact that certain people are elected to the Executive Council presupposes that a certain type of legislation would be introduced and that it would find favour when it comes before the Legislative Council. That happens all the time, and it has happened in this farcical Council throughout the period I have been here.

Let us go a little further and analyse another check. We have, in the first place, the question of the selection of Ministers. When they sit in the Executive Council — the Executive body — (I prefer to use the term Executive Council because that is more clear in the minds of the people) — laws would be framed by them, whether those laws originate from the Colonial Secretary, the Financial Secretary, or someone else. It is also true that the

Ministers would not necessarily have to agree with the statements of the Financial Secretary, for instance, in his Budget Statement, or with those of the Colonial Secretary in determining matters of trade and so on; but that is exactly where the composition of that body comes in, as well as the whole question of these delicate checks and balances. You said a moment ago, Sir, that the Governor has reserve powers but he does not use them. We know that as a fact. If we study the history of Constitutions in India and other places, we would find that Governors hardly use reserve powers because the whole Constitution has been so framed that they need not do so. That is why they have been put in.

Let us assume that we would be able to introduce legislation in the policy-making body of this country for the benefit of the working man and would also be able to control the majority of the votes in the Executive body. That means that when the legislation goes before the Legislative Council it would be passed, but after that there would come in the checks of the second Chamber. When it goes there, if it is not a money Bill it could be deleted or amended, and it would have to go back before the Legislative Council for approval or otherwise. And, even then, the Upper House can wait for one year before it considers such a Bill, and even if it does not reject it completely it could make amendments sending it backward and forward. That is what these people do when they want to delay legislation, so that by the time it is passed by one House and amended or rejected by the other, the time for its usefulness would have expired.

I repeat that if the people's representatives get control of the policy-making body, then there will come into operation the checks of the second House. It is highly improbable that we would be able to control the second House also. That is why the Commission has not recommended the election of members to this second House. They are afraid that if the members are elected the people who control the lower House would also control the upper House. It does not necessarily follow that the same members would sit in both places. Let us assume the improbability that the same members who control the lower House happen, to some extent, to control the upper House also. It means that legislation would go through very freely —legislation framed in the best interests of the people of the Colony. Then, however, there will come in the last check —that is the Governor's reserve and veto powers. He would say that it is against good faith, good interest and good government. Those are three small words, but they have very large and wide meanings. For instance, if we want to nationalise the sugar industry, we would be told that it is against the good interest of the Colony.

When we look through the whole of this report we find all kinds of statements, yet we have been told that we must not do anything that would frighten away capital from the Colony as it would be considered as repulsive action and something that would deter progress and so on. I really did not intend to speak this afternoon, and therefore I have not got all the quo-

tations I intended to refer to at hand. However, with your permission, Sir, I should like to read from page 52, par. 29 of this report where Professor Harlow and Dr. Rita Hinden say this:—

“29. We recognise that legislators new to political responsibility may sponsor projects which, although excellent in themselves, are beyond the financial capacity of the Colony; and we should be failing in our duty if we did not take account of the possibility that legislative measures might be put forward which might endanger the social and financial fabric of the Colony, as, for example, discriminatory taxation, which might cause the abandonment of productive enterprises essential to economic viability....”

This statement is repeated over and over again in this report, and I would like to pause for a moment to examine it. Why must it be assumed that the people’s representatives would be so irresponsible—so devoid of brains — that they would simply tear everything apart without looking at the interests of the people concerned? Why that assumption? In England, the Labour Party themselves were fighting for the Abolition of the House of Lords not so long ago. What is ruining the economic and social fabric of this Colony? It is strange that when the Constitution Commission was here it refused to hear evidence about the economic setup in this country. So far as I am concerned, this report could have been written in England thus saving the taxpayers of this Colony an expenditure of some \$20,000; and it could have been sent to us when it would have been discussed as we are now doing here. The Commission did not listen to any economic evidence. Why? In one part of this report they say that this country has been honourably administered, but I myself would have preferred them to use the word *“ably.”* This country has been efficiently administered, but not in the interest of the people—in the interest of the gods who rule it —the powers behind the Throne—the whisky and soda people at the clubs—the white oligarchy of bankers and planters that Professor Arthur Lewis refers to.

Forgive me, Sir, if I take this opportunity to go into the economic setup in this country. Since the Constitution Commission did not want to listen to evidence on it they must do so now, because they are going to see the debate on their report. According to them, we must not put complete powers in the hands of the people’s representatives; we must have a Constitution with checks and balances so that we can preserve the social and financial fabric of the Colony. Further, we must not introduce legislation which would frighten away capital, or might force companies already in existence to close their doors. It is all well and good for people to talk like that when their bread is well buttered. I am sure that the many experts who come here and examine projects and write that way in their reports have their bread well buttered.

We also have to consider another factor, and that is, most of these rec-

ommendations are always drafted or made so as to fit in with British imperialism — with British policy as a whole. I want to take this opportunity to discuss why people in this country have been so poor for many years under British Administration, and to analyse whether their condition would be improved under this proposed Constitution. In other words whether this Constitution has been drafted in this manner so as to tie it up with the policy of British imperialism and so control the destiny of this country so that we can continue to send our profits abroad—to drain our wealth away and to let the country remain in a state of utter poverty. Who rules British Guiana? In order to answer that question one has to ask: who owns British Guiana? Hon. Members of this Council would do well to go into the Deeds Registry and look at the returns of Companies filed there, taking particular notice of the ramifications—the interlocking of Directorates—the shares held in these Companies by people in other countries, and so on—and then they would realise who are the rulers and masters of this Colony. Is this the financial fabric which we are to preserve? Apparently that is the intention of the Constitution Commission.

Let us take the sugar industry as relating to some of the Companies I have referred to. I shall analyse that industry also, and then we shall determine whether or not we are going to get an opportunity under this new Constitution to make any basic changes in the economy of this country. Unless basic changes are made the people's condition cannot improve. Sugar has been the sheet anchor, as it is always alleged, of the economy of this country. Dr. Eric Williams, another famous West Indian, in his book—*“Capitalism and slavery”* says this:—

“It is strange that an article like sugar, so sweet and necessary for human existence, should have occasioned such crimes and bloodshed.”

Can we say that the period of the *“should”* is passed? Maybe we do not have the bloodshed and the roaring and thunder of the guns and the whip-lash of the slave-owners but, nevertheless, we have the influence of sugar in this country so protected— so strategically placed—that the farmer — the wage-earner, whether he is in the industry or out of it, is nevertheless in its clutches. Let us examine for a moment the question of land. In a big country like British Guiana we find that there is land hunger. When I attended the agricultural conference in Curacao some time ago, my friends from Barbados and Puerto Rico said to me *“You are very fortunate in British Guiana to have large areas of land and a small density of population.”* I told them that they must not look only at statistics because statistics can certainly create false impressions, but that one must look at the realities of a situation. What is the reality in this case? It is that the farmer in British Guiana has a plot of only three or four acres of land. Which agricultural expert will agree that four acres of land is sufficient to make a successful livelihood in farming? No expert will agree to that, but in this country we find that the

people have been unable to get land because of one thing or another. The land is there, but it is either held uncultivated in large holdings—not only by the sugar estates but by other landlords—or it is not suitable for cultivation.

It suits the policy of the sugar industry, however, not to introduce any land reform in this Colony because the moment any vital land reform is introduced here not only the rapacious land lords in certain areas would be affected, but the main consideration is that the farmers of the country would be afforded an opportunity to have a square deal—to work freely for himself and not be exploited by means of poor wages and bad working conditions as obtained on the sugar estates for years and years. It is true that we are now having drainage and irrigation schemes so as to be able to bring more land under cultivation, but the old saying is that *“While the grass is growing the horse is starving.”* You yourself said in this Council not so long ago, Sir, that it is strange we have not had levels and so on taken before, in relation to our drainage and irrigation problems. I would like to ask why is it that for all these years we have not had these levels and so on taken? It is rather strange indeed.

Rice (Cess) Bill – 2nd Reading: February 21, 1952

Dr. Jagan: I, too, like the Hon. Member for Eastern Demerara (Mr. Debidin) am against this measure which seeks to put a cess on the rice industry. My opinion is, instead of putting on a tax on locally produced good, instead of increasing the price, what should be done is this. If it is felt that a hardship would be created on the consumers, then a subsidy should be placed on those articles so that the consumers would benefit. At the same time the producers benefit by having their maximum price. Sir, the Hon. Member for Eastern Demerara is quite correct when he states that we must at all time be able to get a correct picture of the situation in this Colony. We must be able to put clearly to the people what is Government's policy. In times past we have had subsidies on one imported article after another just to keep the cost of living down. That is the explanation, but I am concerned with more than that — not merely to keep the cost of living down but over and above that — to re-orientate the economy of this Colony so that we should not be forever dependent on buying abroad many of the things we can produce in this country.

A few years ago we had remission of Customs Duties on many foodstuffs imported into this Colony. I know that during the war foodstuffs could not be imported in this Colony because of shipping difficulties and because some of the countries sending products to us were not producing at that period. But we find that situation has altered since the ending of the war. During the war we had in this country a great impetus in the Grow More Food campaign. We had all kinds of foodstuffs being grown in every backyard, even the sugar estates went in for food production. If I remember the figures correctly, nearly 7,000 acres were planted in foods — greens, potatoes, etc., — but that was soon given up. I have some figures here. For instance, fish which was imported in this country was in 1938 — 15.8 lbs. per individual and in 1946 that was reduced to 10.7 lbs. per individual. During the war it was even lower. Flour in 1938 was 108.3 lbs. per individual and in 1946 it was 83 lbs. per individual. The Hon. the Financial Secretary and Treasurer would say, we cannot change the food habits for the people, but certainly during the war we could not drastically—

(The Financial Secretary and Treasurer: What I suggested was, the Hon. Member should himself take his courage in his hands and change his food habits.)

Dr. Jagan: We have vegetables and pulses — 48½ lbs. per individual in 1938 and 36.8 lbs. per individual in 1946. I am giving the 1946 figures be-

cause that was actually the end of the war, and we know that during the war the situation was much worse. If we look at those figures carefully we would find that given the opportunity this country can grow a great deal of the foods which it is consuming at the present time, but, I'm sorry to say, Government has not got the courage to so re-orientate the economy of this Colony as to divest sugar of the stranglehold it has on the economy of this Colony.

(**The President:** I hope the Hon. Member would keep to the matter before the Council.)

Dr. Jagan: I am coming to that, because it all hinges together. When we put a cess on the rice industry and take money out of it, we are only strangling that industry. That is what we are doing in this Colony. The point I am trying to make, Sir, is that we, that is the Government, should embark upon a deliberate policy of subsidising the farmers, the peasants of this Colony, at the expense of the merchants if needs be, and at the expense of the sugar industry as it is being reorganised at the present time. What are we attempting to do with this Bill? We are going to put on a half-cent per lb. as an increase on the price of rice to the consumer, but that money will not be going to the rice producers at all. I would have much preferred to see instead the price of rice remain where it is or that the price of rice reduced for the consumer. But subsidy should be given to the producers of rice so as to encourage them to produce more and more, but this is not the way it is going to be achieved. What is going to be taken away from the rice producers is going to be put to the subsidising of flour. As long as we continue in this way we will not see any development in this Colony. The same thing is hampering the farmers who produce ground provisions in this Colony. They have no security from any competition from abroad. I do hope Members will take this matter into serious consideration.

What we need at the present time is to give the farmers, whether they be rice farmers or not, as much help as we can afford, so that they can take the money which will be coming to them and buy implements and machinery to put more land under cultivation and so produce more and more. I recently got some figures—only this week— from the rice producers on the Essequibo Coast, figures which give me the basis of production of one acre of rice. The Government critics may say it is not proper and just to take the average figure for one acre of rice, but the figures which have been given me take everything into consideration. The total cost is \$112.50 and taking a yield of 18 bags to the acre the total income is \$89.10. In other words, from these figures we see that the average farmer, if he had to pay out to someone he employed, would be paying out more than he is earning. It is only because he has nothing else to do that he employs himself in farming.

That is why it is said that rice is paying, but one has to consider, as these farmers have told me, that after they have finished planting their second crop they have to sit at home for two or three months as they have no land to do any ground provision work. What is Government doing about that? If an increased price is to be levied, then certainly what should be done is to give it to the farmer so that he can get the wherewithal to obtain more acres to plant in rice or to engage himself in planting ground provisions and what not. I am in total disagreement with this Bill as it stands before this Council.

If flour must be subsidised, and that seems to be the reason for bringing this Bill, then Government must find ways and means to do so. We are not in the confidence of the Government and it is not our duty to say where the ways and means must be found. But I think it is wicked to stifle an industry which is developing. This industry had been stifled in the past, and there is no doubt about that. It is true what is being said about the people making contracts and what not. We know who those people are, how they are chosen and whom they represent. It is no good crying about the past, but at least if we made mistakes in the past we must try to correct them in the future but not attempt to make the same mistakes over and over again. I think the Government must face up to this problem of meeting the rise in price of foreign commodities imported into this Colony. We are not, to my mind, willing to face up to this problem, but I do not feel that in the face of this unwillingness the rice farmers of this country must be penalised simply to keep down the cost of living because prices are rising so rapidly in this country.

I for one would have preferred that this matter of rice was taken on its merits and not tacked on to the question of flour. The Hon. the Seventh Nominated Member (Mr. Macnie) at the meeting of the Finance Committee gave us some very illuminating figures, and I would like to give those figures here to show that while the price of rice will be increased by a half-cent and the price of flour will drop by a half cent, so far as the people in the rural areas are concerned it would mean an increase in their cost of living. Not all persons in the rural areas of this Colony are rice producers. Let us keep that clear in mind. On the sugar estates with a population of nearly 75,000 there are only about 7,000 to 8,000 rice producers. We have other rural areas in the Colony which by no means can be considered as being agricultural— the mining areas, etc., The Hon. Seventh Nominated Member pointed out that in determining the cost of living index figure for the rural areas particularly, in the one dealing with the sugar estates rice was rated more than flour in the evaluation of the cost of living index. I believe he gave the figures as follows: *“For flour there was 182 as against rice 217 out of a total of 966 points.”* So if there is consumed in the rural areas of the Colony more rice than flour and in determining the cost of living index rice is rated more than flour, it follows that if there has been an increase in price of a half-cent per lb. in respect of rice with a corresponding half-cent

per lb. drop in the price of flour, then the cost of living of those people would automatically increase.

In view of what I have said before about the policy of the Rice Marketing Board, I am against this whole question of increasing the price of rice and permitting half cent per lb. to be lifted by Government from the funds of the Board. We have been told a lot about the financial position of the Board, and the Hon. Member for Eastern Demerara gave us approximate figures about the increases recently given to the staff. I think a Committee should be set up to examine the workings of this Board and to see whether or not the money which really belongs to the inhabitants of the Colony is being properly spent. I am not satisfied myself with many of the things that are going on. There are all kinds of rumours about losses and what not in this Board. We were recently told in the Press about the advantages in the new packages or cartons which are being used by the Board, and that a profit of \$26,000 was made in one year. My information is, however, that while a profit of \$26,000 was made in one year at the same time a loss of \$20,000 was sustained as a result of negligence and incompetence when nearly 200,000 packets of rice were packed in wet cases and had to be thrown away.

I am asking for an investigation into the Rice Marketing Board and all the other organisations associated therewith. We are not in the Board and cannot get into it because of the laws that have been made to govern it. That is the type of laws which are made in this Colony, and therefore we have to speak on the facts put to us.

I think the price being given to the farmers for their rice by the Board is inadequate, and to take away more funds from them in the form of a cess is particularly unfair. I hope Government will come to its senses soon and remedy the situation. I know it will be said that there is a cess on the sugar industry also, but the sugar industry is a big concern and it is almost a monopoly concern. The sugar industry is thriving while the rice producers are being taxed to the hilt already. Instead of giving them the encouragement, we find further taxation being put on them by this Government.

It is this Government. This Government says to Members like the Hon. Member "*We have to get some more taxation out of the rice producers,*" and then proceed to find means of doing so.

Rice (Cess) Bill – Committee

Dr. Jagan: I do not think Hon. Members should bring in the Mahaicony-Abary Scheme because that is a stink in itself. The rice produced there is sold abroad, and the Scheme is getting the export price so far as I know. I do not think the Ordinance referred to by the Hon. Nominated Member (Mr. Luckhoo) has all the force of this Bill, because we are now dealing with a statutory body — the Rice Marketing Board. This Board has been setup by Ordinance at the instance of Government and if there is to be money passing from one source to another, that money belongs to the rice producers and I feel they should have some say through the Members of this Council as to whether the rice should be taxed, and so on. Therefore, I agree with the Hon. Member for Essequibo River in spite of the statement made by the Hon. the Financial Secretary that this is not a tax Bill. It is certainly a tax Bill.

I think the amendment suggested by the Hon. Member for Western Essequibo will meet the point. A resolution should be introduced into this Council by any Member who wants to object to or get an explanation of anything agreed upon between the Government of the Colony and the Rice Marketing Board. Therefore, I accept the amendment for the insertion of the words "*by resolution with the approval of the Legislative Council.*"

Legislative Council (Elections Amendment): January 23, 1952

Dr. Jagan: On the last occasion when I spoke on this Bill I was pointing out how the proposed new Constitution would not put real power into the hands of the representatives of the people. In fact, I pointed out that in the words of the Constitutional Commission itself there were various sentences and phrases which gave the indication that what was really intended was to preserve the *status quo* as it has been for some time. Since the last occasion I have been able to make a few extracts from this Report and I would like to read them in the course of this debate. I think there is certainly a wrong conception of the whole question of the development of British Guiana. It is true that we all want development and an increase in the national income of the Colony, but my view is that unless we have a Constitution which would give us an unlimited amount of power we would not be able to make the necessary changes that would enable us to increase the national income of the Colony from which the expenditure on social and other services should be defrayed. In this respect, Sir John Waddington has said that:—

“This situation can only be met by an expanding economy, which will demand for its fulfilment the investment of considerable capital from overseas and, consequently, a full measure of confidence in the rule of Government.”

That is what he had to say (on page 41) on the question of an expanding economy—that we must have capital coming in from abroad—capital which would only come if there is confidence in the Government. In another part of the Report—on page 13—the Commission states: —

“A prodigal acceptance of debt obligations is no solution, and, if a real measure of economic expansion is to be achieved, further capital must be attracted from official and private enterprise. If this capital is to be forthcoming, nothing must be done which can sap confidence. In a country such as British Guiana, where development is impeded by lack of knowledge, confidence is a tender plant, and its prerequisite is stable and honest government. There must be no fear that impulsive action will undermine industry or that ill-considered taxation will deter legitimate investment . . . ”

We find the same idea being repeated over and over in this Report, that we must not in any way do anything—introduce any legislation which might endanger the social or the financial fabric of the Colony and change

the present *status quo*. From year to year we have been hearing from the Budget Statements of the Financial Secretary the same story— that we must increase our national income—but what do we find? If we look at the picture very comprehensively we would find a false economy emerging. The workers employed in the mines and the several industries are being paid relatively small wages. We also know of the small wages which have been paid on the sugar estates from time immemorial. In the extractive industries—the bauxite industry particularly—inadequate wages are also being paid. We know that the Bauxite Company is intimately tied up with companies in Canada and America and that the wages paid in those countries are not paid here at all. The wages paid in British Guiana are about one-fourth of those paid in the metropolitan countries. We know for instance that the Demerara Bauxite Company is practically owned by the Aluminium Company of Canada which is a subsidiary of Aluminium, Ltd., and this (last named) Company is also tied up with the Aluminium Company of America.

We have these mining companies operating here and paying very small wages, and in the end making tremendous profits which are taken out of the country. It is true that some income tax is paid by them, but this goes to the Government which uses it for their benefit in one way or another, taking into consideration the subsidies given to these companies in divers ways — sometimes open and sometimes hidden. We find that as soon as money comes in it goes back by way of subsidies to these companies.

The Hon. Member for Central Demerara was making a point in this respect, and that is why we find so much expenditure on air fields, air strips, geological surveys and so on. Why is this country not developed? Can we develop it from the earnings of the people living in it? We cannot, because the wages which are paid to the workers in this Colony are barely sufficient to keep them alive. The same people who own the plantations and the mines also control our foreign trade. If we take our foreign trade— imports and exports—we would find that the same people who are the owners of the plantations and the mines have the big establishments in Water Street and are the people who control it. Let us take the sugar industry: Bookers, as we know, own several sugar estates, and we also know the stronghold they have in the commercial community in this Colony. Another big company—Sandbach Parker & Company —owns large undertakings also. Then we have Daveson & Company, Ltd., which also has large interests in business concerns here. This Company holds the majority shares in Garnett & Co., Ltd. and so we have the story. These people not only control the major industries from which profits are earned and drained away, but they also control our foreign trade—the wholesale import and export trade of the Colony.

A few days ago I criticised the Commodity Control organisation where a large amount of quotas for restricted areas were still in the hands of a few major concerns. The new business which has come in since the beginning

of the war has been given to those who have quotas. Therefore, we have the people on the one hand being exploited on the sugar estates and in the mines and, on the other hand, we find exploitation in commerce. It is true that by contriving in one way or another we have developed a diversified economy in this Colony, but that has been done simply to provide the plantations and the mines with cheap labour. In Africa we have the Hut Tax and the Poll Tax. Lord Hailey, in his book, tells us that the Poll Tax was introduced so as to force the Africans to go and labour on the plantations and leave their farms alone, in order to provide the plantation owners with cheap labour. Today, in this Colony, we have the control of land so rigidly arranged that we have not had any diversified economy in agriculture. It helps the people who control the estates to get cheap labour and, at the same time, to get profit from the foreign trade which they have been monopolising for a long time. These are not the only two ways in which the people are being exploited. These same interests have gone a bit further, and so we have the noble institution of banking, we have the institution of insurance companies, we have the institution of pawnbrokers and what not — all taking their tribute from the same workers who are being exploited on the plantations and in the mines. This multiple squeezing of the workers would not permit them to play any part in the development of this Colony, and unless we get the political power which would enable us to remove this squeezing we would not be able to improve the standard of living of the people here.

Is it the intention of the Constitutional Commission to preserve that *status quo*—that social and economic fabric, as I have outlined it? If we are to develop this country we must have capital, but that capital cannot come out of the earnings of the workers of the country or through the way in which the country has been administered so long. The emphasis of the Constitutional Commission is that the capital must come from outside and that our Constitution must be so framed as not to scare this capital which would come from outside. I, Sir, would rather have a Government and a Constitution with real powers so that we can rearrange the economy of this country and get the necessary capital out of it for its development. That can be done if we have the real powers. As I have said before, we need land for agricultural purposes. It is true, as you have said, Sir, we are going to embark upon huge drainage and irrigation projects, but I remember that in a Message to this Council in 1950, Your Excellency pointed out that we have never had levels taken for the whole of our coastal belt, and it is necessary to do that in order to carry out the schemes we are now embarking upon. I can only wonder how long these schemes are going to take, and who are going to get hold of the lands when they have been put through. We are hearing a lot about the C.D.C. coming into the rice industry with the plantation system again.

My contention is that we must make the land available to the people so that they could produce the goods. Let us look at some of our imports into

this Colony and we would see what is happening. Let us take fish, for instance. We have here imported salt fish and canned fish of one kind or another. In 1938 our import of fish was 15.8 lbs. per individual as compared with 10.7 lbs. in 1946, 11.4 lbs. in 1949. As regards flour it was 108.3 lbs. in 1938, 83 lbs. in 1946 and 101.8 lbs. in 1949; vegetables and pulses—48.5 lbs. in 1938, 1946—36.6 lbs. and 1949—56.2 lbs. What do we find if we analyse these figures? These are only few of the food items imported into this Colony which can very well be grown in this country.

(The Financial Secretary and Treasurer: Flour?)

Dr. Jagan: The Hon. Member picks on flour but I should like to tell him that while we may not be able to grow flour at the present time, the people's habits and modes of eating can definitely be changed once we have a conscientious policy to do something like that.

I am not suggesting any dictatorship. Only a dictatorship would do that. What I am suggesting is that under a British Government as we have to allow these things freely to come into the country because the big guns who control the Chamber of Commerce are profiting very highly from the import of these products. If we want to continue to let our economy run that way, then obviously let it run that way, concentrate on few crops and continue to buy the bulk of our food items abroad.

Yes. I can mention a lot of them. The Hon. Member is only talking about one item and giving that a good deal of publicity and emphasis. I am stating only a few of the major food imports of the Colony. My view of this matter is this Constitution which has been granted is merely a fake and a trap to delude the uninformed, to fool the masses of this country, that we are going to get something whereas in truth and in fact we are not going to get very much. I have before me a statement by Mr. Abraham Lincoln which was made since 1858. With your permission, Sir, I should like to read it. It is from a book which is titled "*The Problem of India*", dealing with constitutional reforms.

(The Colonial Secretary: Who is the author of the book, and who is the publisher?)

Dr. Jagan: It is written by R. Palme Dutt and published by the International Publishers, New York. I quote:

"We will suppose that the Rev. Dr. Ross has a slave named Sambo, and the question is, 'Is it the will of God that Sambo shall remain a slave or be set free?' The Almighty gives no audible answer to the question, and His revelation, the Bible, gives none— or at most none but such as admits of a squabble as to its meaning; no one thinks of asking Sambo's opinion on it. So at last it comes to this, that Dr. Ross is to decide the question; and while he considers it, he sits in the

shade, with gloves on his hands, and subsists on the bread that Sambo is earning in the burning sun. If he decides that God wills Sambo to continue a slave, he thereby retains his own comfortable position; but if he decides that God wills Sambo to be free, he thereby has to walk out of the shade, throw off his gloves and delve for his own bread. Will Dr. Ross be actuated by the perfect impartiality which has ever been considered most favourable to correct decisions?"

Sir, in the light of what Abraham Lincoln said there, that is the way we must examine this Constitution. We must examine it from the point of view of "*Dr. Ross and Mr. Sambo*", whether the Constitution Commissioners have written a Constitution which is really to benefit the people of the Colony, or whether they have written a Constitution which will perpetuate the old imperialist order and which will preserve the *status quo* of this Colony as it has been going on for many years. Take the National Income of British Guiana, the last one. We had an annual drain of \$3 1/2 millions from profits of this Colony. That was away back in 1942-3. Today that must have increased a great deal because we have had a large number of new companies operating here. If we take our National Debt we find another drain there. This year's Budget estimates a drain of nearly \$2 millions. Then we have the Insurance Companies, the Banks and even our own Post Office Savings Bank. I would like to analyse the Constitution in that respect to find out whether or not we will be able to develop this Colony, because unless we have development—it is admitted on all sides—we will not be able to raise our standard of living. We have first of all to stop the flow of profits going abroad. In order to stop the flow of profits going abroad we have to do certain things, and in order to do those things we must have political power. Some of those things I would like to point out to Hon. Members of this Council. Whether it appears to be dictatorial or not it is not for me to decide at the moment, because that is the way I see it and that is the way many persons are looking at the problem in this Colony.

If we take the sugar industry, there is definite need for reorganisation of the industry either on the basis of complete nationalisation or reorganisation in the sense that the estates are run on a cooperative system or some such system as we have in Fiji, Puerto Rico and other places. We must have for the farmers of this country a complete system of diversified agriculture. The people in Surinam are now doing it. We must be able to do it here too. We must be able to plan our agriculture in such a way that the average family will have 15 or 20 acres of land in certain blocks where they can have so many acres under rice cultivation, so many acres under coconuts, so many acres under ground provisions and so many acres under permanent crops, and not as we have been doing all these years—to keep the sugar workers tied down around the sugar plantations, even those who are not vitally necessary to the industry. The new housing scheme, as I have said on many occasions, is merely to tie the workers, even the surplus

workers around the estates. No land has been made available to them or contemplated for them in other parts. That is one way in which we have to reorganise the economy of this Colony. Another method of reorganising it is to control the market of the products which we sell. We must have control of our foreign trade. That is indeed very important.

Control of markets in which we sell has some relationship to foreign trade, because if we have no control of foreign trade, if our trade policy is determined by His Majesty's Government, then obviously we have to sell to the people whom His Majesty's Government directs. That is quite obvious. We must be able to sell our products to the places from which we can get the most money. The Hon. Member for North Western District (Mr. Phang) mentioned in this Council or in Finance Committee sometime ago that we can get much more for our gold than we are getting now by selling to other areas directly and not through Great Britain. Why must we sell our gold to the dollar areas through Great Britain? That is not in our interest, and if we examine our dollar earnings at the moment we find that in 1950 we earned nearly \$30 million from the hard currency areas, but we only purchased about \$14 million from those areas. Our bauxite, our gold and some of our timber have been going to those areas. We need to control our foreign trade in order to determine the markets to which we can sell. If we can get more prices or better prices for our gold or bauxite, or for our sugar or whatever it may be, then we should be able to sell to those areas from which we can get the best prices. At the moment we have no alternative than to sell our bauxite to Canada, as the Demerara Bauxite Company sells to its parent body in Canada and we have no control over that. The Bauxite Company in the Berbice River sells to its parent body in the U.S.A. and we have no control over that. Our gold has to be sold not to earn dollars for us primarily, because obviously we are earning much more dollars than we are spending to balance the dollar problem of the United Kingdom, which is growing worse day by day.

Indeed that is how we must look at this Constitution, especially in these critical days of British imperialism, when Great Britain is experiencing great difficulties in keeping her head above the water. Shall we saddle ourselves to the United Kingdom while the people in the United Kingdom live relatively on a very much higher standard than the people in British Guiana, simply because the economy of Great Britain is in great danger at the moment? Should we accept a Constitution which is handed down to us by representatives who think like Dr. Ross or the late Abraham Lincoln's speech, who are thinking first and foremost of Great Britain and then of British Guiana afterwards? Control of our trade, Sir, does not necessarily mean only what we sell abroad. Who knows, we may be able to get better prices from other countries for our bauxite, our rice, our sugar, our gold and our diamonds.

(The President: Will the Hon. Member tell me from what other coun-

tries we can get that? Our great fear has been that we cannot dispose of all our sugar. The Hon. Member knows as well as I do of sugar being a glut on the market. If Cuba had her own way she can starve us out of the markets. What means have we to sell our bauxite and sugar elsewhere? It is simply impossible, and surely the Hon. Member realises this. I would ask him to be realistic. I am sorry to interrupt the Hon. Member.)

Dr. Jagan: I do not know if you are taking into consideration the fact that today the two parts of the world are actually isolated from each other in so far as international trade is concerned. I do not know if that is given any serious consideration, but certainly we know that no attempt has been made to find out whether markets are available in the socialist sector of the world. I thought it was so obvious I would not have to say it. The point is, we think only in one direction. Great Britain is thinking for us, and that is the trouble. Great Britain is directing our foreign trade to suit her interests and her foreign policy, and we have no say in the matter. That is what I mean by control of foreign trade, and certainly this Constitution does not give us that power.

The other factor, Sir, is the question of imports into this Colony. Our imports must be directed and must be so controlled—not only to determine the quantities and the places from which the supplies must come—but to control the quality of the imports, the nature of the imports. If we are to protect the farmers of this Colony, then we must have a conscientious policy of taxation, control of our tariffs, etc. Can we say that we can control our tariffs at the moment freely as we would like? His Majesty's Government makes all tariff agreement so far as the Colonies are concerned. What about the prices which are paid to the farmers in this country? Are they determined from any scientific evaluation as to the cost of production, etc.? They are not. The prices are arbitrarily fixed, depending on how much the Produce Depot of Government is losing. The other day in the Agriculture Advisory Committee the Director of Agriculture introduced some figures giving the cost of production of seedling, etc. and the Hon. Member for North Western District pointed out that the cost was prohibitive and it could be done much cheaper by the farmers themselves. The answer by the Director was that it was done on a system of costing, taking everything into consideration. If we had taken the trouble to do the same in so far as the farmers of this Colony are concerned, we would have found it does not pay them to produce the things they grow, to produce at the guaranteed price the Government is giving them. As I said before, when the price is fixed for plantains it is dependent on what the situation is at the Produce Depot. No thought is given to the imports of stuffs into this Colony. If potatoes are selling cheaper in the Street, then potatoes obviously would sell and plantains would continually be dumped into sea. We need a conscientious policy, to think of the farmer first, to give him the land and when he has grown his stuff to give him a good price.

I am not speaking about guaranteed prices in isolation. Obviously I will be the last one to say that Government must not give guaranteed prices to the farmers. Certainly the farmers need guaranteed prices for their crops, but what I am saying is that there must be some control over imports in a direct and conscientious manner so that the farmers can supply many of the things we are now importing.

As I see it, the problem is serious unless it is tackled realistically. I cannot merely say, let us put a tax on imported milk or on canned fish or potatoes coming into the Colony and let us take the same fund and subsidise the farmers for the produce they are selling.

I do not think you completely followed me. I am saying that I know the consumer will have to pay for it, but I am suggesting the consumer will automatically turn to the farmer's produce.

They do not get a subsidy. The only people who will suffer are the people controlling imports into the Colony, but the farmers in this country will benefit, and that is the point. At the same time we have shortages of this and that, and that is why we have to import all these products in this country; but if a conscientious policy is carried out and lands given to the people—

(The President : Will the Hon. Member move on to some other point?)

Dr. Jagan: Sir, I am going to move on from that point to the point that the people in this Colony must oppose this Constitution. I will not object to the Bill which is before us, because this Bill is intended to give us Universal Adult Suffrage. As I have pointed out already, granting us Universal Adult Suffrage only is not democracy at all. We want democracy at all levels. We must be given power to control our economy fully. I am not afraid that this Government will not be able to get the necessary money if it had more power in its hands. That seems to be the fear that is dominating the minds of the people who have written this Constitution. Our neighbours next door in Surinam have been given for sometime now a Constitution which has given them more power, and they are experiencing no difficulty whatever in getting money to develop their country. Why is it that neighbouring Surinam can have more political power than British Guiana, when for many years British Guiana was considered developed in one way or another to a far greater degree than Surinam? With your permission, Sir, I should like to read from the Caribbean Commission Bulletin of June, 1949, to point out to Hon. Members of this Council what the Surinam Constitution is like, so that they can follow it in their minds and see where our Constitution is not good at all and where it is going to allow us no measure for real development of this Colony. I would like to quote from page 304 in order to show what powers have been already given to the Surinam people. It says:—

“The transition from colonial status to autonomy for the Netherlands West Indies and for Surinam (Dutch Guiana) is nearing completion. Both territories will have a legislature chosen by the people in a free and general election. They will have their own government which will be responsible to the legislature only. Autonomy will be absolute, except as regards defence and foreign relations, which concern the Kingdom as a whole. As autonomous partner-states in the Kingdom, Surinam and the West Indies will be represented in the Netherlands government and in the Queen’s Privy Council. The former position of Governor, as representative of the government, will be abolished. Instead, a regent will represent the Crown.”

If we examine that Constitution we will see that it is far from self-government and it is also far from the one given to British Guiana. There is no Nominated Upper House; there is no voting power to the Governor and the Executive Council would be made up fully by the Elected Members of the Legislative Council. Why is it that Surinam can be given such a Constitution, and even Curacao, Aruba and Bonaire—these little islands—have been given a Constitution much superior to our own. The answer is that the *status quo* in British Guiana must be preserved and British imperialism continue to hold sway in this territory. As long as that is to be the primary purpose I would seriously object to that proposition. I have mentioned the question of trade, but I forgot to give some figures which have been taken from Dr. Benham’s National Income Study which was published some time ago. I think they should be noted with alarm, especially since the Financial Secretary has been giving us figures in his Budget Statement to show that we are experiencing great difficulties in these days in order to maintain our standard of living because of international complications. Dr. Benham, dealing with the question of import and export prices, has pointed out that since 1943 our import prices have increased by 236 per cent., whereas our export prices have only increased by 125 per cent. I am sure that the situation is much worse today, when we take into consideration the fact that import prices are rising day by day.

We need a Constitution such as that which Holland has given to the people of Surinam. When the Waddington Commission was in British Guiana we pointed out to them what was taking place in Surinam, and we felt that at least they could have granted us a Constitution similar to the one granted to Surinam. I should like Hon. Members to keep in mind a few figures which I collected whilst I was in England, dealing with the position of the British Government as we read of it in the newspapers day by day. The *Times* of November 3, 1951, states that *“the Colonies surplus in dollar trade, which was around about \$150,000,000 in 1948-49, has risen to \$376,000,000 in 1950 and was already \$314,000,000 for the first six months of this year. The sterling balances held by the Colonies have risen from £510,000,000 in 1947, to £908,000,000 in June last.”* Further, the *Times* of November 5, of the same

year, states that *“the sterling areas (dollar) deficit with the rest of the world, was at the appalling rate of about £805,000,000 a year—much more than during the period before the 1949 devaluation,”* and *“a second devaluation of sterling has been freely forecast in foreign financial circles.”*

I have pointed out these figures because I want to show that our economy in this Colony is being directed or channelled in order to fit in with what is taking place in Britain today. Great Britain needs dollars and the Colonies must be exploited so that they will produce goods which will either earn dollars or save dollars. If we examine the 10-year Development Plans we will find that for all the schemes put together the total expenditure contemplated is about £200,000,000. Out of this only about £4,000,000 has been set aside for industrial and electrification schemes. What is the intention of it all? We must continue to be producers of raw materials and foodstuff which can be sold to the countries that need them. That is the pattern to which I strongly object, because no country in the world can raise the standard of living of its people unless there is an all-round diversification of agriculture and industry. What have we got in this country, however? What we are developing for the most part is the extraction of raw materials—timber, gold, diamonds and bauxite—and now we are hearing of columbite and so on.

I do feel Sir, that unless we can rearrange the economy of this Colony and unless we can disturb consciously its present economic fabric, we will never be able to control and make the progress we want. Why can't we control the Banks? Why can't we control the Insurance Companies? Those are methods by which we can raise money in this Colony—methods by which we can find capital to develop it. Are we always going to think of the Government as not taking an interest in business affairs? In England, today, we find that banking is a Government concern. The Banks have been nationalised. In British Guiana while we have Post Office savings, these are sent to the Secretary of State to be invested as he might determine. We do not control the two major commercial Banks in this Colony, and they do what they like with their money and their investments, while the majority of the Insurance Companies operating here are being controlled from abroad. There are some which are being controlled by local people, but these are some of the same people who are controlling the plantations and the mines and the Chamber of Commerce in this Colony.

I do not know what Hon. Members feel—I will hear their views later on—on this important subject, but I will end my remarks by saying that the Constitution framers, while they say one thing, they mean other things when the issue becomes one of choosing for their own interest and the interest of others. In deciding the issue of Great Britain and her economy as against the interest of British Guiana and its people a Constitution, inevitably, has to be written which will balance in favour of the interest of Great Britain. I do not regard the checks and balances which have been put into the Constitution as being necessary. I do not regard them as being neces-

sary to preserve the interest of the rich in this Colony, and I do hope that when the final Constitution does come to British Guiana we will be able to get a measure of self-government approaching, at least, that which has been given to the people of Surinam. The People's Progressive Party, Sir, is thoroughly opposed to this Constitution, and through them a large section of the people in this Colony are also opposed to it. We cannot sit by year by year and allow conditions to be run as they have been run in the past. The gods in British Guiana, Sir, have had unrestricted sway, and political power has really been held by them for too long.

The British Government has been saying through their representatives in the United Nations that the will of the people should be the authority of Government, but I do not know whether we can regard what is said in this Legislative Council to be the will of the people. In Puerto Rico, I notice that the will of the people has to be determined by referendum. One of the Constitutional Commissioners—Dr. Rita Hinden—herself, a few years ago, writing on this matter of Constitutional reform, championed the idea of people writing their own Constitution but, I notice that, like many other Fabians, when it comes to protecting the interests of the British imperialists, they all join the Tories in the exploitation of the people in the Colonies. The late socialist Secretary of State for the Colonies made a wonderful speech during the last elections in England, and if I remember his words correctly they went something like this:

“The people in England cannot imagine the state of poverty in which the people in the Colonies live.”

That is what he was telling the British people who are now trying to boast that they are the real champions of Colonial liberation and the Labour Party and to win the general elections. Fortunately, or unfortunately, that did not save them.

The Labour Party's policy has been no different from that of the Tories so far as the Colonial Empire is concerned, and in this Constitutional Commission we have a conglomeration of all interests. We have Sir John Waddington who may be considered a good Conservative; we have Professor Harlow who can be considered a good Liberal; and we have Dr. Rita Hinden who is a Fabian socialist—a socialist of the type to be found in the Labour Party who have been carrying out the same Tory policy of exploitation of the Colonies. I repeat that the time has come when self-government must be given to the Colonies. We cannot continue to pay tribute to the people of Great Britain—a tribute which is passed down, to the workers by way of commerce. Mr. Churchill is now Prime Minister of Britain, and when he was Chancellor of Exchequer in 1929, this is what he had to say—and I would like Hon. Members to keep it in mind because of the leading role which he is now playing in the Government and the position which the British Government is in at the moment. He said:—

“The income which we derive from commissions and services rendered to for foreign countries is over £65,000,000. In addition, we have steady revenue from foreign investments of close on £300,000,000 a year. That is the explanation of the source from which we are able to defray social services at a level incomparably higher than that of any European country, or any country.”

This gentleman is now directing the affairs of Great Britain. In the face of all the financial difficulties of that country we have had the appointment of Mr. Oliver Lyttleton to the important office of Secretary of State for the Colonies. Indeed, many persons were quite surprised when such an important individual as Mr. Lyttleton was placed in the Colonial Office, but the explanation given by the people and the Press in England was that the problem of the Colonial Empire is now looming so much that it needed an important person such as Mr. Lyttleton to hold the reins as Secretary of State for the Colonies. The *Sunday Dispatch* of October 28, 1951, had this to say about the situation:—

“Lyttleton’s experience ranges wide in the tin industry and with the looming dollar crisis and the need for obtaining more primary products—including tin from British sources, his appointment is an important one.”

That is the light in which we have really to view this Constitution, and indeed, all other Constitutions given to Colonial territories within the last few years. The Constitutional Commission states that we would get self-government as economic viability would permit but, as I have said before when discussing the Rance Report for federation of the West Indies, that is putting the cart before the horse. We cannot get economic viability until we get political independence. The Constitutions given to these countries—whether we speak of Jamaica, Barbados, Honduras, the Gold Coast or British Guiana—have been so framed as to fit in with the Colonial policy directed by His Majesty’s Government through the Secretary of State for the Colonies. So long as we are working within that policy and so long as we do not have self-government which would enable us to control the economy of this Colony, so long will the people remain impoverished. I hope that Hon. Members of this Council in looking at this Constitution will do so from that particular point of view and not only from the point of view of detail—that it is an advance on what we have at present. What we have is rotten—there is no doubt about it—and one must not compare a thing with what is rotten. The Constitutional Commission has admitted that the present system no longer represents the wishes of the people, but it goes on to say that the present system has been honourably administered. These two statements do not seem to fit in with each other. If the system has been honourably administered, then why this terrible dissatisfaction with it—with the low standard of living of the people and the poverty all around?

Clearly, these two statements do not fit in with each other. There is no doubt about it that the present system is outworn and no longer satisfies the wishes of the people, because the people are fed up with the way in which the country has been governed—with the way in which the economy of these Colonies has been guided for the benefit of Great Britain—with the way in which profits have been earned and taken out of this Colony. The framers of this Constitution have devised things in such a way as to make the people feel that they are getting something—something which would change the economic setup in the Colony and improve their standard of living—but that is only meant to lull the people to sleep. It is like giving them some sedatives, but a sedative never removes the cause of pain; it merely dulls the mind for a moment.

What we want is self-government, and I hope Hon. Members will endeavour to meet the wishes of the people and correctly evaluate the real economic situation in this Colony. If they do so they would oppose this Constitution outright, while accepting the major concessions such as universal adult Suffrage and the removal of property and income qualification for persons standing for the Legislative Council.

Legislative Council (Elections Amendment): January 31, 1952

Dr. Jagan: I do not know why the Hon. the Attorney-General does not want to face the issue right now when we have it before us, but would like to have it postponed. As far as this question of registration is concerned, it seems to me that the enumerators would have to get the names first of all, and then subsequent lists could be made out according to the details and so on. I would prefer that we settle this matter as we have it before us now and come to a decision on it, so that when the enumerators go around they would work in accordance with our decision. I do not see how they would be able to put people's names on the lists as prospective voters. There are a few other points I would like to raise under this same clause and I would like to have a decision on them today. For one thing, I notice that on the suggestion of the Sixth Nominated Member (Mr. Luckhoo) the "*words is not subject to any legal incapacity*" were re-inserted in this, sub-clause, 3 (I). I do not understand the reason why this sub-clause has been reintroduced, because it seems to me very vague and very wide. If we look at section 4 of the 1945 Elections Ordinance, we would see what are the disqualifications for being a voter, and paragraph (c) of that section reads as follows:—

*"4. No person who—
(c) has been sentenced in any part of His Majesty's dominions or in any territory under His Majesty's protection to death, penal servitude, or imprisonment for a term exceeding twelve months, and has not either suffered the punishment to which he was sentenced or such other punishment as by competent authority may have been substituted, or received a free pardon from His Majesty; ..."*

It seems to me that the new clause 3 in this Bill is qualifying what is really meant by "*legal incapacity*," and I do not see the necessity for introducing that into it. I know that the original Bill had it, but now that we are trying to straighten out the old Ordinance we should leave out all those loopholes. If this insertion is to take place, I will ask that a definition be given as to what is meant by "*legal incapacity*." I do not know exactly what is meant by those words and, possibly, the Attorney-General will tell us. I am not a legal man, but as far as I can see the situation as regards "*legal incapacity*" is fully covered in section 4 of the Principal Ordinance. Therefore, I beg to move the deletion of the words "*is not subject to any legal incapacity*" from sub-clause 3 (1) (a). As regards paragraph (b) in the same sub-clause, I feel that one year should be substituted for two years as regards the residence qualification which will entitle a person to vote. Some persons might return from abroad to the Colony and these might include those

who went to work for a particular period. I suppose that those who return from jobs would be permitted to vote because they would come under the heading of temporary absence.

I feel that one year's residence is quite enough and that the period should not be made two years. I therefore move an amendment to that effect. In paragraph (c) I have an amendment. I want to move the deletion of the words "*for a period of at least six months*" in the third line and the substitution therefore of the words "*for the longest period within six months.*" So the whole paragraph will read:

"(c) has resided in the electoral district in which he claims to be registered for the longest period within six months immediately before the date of registration."

Despite what the Hon. the Attorney-General has said, from my personal experience, in the registration of voters, particularly in the Municipality of Georgetown there are many individuals who become disenfranchised because of this provision of "*six months immediately before the date of registration.*" I feel that now that we are attempting to give the vote to every individual over 21 years of age, we should make it as broad as possible so as not to exclude any person simply by way of a technicality such as removal from one district to another within that period. I feel the suggestion I have made is quite a reasonable one, that the longest period within that six months period should be taken as the one for the particular district in which the person may seek registration as a voter. In that way we will give him the right which is due to him and at the same time preserve the residential qualification in the Ordinance. Those are the amendments I would like to move into this clause, and I hope they will be taken in due course

I would like you to take them separately. In view of the fact that the Hon. the Attorney-General has accepted three months I withdraw the amendment under (c). So far as (a) and (b) are concerned I do feel, because the Hon. the Attorney-General attempted to explain the reasons for legal incapacity to be inserted there, there is necessity for them. He has not given adequate explanation why it should be in. I am definitely strong in urging the deletion of the words "*for a period of at least*" from the clause as it is. One Hon. Member says it is a sort of blanket legislation, but I do not see why we should introduce a blanket clause when we do not know what it means. Therefore I urge the deletion of those words. In the other amendment I urge the deletion of "*two years*" and the substitution of "*one year.*"

Motion - Marketing Board Ordinance: February 1, 1952

Dr. Jagan: I would like to say that I agree with the sentiments expressed in this Motion, especially with the reference to the first part (a) of the resolution clause. I know that there have been complaints in the past, but I do not know what the position is now. I know that when increases were given those increases were not given to the farmers. My information is, in certain parts of the country the rice is shipped to the Board in the name of the farmer, but in one particular area on the Essequibo Coast most of the rice shipped to the Board is shipped in the names of the millers and when increases in the price are made generally those increases do not go to the farmers because their paddy was purchased long in advance from them. I do hope these matters will be taken into consideration by the Board when it is about to give new prices so that the farmers can know in advance and when they sell their paddy to the millers, particularly on that Coast I mentioned, they will get the right price paid to them.

With reference to the grading, this matter is indeed a very difficult one. Within the last two months I have had to speak to the Secretary of the Rice Marketing Board on two occasions. There were two cases from Vreedenhooop and two cases from Port Mourant. One individual claimed that his rice and that of another individual were milled together and sent to the Rice Marketing Board under separate names and given different grades. I cannot understand the reason for that nor the individuals also, but the explanation given by the Secretary of the Rice Marketing Board was that it might have been due to the fact that the huller of the mill was not adjusted properly and the second batch of rice got more broken grains. While that may appear very sound on the surface, nevertheless it is not very satisfactory and there is definitely a great deal of dissatisfaction with respect to this matter of grading.

The Hon. Mover of the Motion suggested that buying depots be set up in various areas to purchase rice, but I am thinking that the time has come when Rice Marketing Board should purchase all the paddy instead of rice. I know it is going to be difficult and possibly a colossal task, but from time to time we have farmers coming to us and telling us not only that they have received grades which they feel are not adequate and just, but also that they sent their paddy to the mills to be milled and proper care was not taken with the result that the rain caught the paddy while it was drying and a large percentage of broken grains resulted, and in the long run they lost a great deal. I do not feel that if the Rice Marketing Board were to adopt the system of purchasing the paddy outright in the various districts of the Colony, give the farmer whatever price is agreed upon and allocate

the milling to the various mills, that would give more security and satisfaction as far as the farmers are concerned. It is true we are going to have the difficulty of grading the paddy but, I feel, in that case one has not so much difficulty as in grading rice.

Voices: Much more!

Dr. Jagan: It is a matter which should be looked into, because at the present time the farmers are not getting satisfaction at many of the mills due to antiquated methods of milling, out of date machinery and the use of ordinary driers during the rainy weather. Because of those factors the farmer stands to lose a great deal, especially when we consider that in some cases the farmers have to make loans from the millers and their paddy must be sent to the particular millers to be milled. I do hope that this matter will be gone into very carefully when this question of (b) is being considered. I feel that the Board should go further than that. It can assist by way of loans or grants to the various millers who have antiquated mills, so as to make it possible for them to provide better milling facilities and so in the long run produce a better quality of rice to the benefit not only of the Board but the millers, the farmers and all others concerned.

Labour (Conditions of Employment of Certain Workers) Bill: February 1, 1952

Dr. Jagan: I notice that waiters in hotels and restaurants will be paid \$4.80 per week and will be supplied with two hot meals per day. I notice, however, that the waiters in parlours will receive the same rate of pay but will not be supplied with meals. I think there should be some increase in the wages of those waiters in parlours if meals will not be supplied to them in the parlours. When we consider that the wages fixed by Government for female workers in the City represent \$1.28 per day plus a 20% increase recommended by the Fletcher Committee — and I believe that a further increase has been awarded since then — I think the waiters in parlours should be given an increase in wages if they are not going to be provided with meals by their employers. These people have to work under rigid conditions and I do not see why such low wages should be provided for them in this Schedule. How can we expect a waiter to subsist on \$4.80 per week and provide his (or her) own meals. That is certainly encouraging these people to go in for such things as crime, prostitution and so on. It is no use complaining about these things when we do not provide proper wages for these people. I suggest that until further notice a cook should be paid \$8.40 per week as I notice that under clause 4 a cook would have to work 56 hours a week before overtime rates become payable. Such an individual would probably be working about 9 hours per day, and I do hope Government will give serious consideration to this matter or that Members of this Council will be given an opportunity of discussing it in some other form before adopting this schedule as it is at present.

I would like to introduce an amendment as regards parlours, because I think there should be an increase in the wages fixed in view of the fact that no meals would be served there. If we look at the wages fixed for a boy in a parlour and one in a cookshop we would see that they are the same, but the boy in the parlour would not get any meals whereas the one in the cookshop would get. I suggest, therefore, that the wages for the boy in the parlour be increased from \$3.60 to \$6 per week, and in the case of a waitress in a parlour the wages should be increased from \$4.80 to \$6.50 per week.

I would like to suggest a reduction of the number of hours from 56 to 48. Sir, in these days throughout the world there is a tendency to reduce the number of hours during which people have to toil so that they have enough time for rest and leisure. Over 100 years ago we have had the slogan in the United Kingdom "*Eight hours work, eight hours leisure, eight hours rest,*" but when we examine this clause here we find that individuals will have to work very long hours during the day before they can make up 56 hours

week, as mentioned here, beyond which overtime will be paid, although the tendency now is to work 40 or 48 hours a week. So we can very well reduce this number here to 48, making a total of 8 hours a day for six days instead of 56 hours a week as suggested here. I therefore beg to move the deletion of the words "*fifty-six hours*" and the substitution therefore of the words "*forty-eight hours*."

The Hon. Member suggested that the employee will be allowed an interval from work for his meal, etc. But what is not clear is whether the time allowed will be included in the total number of hours which the employee has to work. I am not sure; it may be exclusive. It is not definitely clear here that the time-off allowed will be inclusive.

This clause seeks to provide for a half holiday during a weekday and another half holiday every other Sunday, which in effect means for one week's service a worker will be getting a whole day and the next week a half day off. Within a fortnight a worker will get one and a half days. I do not think this is correct in principle. We have to accept the fact that the worker must be given an opportunity to have some leisure and recreation, and this will certainly not permit him any rest from his work at all.

That Bill is not very specific. Two weeks' holiday with pay specified in the Ordinance is only when the Order is issued by the Governor in Council. It is only then these people will be entitled to holidays with pay. Aside from that, even if an annual holiday is provided it does not mean the people should not have rest during the period they are working week by week. We know as a fact, if one has to work for a half day one may as well work the whole day. A half day off does not do much good. If you have a whole day you can plan to spend it. I do not see why it has to be like this. If it is necessary for the worker to work on a Sunday, then all is well and good he should work on Sundays, but I feel that provision should be made to give the workers at least one full day in the week as a holiday.

I do not know what the minimum hours of work are going to be, but clause 4, which I was seeking to amend, only gives fifty-six hours over which overtime will be paid at the rate of time and a half. I do not know what is the statutory minimum number of hours he has to work before the wages listed in the Schedule will be paid. Can the Hon. the Attorney-General satisfy us as to how many hours per day the individual has to work in order to earn this amount of money? I take it that it is 56 hours per week, because if it is less then overtime would not be paid.

I cannot see that. In any case, once 56 hours is listed here the employers are going to take advantage of that and work these people 56 hours a week exclusive of what is said in the Shops Ordinance. If you take that as the minimum hours of work per week and exclude the half day per week, you would find the worker is working over eight hours per day. That is why I feel that in clause 7 we should have a whole day holiday provided during the week even if it has to be broken up, which is a disadvantage in itself. Therefore I am going to move the deletion of the word "*alternate*," so that

the worker can get a half day during the week and a half day on Sunday, if it is considered he must work on Sunday especially as no provision is made for overtime on Sunday. I notice all around the Human Rights Declaration says the worker must be entitled to rest and leisure, and if we are to make a declaration like this we must keep that in mind. It is no use making pious declarations and when you come to make legislation forget them. I hope Members will accept this amendment I have suggested.

The Hon. Member's amendment while it has some merit in that it is going to give the worker a full day on Sunday, nevertheless it is going to reduce the total amount of days available to the worker to three days per month. That is he will get four half holidays and one Sunday in a month, whereas the object of my amendment is to give him four days a month or one day a week. If the same thing is to be preserved and give the worker one whole Sunday, I suggest, give him one day during the weekdays for three weeks and in the last week give him the holiday on a Sunday. In effect the worker would be getting four days in a month— three on weekdays and one on Sunday. It is not unreasonable. I do not know how it can be drafted, but I think that is the more reasonable suggestion.

Prohibition of Subversive Literature: March 13, 1952

Dr. Jagan: The Hon. Member who has introduced this Motion into the Council brought in the usual red herring — Russia — into the debate. That seems to be quite the common practice in these days. There is one point in his remarks that I would emphatically answer. He said, “*Would they allow a debate such as this to take place in Russia?*” My only reply to that is, certainly the Russians would never allow an individual who was defeated at the elections to go into the Legislature or an official body. However, that is the liberty and freedom which we have in this country. The Hon. Member went on to say that we must be careful to prevent the destruction of those things we have, but he did not go on to say what we have. The Democracies, we are told, have the freedom. I suppose that is what he meant. He has books there and like a good and smart lawyer he has paraded the names of those books and said that most of them were printed in Russia, but I am acquainted with those publications and can say that more than 50% of them come from the United Kingdom. The point I would like to make, Sir, is that if the Hon. Member had given a proper analysis of the books he had read in this Council — I hope he has read them through as it would be a pity for him to have paid money for them and not read them — if he had given us all the facts in those books, as for instance “*The Deception of the People*” written by Lenin and published in the United Kingdom, then he would have told us, as Lenin there tells us, what are really the rights of the people and what are not their rights. It is all well and good to get up in this Council and say that we must not destroy our rights and that which we have. What is it we have in this Colony? What do the poor people have in this Colony?

If the Hon. Member wants to defend vested interests or to defend the capitalists, then I would with equal force defend the working-class people of this Colony. But therein, possibly, we see things from different points of view. It depends on what we are trying to destroy, and in looking at that it depends from which point of view you are looking at it. The Hon. Member used the word “*Revolution*” as being stated in one Pamphlet. I am sorry I have not got my copy otherwise I would have been able to read to Members of this Council what are really the subject matters of those very pamphlets he quoted. In one pamphlet which deals with the peaceful coexistence of the capitalist and socialist systems of economy — I believe someone asked Mr. Stalin “*What about this idea of export of revolution, Russia wanting to start a revolution all over the world?*” That seems to be the whole intention and purpose of the Hon. Member in bringing this Motion here — and Stalin replied that it was not and never the intention of the Soviet Union to export revolution from Russia and indeed any such thought was nonsense; if any

revolution does take place at all it would take place in the particular countries when the people are ready. But the Hon. Member has tried to give the impression to this Council that revolution merely means one thing— the taking up of a gun and shooting somebody. If he has read socialistic works, economic works etc., he would know that there are such things as social revolution as people's ideas change. Apparently the Hon. Member does not want the people of this Colony to change their ideas at all; they must keep the millstone of capitalist ideas tied around their necks as long as they live; they must not imbibe any new ideas and thereby try to change the system of Government which we have.

Again the emphasis was put that if we want to change the system of Government then necessarily it has to be violent. Mr. Nehru in India, many years ago, was called a communist too and it was said he wanted to start communism in India. Mr. Nehru was jailed for the same thing over and over again, but today we have not seen that Mr. Nehru has set up another State of the Soviet Union in India. What has been achieved in India has not been achieved by what the Hon. Member would like us to believe— the advance of violent revolution. There has been a revolution in India but it has been a revolution of Mr. Gandhi and Mr. Nehru intervening in the politics of India to change the ideas of the people. But their method was not the method of the sword as the Hon. Member seems to imply that all revolutions would necessarily have to take. Can he deny the fact that if it had not been for the revolutionary ideas of Mr. Gandhi and Mr. Nehru possibly India today would never have been free. The Hon. Member has talked a lot about freedom and has said that there can be no absolute freedom. Certainly there can be no absolute freedom, otherwise an individual would go down the streets and chop off the head of someone else. The Hon. Member cited the case of the baker who has to abide by certain regulations, etc., but again let us analyse that a little carefully and then we would see that in the case of the bakers as indeed in the case of all social legislation which any State attempts to legislate and to make into law what the State is doing is attempting to legislate in the interest of the majority, to protect the interest of the majority— in this case the workers— as against the interest of a few people. But the Hon. Member would like to tell us that is on all fours with the question of a ban on literature that is considered to be subversive. In the case of the baker and the workers the interest of the majority is taken into consideration as indeed with all social legislation.

The emphasis of Democracy is that the interest of the majority should prevail. But when we come to literature and books we must inevitably ask ourselves in whose interest these books must be suppressed and who must do the suppression. That, inevitably, comes up. The Hon. Member apparently would like to condemn all the books which he cited as subversive literature. I notice he has one there which, no doubt he purchased. It is styled "*Trials of British Freedom.*" But he did not mention it. I would like to point out to the Hon. Member and other Hon. Members of this Council

that British history is full of cases of suppression of the liberties of the people of Great Britain, and this book cites many examples.

The Hon. Member talks about loyalty—swearing allegiance, etc.—but certainly he should realise that because one swears loyalty to her Majesty the Queen that does not necessarily mean that one must not criticise Her Majesty's Government. The very first person cited in that book "*Trials of British Freedom*" is Mr. John Wilkes who was taken to the pillory and tried because he dared to criticise the King's Speech or what is known as the Speech from the Throne. Eventually he won the case and now we know that one has the right to criticise the speech from the Throne as delivered by the Prime Minister. All this talk about swearing allegiance to Her Majesty the Queen and doing service or what not for any foreign ideology is merely a lot of bunk and an attempt to fool the people of this Colony. Sir, what are we going to suppress? In this book it says one of the first things suppressed was a paper called "*Northern Britain*" printed by John Wilkes. Later came the suppression of books written by Tom Paine. We remember his celebrated "*Rights of Man*." Now that book can be read openly and can be bought openly anywhere. Tom Paine when he wrote that book was charged with libel and sedition and everything else, and eventually he had to escape for his life. Subsequently he wrote another book which was called "*The Age of Reason*," and again he was attacked from all quarters. Sir, I would like to read a small quotation from Mr. Harold Lasky's book "*Liberty in the Modern State*," and with your permission I do so. At page 144 referring to communist propaganda he states:—

"But I cannot see that a government is entitled to prevent a society of communists from preaching their doctrines either by speech or by publication of the printed word. It is, I think, essential that as with the English law of treason, the government should be compelled to prove the commission of some overt act which directly tends to imminent rebellion in a court of law, and to bring two witnesses at least to bear testimony to its commission. It ought not to be sufficient for a government to say that since a particular party has beliefs which include the right to violence and has elsewhere practised violence, that its suppression is legitimate...."

In the opening stages of the Communist trial in Meerut, the counsel for the prosecution drew attention not merely to the alleged offences of the accused, but also to the actions of the Russian communist leaders from 1917-20, though it is difficult to see how either Indian or English Communists could have been held responsible for them...."

What the Hon. Member has done is to use the familiar trick which is pointed out in this particular book—to parade a few cases of what may have happened by way of revolution in some countries and say that is the intention of the people, some of us, in this Colony. I would like, with your permission, Sir, to go into a little bit of detail and to examine very closely

the structure of our society in order to find out which structure or which part or class of society the Hon. Member is trying so hard to protect and to preserve. Apparently he does not want socialist ideas to penetrate this Colony. I should like to ask him if he stops the importation of books and literature which can be considered subversive from coming into this Colony, then what is the next step? Is the Hon. Member going to suggest later that we must put a clamp on the press of this Colony because, obviously, ideas cannot be stopped? You can stop the books coming into this Colony, but you cannot stop the ideas which are printed in them. The people who wrote those books have certain beliefs and ideas. People can live in different countries and still have those same beliefs and those same ideas. Socialism is a thing which did not grow out of the Russian revolution. Long ago people like Lasky, Mr. Bernard Shaw, Sydney and Beatrice Webb were fighting for socialism in the United Kingdom. Long before communism reared its head in Russia we find that it was the socialists who were being persecuted. I have a quotation from Pope Leo XIII who in the early third century called the socialists crafty agitators. At that time there was no question of communism being on the scene.

Therefore, I would like to analyse for a moment, what kind of information we should get into this Colony, what kind of stuff we should read if we are not to read what the Hon. Member considers to be subversive and, according to him, against public interest. In doing so, we have first of all to analyse the press and indeed the radio and other means of disseminating information, and only then can we come to a decision as to whether what is distributed or disseminated is really in the interest of the public, as he puts it, or whether these ideas are against public interest. The Hon. Member has read from two booklets which speak about slave camps in the Soviet Union, but he did not tell us where those booklets were published. I wonder if he considers those subversive or not. I wonder if those are in the public interest. Apparently, and according to him, they are; whereas the other booklets are not in the public interest. With your permission, Sir, I would like to analyse the people who control the press today in England and the people who control the press in British Guiana, because that is important if the public of this Colony is to get at all the facts— and the true facts.

Recently there was a Royal Commission on the press in England and people from all walks of life owning various newspapers, periodicals, etc., were asked to give evidence before that tribunal. Lord Beaverbrook in giving evidence before that Commission said *"I run the paper solely for the purpose of making propaganda and with no other object."* I quote from a paper called the *"Tory Press"* and is edited by Frank Allan the Northern Industrial correspondent for a national newspaper and before that he was an evening newspaper reporter. It is printed by Ripley Printing Society Ltd. (T.U.), Ripley, Derbys., and published by the Workers' Northern Publishing Society Ltd., 2 Russell St., Manchester. In this newspaper it is said that two out of every three adults in Britain read the newspapers which are put

out by Lord Beaverbrook, Lord Rothermere, Lord Kemsley and Lord Cathrose—the *Sunday Graphic*, the *Sunday Times*, the *Sunday Chronicle*, the *Sunday Empire News*; the *Evening News*, etc.

These are the people, Sir, who control public information in a way. It is true that they have other newspapers also. There is the *Daily Worker*, *Reynolds News* — cooperative papers, and the Labour Party newspaper — the *Daily Herald*. When we try to find out the influence of these newspapers which put out socialist and cooperative ideas we find that, compared with the newspapers owned by the “*Big Four*,” their influence is really infinitesimal. How do these newspapers get their financial support and for whom do they speak? It is admitted in Press circles that of the revenue derived from the Press or for the Press, about one-third comes from the sale of newspapers and about two-thirds from advertisements. The big newspapers get all the big chances, and they are owned by the four Lords whose names I have mentioned. In other words, they get the support of big business. They can put out big and attractive pictures of events and so on, and, of course, many of them are much cheaper than Left Wing publications, with the result that the average person gets his ideas from all types of newspapers. With your permission, Sir, I would like to quote a relevant passage from this newspaper (printed by Ripley Printing Society Ltd. and published by the Workers’ Northern Publishing Society, Ltd., Manchester). It says:

“The big advertisers are usually people of the same class and outlook as the newspaper proprietors — powerful manufacturers or store owners. Therefore from two quarters, owners and advertisers, there will be strong prejudice against expressions of trade union, socialist and working-class views and — what is more serious — of news favourable to those opinions.”

That is only too obvious. If the large newspapers of the country get their revenue from big business then, obviously, they would have to support the policies of big business. They have to espouse the ideology, which is the capitalist ideology, of big business interests. A typical example comes to mind. One of the biggest newspapers in the United States of America is the *New York Times* and this newspaper, at one time, refused to accept the advertisement of a periodical which is called *Consumer Research*; why? Was it because they did not want the money from that periodical? No; the reason was that *Consumer Research* was a workers’ setup to protect the interest of the consumers in the United States of America. This organisation chooses its products — from gold watches and shaving cream to pots and pans, and every other consumers’ product; and it gives to consumers vital information as to what is of the best quality and the cheapest price and so on, with the result that the big “*gods*” who owned the big enterprises became terribly afraid of it. I remember that when I was in the United States of America I went into a store to purchase a hat and I had a copy of this periodical — *Consumer Research* — with me. As soon as the clerk saw it he said to me:

"My friend I see you have a battle-axe in your hand." Businessmen were afraid of it and that was why, in order to protect the interest of big business— the *New York Times* refused to accept an advertisement from that periodical.

The Hon. Mover of the Motion has not only suggested what must be done but what must not be done. He named a few papers and a few pamphlets, but I did not see him include the *Daily Express* as being against the public's interest. He may not consider it so, but the working-class people might very well say that the *Daily Express* and some of the other capitalist newspapers in England are really against the public's interest. It is not only in England today that we find this monopoly of the Press; we find it also in big countries such as the United States of America. We have the "Big Four"— the Lords of the Press. A book by this name— *Lords of the Press*— has been written by George Seldes and published in the U.S.A., and I should like, with your permission, Sir, to read a few relevant extracts from it in order to show the latest public opinion as regards the publication of books and newspapers, and in turn, why they are published in the manner in which they are done. The point is who is to judge what is subversive and what is not. I shall, however, come back to that point a little later. On page 16 of this book we find this statement:

"With the exception of only a handful of liberal newspapers, the press of the country, which first failed to get a clause exempting itself from the Wagner Act, then defied the law, later in many instances violated the law, is today producing bitter and unfair editorials demanding that this measure —and in fact all measures, which favour labour rather than capital should be repealed."

That is showing the influence of the press—the influence of big business. The author goes on to show (on page 15) where the liberal editor of the *Philadelphia Record*, rebelling against the American Newspaper Publishers Association had to resign from that organisation, and this is what he said:

"We are resigning", he wrote to the A.N.P.A., "because your association, founded to benefit and strengthen the daily newspapers of this country, has in the past few years so conducted itself as to lower American newspapers in popular esteem, to endanger the freedom of the press, and has even gone so far as to urge its members to breach the law. . .

"I do not see how law-binding newspapers can consistently retain membership. . ."

"Your Board recommended to its membership that no agreement be entered into with any group of employees. As we understand the Wagner Act it is obligatory upon employees to negotiate with representatives of a majority of employees. . ."

That, Sir, is the general pattern but, indeed, what is said here about the

monopoly control of the newspapers has gone further. It has gone into the publishing business—the book business— also. I have here a book in which there is a story called *Spartacus*. Spartacus was a slave during the period of the Roman Empire who rebelled against the slavery of his day. I suppose this would be considered subversive literature also because it speaks about rebellion. I suppose that if any history of British Guiana is written later on and it speaks in similar language about slave revolts in this country, it would also be considered subversive. Books such as these are today considered subversive in the United States of America with the result that the publishers refuse to handle them. Surely, the working-class people have a right to enjoy the freedom of the press. That is why when the Hon. Mover of the Motion read about freedom of the people if a full discussion went on he should have told us what Lenin said about these freedoms— that the working-class people do not have real freedom.

One might say it is a good thing to speak about freedom of speech but it is a different thing to give a capitalist the right to speak on the road while he has the right himself to speak in a telephone booth. As I have already stated, books such as this are not handled by the American publishers, and it means that the authors have to go to the expense of publishing them themselves and when they do so they find that the normal channels of distribution are closed also. The proof of that is given in certain periodicals which we have. I would like to cite a few more cases to show what is taking place today in some of these countries and to point out that if we are to get a balanced opinion books from other countries which may be explaining socialist ideas must be allowed to come into this Colony. I have here another booklet called *Masses and Mainstream*— the issue of November, 1951— in which there is an article headed “*Crisis in Publishing.*” It shows that the company which used to publish booklets and books such as these in the U.S. has now decided not to publish them any longer, because they have not been tolerated by the Un-American Activities Committee and other Red-Baiting Societies. We have today, because of this same hysteria campaign which the Hon. Mover is trying to bring into this Colony, booklets which are liberal booklets being banned in a country like the U.S.A. where democracy has such a good foundation.

On page 3 of this booklet— *Masses and Mainstream*— it is pointed out that:

“*In Battlesville, Okla., a librarian was fired for allowing ‘subversive’ material — The Nation and the New Republic—in the public library.*”

The Hon. Mover, I am sure, is acquainted with *The Nation and the New Republic* and those members acquainted with these two publications would know that they are by no means communistic. In fact, they are fundamentally socialistic, but today hysteria has so taken hold of some of these countries that anything tending towards socialism is taken to be subversive.

But, who is to judge that? Apparently a Book Committee judged what was subversive, as I said in this Council some time ago when I should have given a talk at the Free Library on Cooperatives which had nothing to do with communism or socialism. Nevertheless, the talk was deemed to be subversive also and was not allowed. And so it goes — on and on down the line. This booklet further states (on page 3) that “*The New York City school system began by removing Howard Fast’s Citizen Tom Paine from its libraries.*” This book was published some time ago in the U.S.A., but because of the ideas it expressed on certain questions such as the rights of man, the people who control the schools in New York deemed it to be subversive and have removed it from the schools.

The Hon. Mover of the Motion has also included films among the things to be considered as regards the question of being subversive. Perhaps he wants us to continue to see the trash which we have been seeing on the screen for a very long time. The majority of the pictures shown in this Colony come from the U.S.A., and it would do Hon. Members of this Council a lot of good to see some of them. Some time ago Government increased the tax on these films and the companies put on pressure with the result that the increased tax was removed. There was big business behind it all.

(The Financial Secretary and Treasurer: That is not quite true.)

Dr. Jagan: Well then Government in its generosity — let’s put it that way if it suits the Financial Secretary — withdrew the increased tax. In the U.S.A. the Un-American Committee has gone into Hollywood and has taken what is considered to be an oath of loyalty from the various film producers, actors and so on. They want to know whether these people are communists or not. That has nothing to do with the films or the pictures they cut up because a certain number of progressive ideas were involved. Pictures such as *The Best Days of our Years* and even others like *Boomerang* began to cast the shadow of fear in America and to show how really tremendous the country was. Because of that, the Un-American Activities Committee went all out to find out about the loyalty of these people. Loyalty of whom? In actual fact, the loyalty of big business and of the people; that is what it amounted to. The Committee went there under the guise of asking these people whether they were communists and when they refused to answer they were charged with contempt and sent to prison. It is strange that the man who at that time was head of the Un-American Activities Committee, Mr. J. P. Adams, was himself charged later with defrauding the Government and was sent to prison. That there has been hysteria in the U.S.A. there is no doubt, and that hysteria has now got to British Guiana.

The Hon. Mover talks a great deal about revolution. Can he quote one

instance to show where other Members of this Council, Members of the People's Progressive Party of which there seems to be very much fear nowadays, as representatives of the people, have told them that they must upset the existing order in British Guiana by violent revolution and that they must use force to overthrow it? Can anyone say so? They cannot, because we have never done so and we do not intend to do so. But we intend to tell the people the truth, and that is what hurts in this Colony. It is our duty to speak inside this Council and outside of it, and if anyone feels that we are issuing libelous or defamatory statements then it is up to them to take recourse in the law. I am sure that the law affords adequate protection to these individuals.

Sir, on the cover of the July, 1951, issue of *Masses and Mainstream* there is a very apt quotation which I would like to read. It is from the American Declaration of Independence and it says:

"Difference of opinion leads to enquiry and enquiry to truth... we value too much the freedom of opinion not to cherish its exercise. . ."

That is the only way we can arrive at the truth —by having differences of opinion. But, apparently, it is the object of the Hon. Mover of this Motion not to have any such differences of opinion at all. Let us, according to him, stamp out these opinions which are contrary to the interest of the people. I do not want to tire this Council by saying what is in the interest of the people and what is not. The Hon. Mover knows as well as I do, that the people who really make the profits in this Colony— the people who own the mines and the plantations —are entirely different from the general public. It is all well and good to talk about the public glibly, but there is a difference between the masses— the workers and the people— and the big gods who sit in the Chamber of Commerce and run the plantations and the mines. Let the Hon. Member tell us what he means by "*the public.*" Once we start setting up someone to determine what is subversive and what is not, then we have to ask ourselves the question in whose interest that person is making the decision?

The Hon. Mover of this Motion, I notice, some time ago criticised the racial policy of Dr. Malan, and the South African Government— the apartheid policy, racial discrimination, segregation laws and what not— but for his information, I would like to point out that Dr. Malan, the fascist, has himself condoned literature such as the ones the Hon. Member has read out in this Council, on the ground that they are decent and moral. Of course, Dr. Malan had his Government to decide it, and his Government— the Government of South Africa made up of nearly 12,000,000 people has 2,000,000 whites and 10,000,000 Negroes. But in South Africa today there are 10,000,000 whites to rule the country. I want to know whether this is not the initial step to introduce similar control in this Colony. I do not want to go into a discussion of what is taking place in the Soviet Union at the mo-

ment. The Hon. Member has criticised that, but I do not think I should waste the time of the Council in discussing it. There is no doubt about it that different countries look upon this issue of what is called freedom from different points of view. The Western conception of freedom is that all people have the right to be heard— the majority and the minority— although the majority rule should prevail. But the Russians have said it openly— they do not hide it— that their system is a dictatorship of the proletariat— the working class. They also say — we may not agree, but let us look at it from their point of view — that democracy cannot begin until you have removed the basis of exploitation— until you have taken away the robbers and the exploiters. Only then can you give the average man — the working man — the freedom that we talk about so glibly.

We talk about these freedoms, but the working-class people do not have freedom in actual fact. We have freedom of the press in British Guiana. But who controls the press? It is not the working-class people. The three local newspapers which say what is good and what is evil are owned and controlled by the vested interests in this Colony. It is true that we have "*Thunder*" and a few other news sheets which apparently bear witness that we have freedom of expression and freedom of speech. The three dailies, however, are printed everyday but *Thunder*, for instance, is printed once a month and on an antiquated press with difficulties in getting news- print and one thing and another.

Again the Hon. Member says what is good enough for the people in England is not good enough for the people in this Colony. In actual fact those are not his exact words, but he did say that if the people in England are mature enough to read communist things it is because of the long process and history of Trade Union struggles and what not. In other words, if the people in England can read these books which are circulated freely there, we in this Colony must not be allowed to read them. I have heard a similar argument used— in fact an analogy— the other day, when it was said that suppose there are two children in a family, one 10 years old and the other 2 years; the 10-year-old child compares with the British people and the two-year-old child with the people in British Guiana. If you have two such children and you have a knife or a dangerous weapon, what you would allow the child of 10 years to do with that weapon you could not allow the child of two years to do. It is the same way the people in British Guiana must be treated.

Books, which are circulated to be read by the people in England who are considered adults in intelligence, should not be read by the people in British Guiana who are considered children so far as intelligence is concerned. That analogy is not founded on true logic. In the case of the knife the parent or someone else can certainly decide that the knife is a dangerous weapon, but in the case of the books, we inevitably come back to the Hon. Member's word in the Motion— public interest. Are all ideas dangerous as the knife is dangerous? Who are to judge whether the socialist idea is bet-

ter than the capitalist idea? Are the working-class people to make the decision? If they are, then obviously they would say that the socialist ideas are good enough for the working-class people, that they are not dangerous and therefore they must be allowed to have those ideas and be allowed to read those books freely.

Sir, I think, Hon. Members of this Council should look upon this whole issue realistically and without any question of hysteria. In this booklet, *"Trials of British Freedom"* there is a very learned opinion which was given sometime ago in one of the famous trials in England. Mr. Bradlaugh, a freethinker in England, was at one time charged by the British Government with blasphemy, for printing something called *"The Oracle of Reason."* As a result of that, he, in turn, caused the publishers of Shelly's *"Queen Mab"* to be prosecuted by the Government because there were certain ideas in *"Queen Mab"* which were considered as being blasphemous. The point is, in the case of *"Queen Mab"* the people who were doing the publishing were very respectable publishers, and so Mr. Bradlaugh had been able to score a very successful point simply by knowing the law. The decision of the learned Lord Chief Justice Denman at the time was quoted from page 154 *"Such publications could be more effectually suppressed or neutralised by confuting the sentiments themselves than by prosecuting the authors."*

If we do not prosecute the authors, the next thing to do is to burn the books— stop the books from coming into the country and, if they do come, confiscate them and burn them. I want the Hon. Member and all who want to advocate capitalism or the existing order to go into the byways and highways and convince the people as to what is the real truth. It is not a few ideas about revolution which are really making the people of this Colony support the People's Progressive Party, not a few catch words and phrases which the Hon. Member quoted. The whole context of these books, there is no doubt about it, is that socialist ideas are superior. It is the same belief in all parts of the world, that the moment you begin to think you must be influenced by socialist ideas. It is only those who refuse to think or whose interests prevent them from thinking will not see the truth and do not embrace socialist ideas. The working-class people in all countries are embracing those ideas, and to say that the people of this Colony— I am using the inference of Jamaica— are swearing by the communist manifesto and the gun, is merely to carry out the hysteria campaign a little further. The Government is fully aware that the people of this Colony have no intention to use any violence. They never had. If you study the history of British Guiana you will see that whatever violence there was it was instituted against the working-class people.

The Hon. Member compares books with guns. He said once that if the books come into the Colony the guns will come next. Well, Sir, again I say that is not appealing to reason but it is appealing to hysteria. I do not know if the Hon. Member would suggest that we are going to make guns with the books which are sent to us. Possibly there is some new invention by

which books can be converted to guns. The Hon. Member gave the impression that these books are given away at random and freely for the asking, but that is not so. It is true that these books are cheap, but lots of them are bought because they are cheap. The people of this country are starving and cannot afford to buy expensive books. It is not possible in some cases, but we have to wait until the books cannot be sold any longer at the normal price. Take "*Trials of British Freedom*," copies can be found in most places because they were sold very cheaply. One can go into a bookshop in London as I have gone into various bookshops and can see all types of books being sold for one shilling which originally were sold for ten shillings. I myself have bought a few at cheap prices — sixpence, ninepence and what not. The Hon. Member has tried to give the impression that somebody is either subsidising or giving us these books to be given away freely so as to spread these ideas of revolution and eventually to start a revolution in this Colony. There can be nothing further from the truth, and the Hon. Member, as indeed anyone else, can find out at any time if he or they want to know where we buy these books from. They can find out from the Banks or the Post Office how we pay for them. It is all well and good to make statements which are not wholly true but which are so put forward, so cleverly put, as to give the impression that we are agents of foreign countries, that we are subsidised and what not.

Sir, the Hon. Member ranted about the people in the Soviet Union not having the right to own a little bit of land so as to frighten the peasants of this Colony, but surely he knows that what has happened in Russia does not necessarily mean that the same thing will happen in any other country. So far as land ownership is concerned, if he has studied what took place in China and Czechoslovakia he would know that land is not nationalised, it is not taken over by the Government. What has been done is that landlordism is eliminated and the land is given to the peasants. That is a different matter. But the Hon. Member does not say that in this Council. The Hon. Member does not go into the highways and byways and tell the people of all these reforms which have taken place. We give the people all the facts. Not only in China and Czechoslovakia is there land reform but we cited Puerto Rico where the big land proprietors, the sugar people, have also gone around the old law allowing ownership of 500 acres, which has been on the Statute Books since the turn of the present century. Because of their influence with the administration they bought up big plantations of up to 10,000 acres with the result that the peasants in Puerto Rico became landless and their poor conditions became very much worse than at the turn of the century when landownership was limited. We put all these facts to the people. I want to know, Sir, if what is taking place in Puerto Rico has been brought from Russia too? Possibly it was. In fact under the New Deal administration of the late President Roosevelt those people were called communists by the big industrialists in America. It is easy to frighten the people and to fool the people by waving this red flag— this hysteria. Red

baiting has become very fashionable now.

We have been told of the horrible slave camps in Russia and these places, but I would like to remind the Hon. Member that had it not been for those slaves who are being persecuted so much in the Soviet Union today, possibly we would have been a colony of Hitler's Germany, and possibly all these freedoms that we still have would not have been there, because Hitler would have seen to it that they were removed. Hitler did the same thing that the Hon. Member is attempting to do here. He first burnt all communist books; his people set the Parliament buildings on fire and used that to charge the communists with saying that the communists did it. He created the hysteria that they wanted to take that as an opportunity to start a revolution. That is what Hitler did but eventually the German Supreme Court released the communists and indicted the very same people who started it— Goering and others.

Hon. Members of this Council would begin, if they look at the Constitution realistically, to understand that once we allow this hysteria campaign to continue, then there is no limit to where it would go. As I said before, Sir, Hitler first started with the communist books, and then came the Trade Union leaders, then those agents of the scientific books and even those books which had nothing to do with politics. Books dealing with race, whether of the superior race or of racial culture, had to be rewritten or were burnt. That is what we will have when we allow Motions like this one to be passed and laws made there on. That is the beginning. I do not know why at every opportunity there is always the insistence in this Council to point out these issues.

Obviously the reason is, as far as I can see, to tell the people of this Colony that the People's Progressive Party is a Communist Party, that the People's Progressive Party which advocates for the poor would set up slave camps here as in Russia. Those people are afraid that the People's Progressive Party with the weapon of the ballot is going to win power in this Colony. With that fear they are trying to make the people believe, by pointing out that the Soviet Union is a slave state, that we intend to do the same thing in this Colony. By saying that the Soviet Union has taken away all the lands they mean to infer that we want to take away all the lands in this Colony. It is the Government's policy to believe in leasehold as against freehold. Why does not the Hon. Member say that? No he does not; the red baiting flag must be waved and the people of this Colony must be frightened into the belief that the People's Progressive Party wants to take the lands from them.

Sir, I deny this whole nonsensical talk about the Soviet Union being a vast slave camp, —a prison camp. The Hon. Member who makes that statement must remember that the Soviet Union was created during the First World War. The people of the Army and the Navy and the workers and the peasants went away from the war, they did not support the war; which the Czarist Government was then pursuing but instead fought a revolution in which they were successful. That is the history. If after the revolution and

up to the time when Germany invaded the Soviet Union, it was one vast prison camp where everybody's ideas and liberties were suppressed, I would like to ask the Hon. Members who spoke so glibly of it why the people have not rebelled against the Soviet Union as they did in the first instance? I suppose it is going to be said that Police control and what not prevented it. We do not know if they have one policeman for every worker in the Soviet Union, but the Budget figures in respect of money spent on armies do not reveal that.

Sir, I would like to ask Hon. Members of this Council to give this Motion very serious consideration and not to be carried away by the campaign of hysteria which is really the motive behind this Motion. Once we start down the road of depriving the people of the right of freedom, then there is no stopping, there is no holding back. Assuming that the countries behind the Iron Curtain are undemocratic and the people have no right to criticise and no right to do this and that, are we who claim to cherish democracy so much to adopt the same methods for which we criticise our opponents? Sir, as I said before, stopping the importation of books, literature, pamphlets, films, etc., is not really going to stop the spread of socialist ideas in this Colony or any Colony for that matter, because we will be able to write our own books, to make our own pictures. The next step would then be to stop us from making those books and pictures, and the further step would be that we must not speak at all, and so on, until the liberties of the people are definitely taken away. Sir, I do not want to speak any longer on this Motion. I have certainly taken up quite a great deal of time, but I do say, knowing the seriousness of the Motion and what it will entail for the future, that instead of restricting the liberties of the people, more opportunities should be given to them so that not only would they have a legal right but an actual right to express themselves under the various freedoms.

I hope the Hon. Member would see the wisdom to withdraw this Motion because if he continues with it he would, at the same time, be encouraging the growth of things which he himself has criticised so severely,— the growth of Malanism and fascism. He knows the danger of the growth of fascism in any country. I know, Sir, that it is the common practice these days to lump communism, socialism and fascism together and say they are all totalitarianism, but they are all different from one another. Fascism is as different from socialism and from communism as oil is from water. I do hope that Hon. Members of this Council in thinking about this matter will not become confused in their minds through this talk about dictatorship, totalitarianism and what not. We in this Colony — the People's Progressive Party — want to educate the people of this Colony to make them politically conscious after evaluating all the facts from all sides to sides — of the capitalist, the socialist, the liberal and the communist. That is the way in which we are building the foundation of our Party.

Motion Bridging Demerara River: May 16 & 21, 1952

Dr. Jagan: Like the Hon. Member for Eastern Demerara, I am disappointed with the remarks made by the Hon. the Financial Secretary. I think he should have given us more facts and figures with regard to this Motion. There is no doubt that the Hon. Mover of the Motion has dealt with the subject very comprehensively indeed, and if I objected to his reading anything, I did so because I wanted to follow his frame of mind and come to a conclusion very carefully. The Motion, apart from asking for immediate action, suggests that we should start from the investigational stage and decide what type of bridge should be constructed. At the present moment I am not apprised of all the facts which would enable me to say whether this bridge would be a sound economic proposition. It is true that the Hon. Mover of the Motion has given us figures which indicate that it would be a good financial proposition, but I agree with the Financial Secretary that the bridge might not make very much difference as regards the future development of the country. As regards conveyance, however, it would bring benefits to the people living on the opposite banks of the river and enable people on both sides to move more at their leisure.

As regards the question of housing, there are many persons residing in Georgetown at present who cannot find suitable houses. One reason is that the lands are tied up, but we might find ourselves in the same boat if the bridge is constructed. In so far as convenience is concerned, I agree that the bridge might mean a great deal to the residents on the western side of the river and might induce certain people in this city to go over and live there, provided they can get the land. Due consideration must be given, however, to the economic side of the picture and that is why, as I have said before, I am very disappointed with the remarks made by the Hon. the Financial Secretary, because no concrete facts and figures were given to show what are Government's calculations with respect to the discarding of the Ferry service and the building of a bridge. The Hon. the Financial Secretary referred to the question of the silting of the river and the possibility of endangering the harbour but, there again, it was hearsay and not real technical information. Government having been apprised of this Motion for a long time— a Motion which is probably the *cause celebre* of the political career of the Hon. Member for Demerara River— they should have had all the relevant facts and figures available for us.

I am not opposed to the carrying out of investigations and preliminary surveys, because if it is found that it would be a good economic proposition to build the bridge we should certainly do so. Let us assume that the investigations are satisfactory; then we should have to go about setting up

a Committee to decide what design the bridge should take in the light of the technical and other information supplied. I should like to move an amendment whereby, instead of having two resolve clauses there should be one, and that it should read:

“Be it resolved that a Select Committee be appointed to investigate and make recommendations on the questions of the construction of a bridge across the Demerara River.”

The amendment is saying exactly the same thing that the Hon. Mover wants, except that it does not agree that a Committee should be appointed to consider the design of the bridge and so on. I think Government should be put into the position where the Select Committee would be appointed only to go into the economics of the question, and when the report is completed it should be brought to this Council and we would decide what type of bridge should be constructed and where the money should come from. With these few remarks, I beg to move this amendment.

I read this morning in one of the newspapers that the amendment I introduced was a communist manoeuvre to defeat this Motion. Possibly all the other amendments are also communist manoeuvres to defeat the original intention of the Motion, and perhaps the workers in this Colony would be glad to know that the Hon. Member for Eastern Demerara and the Hon. Member for Georgetown North have all joined the Communist Party. I am glad the Hon. the Financial Secretary took the opportunity to make another speech on the Motion. I feel that in all the circumstances we have to vote on the resolution in this Council taking the words as printed. With regard to the first amendment, introduced by the Hon. Member for Georgetown North, it suggests that a team of experts be requested from the U.N.O. to make the preliminary investigations into the question of constructing the bridge. I do not think there should be any objection to that, especially as the U.N.O. would be footing the bill. It is true that we have been hearing a great deal about technical experts being made available from the U.N.O. and other world organisations, but it seems to me that whenever we need them, for one reason or another we cannot get them. I remember the case of the rice experts who came here from the E.C.A. — another organisation associated with Marshall Aid that is supposed to be given to undeveloped areas — and would point out that we had to pay all or part of the expenses for those experts. I think that is what happened.

That is the point I was making. The cost to this Colony would certainly not be negligible and whatever assistance we can get from those organisations would certainly be welcome. Therefore I will support this amendment or at least the principle which has been embraced in the amendment of the Hon. Member for Georgetown North. The other amendment by the Hon. Member for Eastern Demerara which has not been seconded —

(The President: I do not think the Hon. Member is entitled to speak upon it.)

Dr. Jagan: For the purpose of discussion I intend to second that amendment.

(The President: The Hon. Member cannot second an amendment to his own amendment. The Hon. Member for Eastern Demerara has suggested an amendment to the Hon. Member's amendment.)

Dr. Jagan: I was going to ask leave of the Council to withdraw my amendment if my seconder would agree.

Amendment by the Hon. Member for Central Demerara (Dr. Jagan) be withdrawn.

Motion - Improvement of Georgetown - Rosignal Road: March 29, 1952

Dr. Jagan: I was not prepared to support this Motion at this time because, as one Hon. Member has already said, there are many important items on the Order Paper to be discussed by this Council. The last speaker has certainly interjected another point with regard to this Motion, and that is the question of priority so far as these roads are concerned. In that light I would certainly like to make my observations as to whether the relevant Standing Rules and Orders should be suspended so that we should take this Motion at the moment. I think that in the course of the debate which we have just concluded on the subject of bridging the Demerara River, Your Excellency and others spoke of the utilisation of the waterways, both natural and artificial, in this Colony so far as the transportation of produce is concerned. So far as I can recall, I think the road to Atkinson Field was the one first chosen to be constructed on a proper basis, but since then we changed our minds and decided to proceed with the Corentyne road first. Now, the question arises as to whether the East Coast road should be given priority to the road to Atkinson Field. Looking at all the aspects of the situation, I for one, Sir, would agree to the East Coast road being given priority to the East Bank road—the one to Atkinson Field.

I am speaking in support of the Motion for the suspension of the relevant Standing Rules and Orders because I feel this Motion should be discussed and a decision taken as to which road should be given priority.

Motion for the suspension of the relevant Standing Rules and Orders put, the Council dividing and voting as follows: —

For: Messrs.. Phang, Debidin, Ferreira and Dr. Jagan — 4.

Against: Messrs.. Macnie, Smellie, Peters, Fernandes, Capt. Coghlan, Thompson, Roth, Dr. Nicholson, the Financial Secretary and Treasurer the Attorney-General and the Colonial Secretary—11.

Motion lost.

Mahaicony Cottage Hospital and Mortuary

Dr. Jagan: While it is true that the recommendations of the Venn Commission have somewhat placed a different aspect on the whole question of providing medical hospitals for the people of this Colony, nevertheless one can look at this Motion rather objectively outside of the Venn Commission's recommendations for this reason: The Venn Commission's recommendation merely dealt with estate hospitals and asked the Government that eight such hospitals must be taken over by the State from the sugar estates and they should not be the responsibility of the estates any longer. But when one looks at the geographical position of this area of Mahaicony, one finds that there is really no hospital in that area.

There was a hospital at Cane Grove but we know that as soon as the estate was sold out that hospital was closed and today the people have not even got a dispensary there. Even if Government were to set up State hospitals near to the sugar estates we would find that, possibly, the nearest one to Cane Grove would be at Enmore. I do not know if there is to be a hospital at Pln. Bath, but those are the two points of extremity in the area I have in mind — Pln. Bath on one side and Pln. Enmore on the other side. One must realise that between these two points there is a vast area which is occupied by a large number of people, and I feel that Mahaicony is more or less in the centre of it. That is why we should consider the advisability of a cottage hospital at Mahaicony.

I shall not raise any argument as to the merits or demerits of the report of the Venn Commission, but we all know that it contains a recommendation that the State should take over these estate hospitals and become responsible for them. Personally, I do not agree with that recommendation because it simply means that the State will be saddled with responsibility and expenditure which should legitimately fall on the backs of the sugar producers. This is not an industrial practice because we know that many industries provide medical facilities for their workers. We find, for example, a doctor stationed at the Demerara Bauxite Co. and it is now an industrial practice for big employers to provide some form of medical facilities for their workers. The point to be remembered as regards estate hospitals is that the district doctors have been serving the people on the sugar estates and in most cases it is only that the buildings and dispensers were provided by the sugar producers. If Government were to buy out these hospitals they would have to incur a great deal of expenditure when that money might very well be used to establish hospitals in the other parts of the Colony where they are very much needed.

I repeat that in my view it should not be the responsibility of Govern-

ment to run these estate hospitals, and this Motion should be considered in the light of the present facts. I am sorry that the Committee which is considering hospitalisation plans for the whole Colony has not yet reported, but even then I think that those areas which would be served by this cottage Hospital would still have been left out. I know that cottage hospitals have not got to be very elaborate and can be built to accommodate only a few beds and so on. With these remarks I feel that this Motion should be accepted because, as I have said before, even if the estate hospitals are taken over and reorganised by Government the area in question would not be served.

Rice Farmers (Security of Tenure) Ordinance: May 29, 1952

Dr. Jagan: I have the following Motion standing in my name on the Order Paper:

“BE IT RESOLVED that this Council recommends to Government the appointment of a Committee to examine the Rice Farmers (Security of Tenure) Ordinance of 1945 with the view of providing adequate security of tenure for tenant rice farmers.”

A moment ago the Hon. Member for Essequibo River was anxious that the Council should adjourn before 5 o'clock today since Hon. Members have to attend a meeting of the Empire Parliamentary Association later this afternoon. Since we have 15 minutes left, however, I think I should be permitted to move this Motion today as the matter is a very urgent one.

I will accept the suggestion of the Hon. the Attorney-General in so far as amending the wording of the resolution is concerned. Since we have 15 minutes left I think I should make a few observations on the Motion and then move it formally.

The whole of this Ordinance was intended to give proper security to rice farmers, security in the sense that they would not be evicted from the land they have rented and also that they would not be charged exorbitant rentals. There is evidence in section 9 of the Ordinance that the question of a certificate of nonobservance of the rules of good husbandry is provided for, and while this clause gives adequate protection to the landlord in case the tenant does not fulfil the conditions of what is known as good husbandry, so far as the tenant is concerned there is no protection for him at all. If this certificate is given to the landlord he can give notice to the tenant, terminating the tenancy; but so far as the tenant is concerned, he has no remedy against the landlord if he does not fulfil his duties. The tenant wants protection and I think there should be provision for some penalty against the landlord if he does not comply with what is considered to be good husbandry. In other words, the tenant should be given a certificate and a penalty imposed on the landlord.

There is another question which I would like to refer to, and that is the question of resumption of land by landlords. That is dealt with in section 12 of the Ordinance, but this section seems to give inadequate protection to the tenants. It says:

“12. (1) A landlord who desires to resume possession of any rice land in

order that the lands may be used for any other purpose may make application in writing to the District Commissioner for leave to give his tenant notice to quit and the District Commissioner, subject to the conditions in this section provided and after giving to the tenant an opportunity of making any representations he desires to make, may, if he is satisfied that the application is made in good faith and that it ought to be granted give leave to the landlord to determine the tenancy -

(2) A notice to quit given under the preceding subsection shall not be of any legal effect unless—

(a) the landlord gives at least six months notice in writing ending on the thirtieth day of April:

(b) where the land had been broken in for the cultivation of paddy by, or at the expense of, the tenant within three years of the date when the notice is due to expire, the landlord, at the time of the service of the notice pays to the tenant such sum of money by way of compensation as the District Commissioner may assess.

(3) In any case where it is deemed reasonable the Governor-in-Council may grant leave to a landlord to terminate a tenancy either forthwith or at such notice as may be specified and in any such case the Governor-in-Council may make the grant of leave subject to conditions."

It is clear, therefore, that a District Commissioner can give a landlord leave to give his tenant notice to quit. We know of several occasions where permission was given to a landlord to terminate a tenancy but he merely increased the rent and allowed the tenant to remain in tenancy. That was done on the Essequibo Coast by a landlord named Chan. Provision is made in clause 13 of this Ordinance for the fixing of the standard rent of any rice land and 1941 was taken as the basic year for the calculation of what is considered to be the standard rent, but we have a whole lot of other conditions mentioned in clause 13 (2). They include the question of new rice lands coming into cultivation, the question of lands let before but for which no rent was charged, and so on. The Ordinance also provides that a landlord has a right of appeal or to ask the District Commissioner to determine what the standard rent should be, but no provision is made to help the tenant to determine what the standard rent should be. That is where the whole weakness of the Ordinance lies. I think some provision should be made to help the tenant if he feels that he is being charged an exorbitant rent. He should be permitted to appeal to the District Commissioner.

Another difficulty is the question of recovery by the tenant after the standard rent has been assessed. Unlike the Rent Restriction Ordinance,

this Rice Farmers Ordinance does not permit a tenant to get an assessment of the land for which he pays a standard rent, and then deduct from his payments to the landlord any reduction made. That would have to be dealt with by the Supreme Court, and is a very difficult procedure. I think this procedure should be simplified so that the standard could be easily ascertained by a tenant and so that he would be able to recover from the landlord in this respect. I know that the present moment, because of the scarcity of land, the landlords are taking undue advantage of tenants. Every year rents are being raised.

Another matter which I would ask Government to look into is the question of Crown lands leased to landlords. I think it is well-known that some of these lands are leased at 20c. an acre and are rented by the landlords at \$20 or \$22 per acre. Another vicious practice on the part of certain landlords is to refrain from charging any particular rent but when the tenants reap their crops they make exorbitant demands from them. In one case a landlord increased his rent from \$8 per acre in 1950 to four bags of paddy (per acre) at the present time. If you take the value of paddy at the present time you will find that the present rent is something like \$20 or \$22 per acre. The machinery for the recovery of excess rent is very cumbersome and I ask that a Committee be appointed to see what provision could be made for the protection of tenants as originally intended in the Ordinance.

Motion - Cane Grove La Bonne Mere Scheme: May 30, 1952

Dr. Jagan: I think it is well that we should take this opportunity of discussing not only this Motion relating to Cane Grove but, with your permission, Sir, the question of land settlement generally. I do not know whether I can make some observations in this respect, but I should like to recall that more than a year ago I gave notice of a Motion to have the two land settlements at Cane Grove and Vergenoegen investigated into, but it was never discussed. Recently we had to pass in Finance Committee the salary of a new Land Settlement Officer in succession to the previous one who was a retired civil servant, but this Council has never had an opportunity to discuss the whole question of land settlement and it seems to me that we are proceeding without any policy on it. Your Excellency referred a moment ago to the report on the Government land settlement schemes for the year 1951 and I should like to make an observation on it also. Every day we find reports being tabled in this Council but, some how or other, I never see them. I think Government should not table these reports until after they are printed and made ready for distribution. I cannot recall whether I have seen the report that has been referred to; I do not remember having seen it. Day after day the Hon. the Colonial Secretary and the Hon. Financial Secretary refer to reports and raise points on them when we cannot see them.

I asked for some of these reports and was told that they were not yet ready for distribution. If we examine the Vergenoegen and the Cane Grove land settlement schemes we will find that what has happened is that Government has really taken the place of a landlord. It is true that the settlers pay only 20c. per acre for rice lands, but there is an additional charge which goes towards the maintenance of dams, trenches, structures and irrigation water rates. To my mind, the question of freehold and leasehold is a really important one in relation to these settlements, and what matters most of all is whether the tenant has security of tenure or whether he is liable to suffer as a result of insecurity. I feel that a definite policy should be decided on as to how these land settlement should be proceeded with. What is the picture at the moment? It is true that Government took over Cane Grove rather abruptly from the proprietors who formerly owned the estate and perhaps there was not much time for any great amount of planning, but I submit that if we examine the situation very carefully we would find that Government has merely gone into these land settlement schemes in the position of a landlord. The land is rented and drainage facilities given and so on, but I do not consider that to be land settlement. At the moment there is "*big trouble*" going on with regard to the land settlement schemes at Vergenoegen and Cane Grove, the question being whether they should be under the ju-

risdiction of the Agriculture Department or the Department of Local Government.

It seems to me that land settlement primarily has to do with agriculture. It is not merely a question of administration. That has been one of the difficulties there, because the administration is there sitting on top and acting like a big landlord and the people had no say whatever until recently; through the efforts of the People's Progressive Party, the Government decided to permit the people there to elect a local committee to meet the management to straighten out certain issues. I do not see why the Hon. Member for Western Essequibo (Mr. Wight) should laugh. These are matters which have to be done. But, Sir, I am interested in a land settlement policy, if we are to call this thing a land settlement scheme. You have mentioned the question of a communal cattle buyer and pasturage, etc. That is all well and good, I agree, and that is how these things should be planned, but I would go further and say that in any land settlement area before the lands are given out a policy should be decided upon. Let the agricultural officers and soil survey men and others get together and say how this land settlement is to be planned.

As I said, once this policy is decided upon, as Your Excellency says it has been agreed upon, I think this Council should have had an opportunity to discuss this question of a land settlement policy. There is no doubt about it that there is a great deal of controversy as to the types of land settlement schemes. We have various schemes and it is the nature of the one embarked upon by Government why the people are experiencing an amount of difficulties at the moment, and I want to speak on a few of these points. The Hon. Mover mentioned that the land had to be broken in by those individuals to whom the land was given, and in many cases they had to pay for it out of their own pockets. I know of several instances where people went to these areas and lost money and eventually had to leave. Another factor which has to be taken into consideration is that Government may provide the machinery, let us say, for ploughing. If the machinery breaks down while it is operating a man's land that man has to pay for that machinery while it is lying there doing nothing. These things cause irritation. What I am speaking about is chiefly the type of land settlement we should embark upon. What we have done is to parcel out the land to individuals and to allocate certain areas for rice cultivation and a certain amount for ground provisions and another area for coconuts, but the people have nothing to do with coconuts on the estate. What is happening there? The people are left there, like those on any estate belonging to any private landlord to fend for themselves. Drainage and irrigation are provided them and the usual facilities in the Cooperative Credit Banks as to any other tenants in the Colony.

I remember when I was in Curacao I met a former agricultural officer of this Colony who had been promoted Director of Agriculture in St. Vincent— Mr. Hanschell —and he outlined to me a different scheme of land

settlement where another method is adopted. That takes a different form from what we have adopted in this Colony. That is why I say that possibly we should have a full discussion to determine the type of land settlement we are embarking upon and whether it is on account of that the people are suffering. After having a long discussion with Mr. Hanschell I gathered that in St. Vincent they have a large area of land reserved and the people are paid wages for working on it and they are given the possibility of sharing in the profits which may accrue from the working of that large estate, and at the same time they are given an opportunity to work small bits of land on their own. This system, as he pointed out, is based on the collective idea as we have in Israel, Palestine and the Soviet Union. But one has to examine the situation not from the point of view of purchase but from the realistic point of view of what is the interest of the people and the interest of the Colony. If we are to allow the people to continue their agriculture in their old modes of cultivation, certainly it is not going to benefit them or the Colony as a whole. That is why I do not want to go into the whole question of freehold *versus* leasehold. If the Hon. Member agrees to give the people freehold on the one hand he contradicts himself by saying the people have no money to build their houses and there is this great difficulty of the lands going out of their hands as credit is not available from the Credit Banks. What I say is, it is necessary to give the people the opportunity and the facilities. That is why I feel that in this land settlement scheme Government should make a machinery pool to clear up the land instead of allowing these people to use a cow and a plough—

I was told that in Finance Committee.

(The President: That is part of the policy which he says does not exist.)

Dr. Jagan: I am still discussing the question of a machinery policy. The Hon. the Financial Secretary and Treasurer pointed out in Finance Committee that the amount of machinery which the Government contemplates purchasing is so small that it will hardly scratch the surface at the moment. The other point I am referring to is whether we should embark on this question of developing an area on the small peasant system or what we are accustomed to call the plantation or large type of holding. When I say "*plantation*" I do not mean the type of management, I mean the type of agriculture which is being done on a large scale. Obviously we have no decision to do it on such a basis so far as land settlement is concerned, and that is why I agree with the Motion as presented by the Hon. Member, because it may very well be that so far as the future is concerned we may have to adopt a different line of policy not only in the interest of the farmer himself, but in

the interest of the community as a whole. If the taxpayers' money is to be put in any land settlement area, then it must be productive so that eventually Government and the people in all parts of the Colony would benefit. That is why I am supporting this Motion, because I feel that opportunity should be taken at the same time, now that we have had a few years of experience in the working of these schemes, to review the whole issue of land settlement and decide what policy is to be embarked upon in the future.

Compensation for Improvements to Leased Lands: May 30, 1952

Dr. Jagan: I beg to move the following Motion standing in my name on the Order Paper: — -

“BE IT RESOLVED that this Council recommends to Government that legislation be introduced and enacted to provide for compensation for improvements to lands temporarily acquired by way of lease under existing laws.”

In moving this Motion I wish to point out to Hon. Members of this Council that I am quite aware of the existence in our statutes— Chapter 92— of the Rent and Premises Recovery Ordinance, but I do not think this Ordinance goes far enough and that is the reason for this Motion. We all know that in this Colony a great deal of the land which is cultivated is held under lease. We do know also that we have a mixed type of farming in this Colony, and that we have first and foremost with this question of land the question of security of tenure. The Hon. Member for Eastern Demerara who moved the last Motion was trying to change the land settlement policy from leasehold to freehold, his object being to obtain greater security of tenure for the farmers. This Motion of mine seeks not only that but also proper utilisation of the land. We have to establish industries for the security of our people. Many individuals who are leasing lands feel that they do not have proper security, especially if the lease is merely on a year-to-year basis. We know that the Government lease, as you have pointed out, Sir, is more secure in that it gives a long term of 21 years with a right of renewal for another 21 years, but we have a great deal of land in this Colony which is not usually leased on such generous terms. The lease is usually on a year-to-year basis and for that reason we find that farmers are not willing to make improvements to such land or to plant certain types of crop on it.

The classic example in this Colony is the question of coconut cultivation. We all realize the seriousness of this problem — the shortage of coconuts— and as a result of that a shortage of copra meal, edible oil and locally—manufactured soap. The Hon. Member for Georgetown Central is always saying that we should concentrate on the production of crops which we have experience with and of which we are always in need, and coconuts is one of the crops we can secure much success with. Recently Government itself introduced a drive for the planting of coconuts in this colony, but what exactly is the situation? A farmer leases a piece of land from an individual and he says *“if I plant coconuts on this land I might not stay on it long enough to reap the benefit of my labour.”* “The same thing applies to cer-

tain other crops and the result is that the farmer would not go in for planting certain types of crops or for improving the land.

Let us take the question of improvement of land. One can improve land by using artificial fertilisers such as what is known in this Colony as cow manure, and a man might also be able to build up land to a considerable extent so that his crops might be protected, but we find that the Rent and Premises Recovery Ordinance does not really cover the tenant by providing compensation for such improvements.

I have been looking through the Landlord and Tenant Ordinance and I find that even the protection which was given under the Rent and Premises Recovery Ordinance is not in it.

I have brought this Motion before this Council because many cases have been brought to my attention where people were given notice to remove after they had planted certain crops on the land and no compensation or reward whatever was given to them for those crops. I am not aware that there was any Ordinance to protect people except Chapter 92.

(**Mr. Wight:** I think it would save a little time if the Hon. Member looks at Chapter 7, the Civil Law Ordinance.)

Dr. Jagan: As I said before, those were my main reasons for moving the Motion — the question of providing not only security of tenure, but of providing for proper utilisation of the land. I have been looking at the Caribbean Land Tenure Symposium and reference has been made therein to the Agricultural Holdings Act of Great Britain, 1923. With your permission, Sir, I should like to read the following passage from page 91 of this book relating to the said Act:--

“The Agricultural Holdings Act was enacted in Great Britain in 1923 by the first Labour Government in the midst of the rapidly changing conditions and the unsettled state of affairs which followed the First World War. The Act (1) entitles the tenant to compensation for improvements enacted with or without the consent of the landlord; (2) protects the interest of the landlord whose consent is required for major undertakings but not for the application of manures, purchase of feeding stuffs, laying down of temporary pastures, and repairs to buildings; (3) encourages good farming and penalises bad; (4) gives adequate protection against disturbance. The Act not only protected the interests of both landlord and tenant; above all, it protected the land.”

In another section the book refers to the question of insecurity of tenure and the lack of provision in the Law relating to certain Caribbean territo-

ries of compensation for improvements. The Leeward Islands approved of a similar bit of legislation in 1938. On page 84 it is pointed out that:

“The Act gives the right to the tenant to receive compensation for improvements effected by him with or without the consent of the landlord...”

Then it goes on to enumerate how compensation should be assessed if the tenant is disturbed by the landlord. Those are the things which led me to bring forward this Motion, and if there are no such provisions in our Ordinance we should enact legislation similar to that of the English Act of 1923 so as to secure them.

So far as the remarks of the Hon. Member for Western Essequibo are concerned, I do not feel there is any real merit in what he has said because the Rice Farmers (Security of Tenure) Ordinance deals specifically with the cultivation of rice, and I think it is impossible for us to include the question of the security of other lands under that Ordinance. If we do we would have to call it something else. If it is necessary, however, to amend the Rice Farmers (Security of Tenure) Ordinance in the light of the English Act — the Agricultural Holdings Act — I see no objection to that. As regards Government lands, it is true that the Motion does not specify these (Government) lands or lands owned by private individuals only, but I do not see how Government lands can be excluded.

In reply to the Hon. Member for Eastern Demerara Your Excellency made the point that Government has given extensive leases for all sorts of purposes and someone whispered about land settlement schemes, but there is no question whatever of compensation with respect to any of these lands.

The main object of the Motion is to give the tenant security of tenure so that he can cultivate the land in the best possible way. So long as Government does not wish to take away their lands no question of compensation can arise. The gentleman who wrote this article (in the Caribbean Land Tenure Symposium) puts the question very nicely as regards freehold and leasehold, and with your permission, Sir, I will read the following passage (on page 87):

“The friction between landlord and tenant, arising primarily from the insecurity of tenure, resulted in the demand by the peasantry for the only alternative they knew, namely for land of their own.”

If we are going to question that by saying that Government is going to give long security, then this gentleman has another answer on page 89 where he says:

“It is beyond doubt that existing conditions indicate that a leasehold system of

tenure for individual holdings with the State as the permanent landlord provides that surest chance of success and insures the need of future generations. But leasehold itself is insufficient; control and the principle of compensation for un-exhausted improvements must also be applied..."

Further, I do not see that any difficulty would accrue in cases where Government lands leased to individuals. They should not be excluded.

(The President: The point will be considered. I never suggested that Government lands should be excluded.)

Dr. Jagan: I certainly want the point to be considered, because I want the people in the land settlement schemes also to know that they have security of tenure. I know that in some cases Crown lands were resumed by Government and a tremendous amount of money paid to the tenants, but I do not know if that was regarded as compensation for improvements. I think it was a question of buying the land in the open market and so on.

[Motion put and agreed to.]

Rice Farmers Tenure Ordinance: June 13, 1952

Dr. Jagan: Before the Order of the Day is proceeded with, I desire to crave your indulgence, Sir, to bring a matter of grave concern to the attention of Government and the Members of this Council. I refer to the Rice Farmers (Security of Tenure) Ordinance, 1945. Several persons have interviewed me recently and have complained that since the recent increases in the price of paddy and rice were announced landlords have been taking advantage of the situation and are demanding from tenants, by one means or another, increased rentals for rice lands. I would be glad if Government can find it possible to give great publicity to the provisions of the Rice Farmers (Security of Tenure) Ordinance, 1945, so that rice farmers could be made aware of the protection afforded by the Ordinance. Many of them are not aware of this Ordinance and are afraid of eviction from the lands they hold. They came to the conclusion that they are being protected by the Lands and Mines Department.

I should also like to refer to the decision taken by this Council to extend the provisions of the Rent Restriction Ordinance to the whole Colony. That decision was approved by this Council months ago, but up to now nothing has been done. I have said that to show that landlords who are seeking to increase rentals for rice lands are simply pushing the increases on to the house lots. If the Rent Restriction Ordinance was applicable to all the areas in the Colony they would not have been able to charge increases for house lots, because we know that the Ordinance applies not only to buildings but also to the land on which they are built. I hope Government would look into this matter very urgently and, as recommended by this Council, cause the Rent Restriction Ordinance to be applied to the whole Colony. I feel that Government should put a stop to the wicked practices now being indulged in by some landlords under the Rice Farmers (Security of Tenure) Ordinance.

Customs Duties (Amendment) Bill: 1952

Dr. Jagan: I, too, share the views of the Hon. Members who said that if the tax is to be put at all it must be on all phases of greenheart exports. I quite agree with the Government in imposing a tax of this nature, because I recall reading the late Development Commissioner's Report, Colonel Spencer, wherein he stated that although our exports and resources were most vast than Trinidad's nevertheless that island — I am referring to timber — was collecting very much more in revenue than we were. I do appreciate the fact that we have to give encouragement to these industries so that they can develop — what is said to be development in this Colony — but where those industries deal with the extraction of either the mineral wealth or the forest wealth of the Colony, I feel every effort should be made to get as much as possible for the benefit of the Colony. One Member suggested that possibly the money which is derived from this tax is to be used specifically for the reforestation and regeneration of the timbers which are being felled. In itself there is nothing wrong with the suggestion. I do know that Government did place before this Council Regulations which, I am afraid were never discussed. I do not know if in my absence they were discussed and if they related to the whole Forest Industry.

Whether this money is to be used for re-afforestation or not, right now it is not of prime importance. The point is, the forest wealth is the wealth of the people of this Colony, and the Government must get its due share to be utilised for the best interest of the people of the Colony. I am going to suggest that when we reach into the Committee stage we should delete the words "*not including sawn timber*" in sub-clause (e) (iii) of clause 2, because I do not see any good explanation has been offered as to why sawn timber should be excluded from this export tax. I do not know if the Government is arguing that the timber-sawing side of the business is in a different category altogether from the actual logging aspect of the industry. The one simply does the extraction and the other is a sort of finisher of the extracted article. But from what the Hon. Member for Central Georgetown has said, it does appear from the prices paid today for exported timber and logs, the people who are operating this industry at the moment can very well afford to pay this tax of six cents per cubic foot or, as he suggested, a half cent per board foot. I support those Members who made this observation that the tax should apply to all greenheart timber exported from the Colony.

Crown Lands (Amendment) Regulations: 1952

Dr. Jagan: I am very pleased to see that these Regulations are to be passed by the Council now and will be brought into force. I remember discussing this matter with the Commissioner of Lands and Mines and he showed me the relevant clause which the Hon. the Attorney-General just read. That seems to me to apply to lands which will be rented out in the future, but I am wondering if there is any way by which we can prevent these landlords who are renting lands obtained from Government at approximately 20 cents per acre for \$8 or \$12 or sometimes up to \$22 per acre.

I have had a communication sent to me recently disclosing that at a certain place — No. 48 Village Corentyne, — tenants are charged four bags of paddy per acre of land rented. We know what is the value of a bag of paddy today, and when we consider that we realise that the rent being charged in that case is in the vicinity of \$20 or \$22 an acre. It is certainly a great injustice for a landlord to pay Government 20c per acre as rent for Crown land and then charge rice farmers \$20 or \$22 an acre for the same land. I know that some Hon. Members would say that if we drive along the village areas in this Colony we will see the big houses in which some of these landlords live and should regard that as an indication that rice farming is a very profitable occupation, but it is not the landlords who are doing the hard work. Many of these landlords combine the functions of the landlord-miller, but I hope that in the near future something would be done to put an end to the dishonest practices that are indulged in at the present time. I do not know whether these people operate within the provisions of the Rice Farmers (Security of Tenure) Ordinance. It seems to me that the rice farmers would have a case against them, but the whole difficulty is one of shortage of rice lands and through fear of eviction tenants are, usually, very reluctant to bring the matter before the Courts.

There is one particular point which, I think, this Council should note and that is, many areas of these Crown lands are being leased by Government for purposes of grazing cattle but they are rented by the lessees for rice planting. I feel that the Regulations now before the Council would enable the Commissioner to permit even land leased for grazing purposes to be used for rice cultivation. I support the Motion before the Council and I hope Government will adopt some means of correcting the abuses which have taken place in the past.

Separate Rupununi District: June 13, 1952

Dr. Jagan: I, too, am one of those who do not agree with the subject prayer of this Motion. Although I agree with the Hon. the Colonial Secretary that the Rupununi District is indeed a very pleasant and large district and for many reasons it will be very nice to give the Amerindians a Member to represent them in this Council, we have to look at this matter very realistically. The Hon. Mover of the Motion suggested that the present Representative of that District has only been there—I think he said—on three occasions within the past four years, and he cited the fact that on one occasion it was at Government's expense and on the two other occasions it was at the expense of his client. What would be the position should we have another representative for this district? Suppose he lives in Georgetown, I do not think he will be in any other better financial position than the Hon. Member who now holds that seat. Consequently the question of going to that district will present some difficulties. If on the other hand we are hoping to find from among the Amerindians or one of the settlers in that district a representative to represent these people in that area, then I can see mounting expenditure for travelling to and fro to attend the meetings of this Council and the various committees. I think one has to be very practical in these matters.

I for one realise that we must not only think of money if it is a question of the sacrifice of proper representation, but if proper representation can be given and the money can be saved for some other purpose, as for instance we can take the same money and set up some facility in the Rupununi District, I am sure the people would be much more happy to have some practical facility there than to have one of their number coming and speaking in this Council on their behalf. Seeing their own representative is in itself not one of the essentials of proper representation (laughter). I see the Deputy President of this Council agrees with me most wholeheartedly, no doubt from his experience of his visits to his own constituency. If that is *a sine qua non* of proper representation, I can see that this Council should have joined me when I protested against the restriction placed on me in visiting my constituency—the sugar estates there—but Hon. Members did not. The point I would like to make is that one does not necessarily have to live in a particular district or need to represent one particular district to give service to the people. I know the English practice as against the American practice so far as residence in the particular district is concerned is quite different. In America if one wants to be a representative of a district in the Senate he has to be resident in the particular district, but under the British system it is not necessary to be resident- one can be resident in one

area and represent another. I believe the latter practice has been adopted here because it is felt that when a Member gets elected to a legislative body such as Parliament, he not only thinks of his own constituency but in terms of the country as a whole.

I certainly do not agree with the Hon. the Fourth Nominated Member (Mr. Farnum) when says that a Member representing the people of his particular district will be able to get much achieved for them. I hold the view that no one Member in this Council can get anything done for his district, especially under the new Constitution when we will have a Cabinet of Ministers making ultimate decisions as to where money derived from taxation should be spent and how it is to be spent. It is true that an individual Member can apply pressure possibly on the Government whether as constituted now or as will be constituted later, but I do not think we should depend primarily on these pressure groups. In fact I will go further to state that even if we take the people living in the Rupununi District at the present moment we can divide them into pressure groups. By pressure groups I mean the interest of the Amerindian as against the interest of the balata bleeders or the interests of the cattle ranchers. Those are all separate interested groups, and one cannot say that a Member representing that district will be able to give equal and ample representation to all those separate and conflicting interest groups.

(Mr. Smellie: I am sorry to interrupt the Hon. Member. The pressure groups are represented by the Amerindians, all of them.)

Dr. Jagan: No sir. I do not agree with that statement, because we do know that so far as the Rupununi Development Company is concerned that is not an Amerindian pressure group. That is certainly a pressure group of big vested interest in this Colony which is not really resident in that particular area. That is a pressure group operating from outside. We do not know from the reports we have read — Mr. Peberdy's Report for instance — that there is a clashing of interests between the Amerindians on the one hand and the pressure group of balata bleeders or ranchers.

Possibly I should not use the term "*balata bleeders*." I should say "*balata interest*." I know the balata bleeders are Amerindians and the people working with the Rupununi Development Company as cowhands are Amerindians too. The point, that we ought to have someone to represent that particular district so as to give that district benefits, certainly is not based on any logical reasoning, because, as I see it, a representative, as suggested for Bartica alone with the Rupununi thrown in, can very well give the same representation to the whole district. It is true that difficulties of travel are there, but those difficulties will be there whether we have a separate representative or not, and the question of giving facilities to the representatives to make visits to that area will be a question which will obviously have to be taken care of by Government. But I cannot see that there is any necessity

to give any special representation for that particular area. On page 37—I do not think Hon. Members quoted this particular part—the Commissioners state in their Report:

“We think also that these interests should have a spokesman in the Court of Policy, and that this responsibility can suitably be assigned to the seventh unofficial member, the Minister without Portfolio...”

Aside from the fact that the Commissioners recommend that one member should be nominated in the State Council to take care of the interests of the Amerindian, it is also suggested that the Seventh Minister without Portfolio will also take care of the interests of the Amerindians. Consequently I cannot see any reason at the moment to enlarge upon the already large total of 27 Members by making an additional member for the Rupununi District. As I said before, Sir, that will indeed add further expenditure on to the taxpayers of this Colony, and so far as practical benefits are concerned I do not see that any will be derived for the area as such. It is true that we have various interests there. We have the Amerindians to take care of. I have said and the Commissioners have stated that their interests can be taken care of by the Seventh Minister without Portfolio or a Nominated Member of the State Council, or indeed by the Chief Secretary. But aside from all that, we have the Commissioner for the Interior in whom with the local councils which are to be formed the Amerindians will have some protection. What about the other interests, as the Hon. the Fourth Nominated Member suggested, the interest of the balata company and of the cattle owners? Certainly those individuals can take care of themselves. We do know that they have a big voice in the affairs of this Colony, and I do not think it will be necessary to have someone else as a special representative for that area, too, to come to this Council and see that those interests are protected against the encroachment by some other people.

In thinking of the development of this country, whether it is the Rupununi, or the Corentyne, or the North West District, one has to take the broad aspect of the whole situation. It is true that I represent Central Demerara, but when I speak in this Council I do not speak only for Central Demerara but I speak thinking of the good and welfare of the people of the whole Colony, and if I do so obviously I have to think in terms of the potential resources, etc. With these remarks I cannot help saying that I am thoroughly opposed to this Motion as it stands.

Adult Suffrage for Municipal and Village Elections: June 19, 1952

Dr. Jagan: I move this Motion because I feel at this moment when we are embarking upon a new Constitution we should try to experiment with the democratic process not only in the Central Legislature but also in the lower Authorities of this Colony. At the moment, Sir, in the Municipal Councils we have the franchise based on property and rental. In Georgetown, for instance, there is property qualification in addition to a rental qualification of \$6 per month. In New Amsterdam there is a similar provision for property and rental qualifications. In the Village Authorities on the other hand we have no provision whatsoever made for any rental qualification, the franchise being based on property qualification only. Now that we have had universal adult suffrage granted for the Central Legislature with no property or rental qualification, it seems to me that if there is to be adult suffrage for the highest legislative body in this Colony then it follows that we should experiment with this same type of franchise for the village and municipal councils. We are told from time to time that democracy must start from the bottom, that the leaders must be drawn from the bottom and work their way up until they reach the central legislature. In view of that I feel it would be best if we were to adopt one system or type of franchise for the whole Colony in relation to the various types of councils that we may have.

I would like to point out to Hon. Members of this Council some of the facts with reference to figures as relating to the Georgetown Municipality, particularly so as to let Hon. Members have an idea as to how many persons are enfranchised at the present moment because of the property and rental qualifications as against what the possible number can be under universal adult suffrage. The last Census figure for the whole population of Georgetown is 73,509 persons, but we know that since then there has been an increase and the figure is now anywhere between 88 and 90,000, if not more. If we examine the Voters' List for the Municipality of Georgetown we find that out of that population there is a total of 4,884 according to the unrevised Voters' List for this year, 1952, but out of that number a total of 250 were struck off leaving a total of 4,634, out of a total of nearly 90,000 residents of the city of Georgetown. That is certainly a very small proportion, not only of the whole population but of the adult population of the city of Georgetown, because if we take an average of two adults per family and there are about four or five persons to the family, then we can certainly say that 20 to 25% of the population of Georgetown are eligible to vote under universal adult suffrage. I arrive at that from the fact that when the Cost of Living Survey was made in Georgetown in 1942

it was found that the average family had 4.6 persons and every family had an average of 1.5 adults, that is, a man and possibly his wife or some elderly person.

If we make a rough estimation we should have anywhere between 16 and 20,000 people eligible to vote under universal adult suffrage in the city of Georgetown, but the actual figure is only 4,634 voters. If we take the separate wards we find that Kingston out of a total population of 3,076 persons has only 281 voters according to the unrevised list for this year. That is approximately 9% of the population of that ward. That is the highest percentage I have been able to ascertain. In Stabroek the percentage is as low as 2%. What is alarming about that ward is there are only 50 voters in that ward out of a total population of 2,269. This matter calls for another thing which should be considered by this Council, and that is the question of the redistribution of the various wards, because we have Wortmanville and Werk-en-Rust with over 1,000 voters as against 50 for Stabroek. I point out these figures to convince Hon. Members that at the moment actually a very small percentage of the people of Georgetown are voting for the election of the City Fathers.

In the case of the rural authorities the position is even worse, because only property-owners can vote. Those who pay rent either in respect of land or house are not allowed to vote. Something of note is the fact that in the rural areas the question of literacy does not matter at all. A person can vote whether he is literate or illiterate, whereas in the Municipalities the literacy qualification comes in. So that we have various requirements for the franchise in respect of the various councils — legislative, municipal and village. I feel that it will be simple to adopt the practice in vogue in France and many other countries where one list is prepared for the central legislature and it is used for the various other councils. The simple test in such a case is the question of residence. That would have to be done if we take the Legislative Council List for use for the Georgetown Town Council. We would simply take all the people residing in Georgetown and divide them according to the various wards in which they would be entitled to vote. The same thing can be done in respect of the Village Councils in the rural areas. I want to point out that this practice has now been adopted by the United Kingdom in relation to the various County Councils and local councils. I have a book here entitled "*Your Local Authority*" from which, with Your Excellency's permission, I would like to make a quotation. The author is Charles Barratt and it was printed in England. At page 60 it says:

"To the question of who is entitled to appear on the register of electors there is now a simple answer. A Statute of 1945 has assimilated the parliamentary and local government franchise, so that to all intents there is now universal adult suffrage for both parliamentary and local government elections. Previously there had been an occupation test, which generally prevented such people as adult sons and daughters living at home with their parents and lodgers from possessing the local

government vote, although, provided the husband occupied property, the wife living with him was given the local government vote (and vice versa, if the husband were fortunate enough to have a wife who paid the rates.)"

Our position with respect to the local authorities is the same as was in the United Kingdom before the Statute of 1945, and I feel that now that we are going to be placed on the same footing for the central legislature opportunity should be taken to do the same here for the local councils. I need not speak any longer on this matter, because I feel it is a very simple issue and the matter is really self-evident. I think there should be no dispute about it whatsoever. I do know there is this argument that the people in the rural areas, for instance, do not contribute any rates and taxes— those who do not own any property— and consequently they should have no voice in the rural council. But the fact must be remembered, Sir, that there are many individuals who lease the land on which they erect their own houses or they rent the houses from others. In the same way as in Georgetown if an increase is made in the rates and taxes that increase is passed on to the tenants. The tenants usually have to bear the burden of increased taxes and rates, so in the rural areas whatever increases in taxes that may be levied are passed on to the persons who are paying rentals for land or house, and so in the long run the people who pay rent should have a voice because they are contributing to the revenue of the local council. Then there is the additional fact that many individuals reside in the same house which is either owned and rented, and consequently those persons must also be given an opportunity to express their pleasure in respect of the administration of the local authority. I do hope that Hon. Members will accept this Motion, and I would ask that in taking the division municipal and village authorities be taken separately.

I cannot but observe that nearly all the Hon. Members present have expressed disapproval of this Motion. Their line of argument fell into two categories— (1), that while adult suffrage is a good thing for the local authorities, they are not yet ready for it. The Hon. Attorney--General has taken the other point of view and that is, while in England there is one type of franchise for all types of councils, we, in British Guiana, have not had the experience and the time-lapse that they have had over there, from 1929 to 1945. I will deal with both of these lines of argument to show how fallacious they are. In the first place, I do not think it is consistent with any law of reasoning to say that the people of this Colony are ready to vote for the election of Members of this Legislative Council —the highest Council in the land —but they are not ready to vote for the election of members to municipal councils and local authorities. It is true that the municipal councils, as the Hon. the Financial Secretary has said, have different functions from those of the Legislative Council to perform, these being managerial functions —acting as trustees of the voters concerned— -and, in the same way, the local authorities and village councils might be considered to be

trustees acting under the Local Government Board Ordinance. The point, however, is that these councils —the municipal and village councils— are all working within certain Ordinances passed by this Legislative Council. If we argue that they are acting in the position of managers, we can say that this Legislative Council is also acting in the position of managers—for Her Majesty's Government— because everything done in this Council has to be approved by Her before it becomes law.

We have in this Council a sort of superior authority, and that is the point I wanted to make in reply to the Hon. Financial Secretary. The Hon. Member for Georgetown Central has made the point that if the Motion was framed in such a way that the villagers would have been allowed to vote on the basis of rental qualification he would have supported it. That is why I asked what is the rental to be fixed and suggested that he should fix it. If the decision is left to the members of the Town Council they would say "*we do not want the rental qualification fixed at \$4, \$5 or \$6 per month, we want it fixed at \$16 per month.*" Obviously, they would want \$16 because in this way they would be able to preserve the *status quo* and keep the register of voters restricted. Then we come to the question as to whether we should drop the rental qualification from its present figure and what the actual figures should be. The Hon. the Financial Secretary has stated that the rental figure is so low at present— \$6 per month— that practically everyone can become a voter. If that is so, why not withdraw it altogether? Of course, the argument has been adduced that an individual must contribute something towards the upkeep of the Town Council if he wants to be a voter. If we argue it that way, then I can say that if I contribute ten times as much as another ratepayer I should have ten times his number of votes.

The other point— that the rental qualification is low, \$6 per month— I know from personal knowledge, though that is the case, there are many persons who cannot register because they do not pay as much as \$6 per month rent. That is because of the Rent Restriction Ordinance and the dilapidated ranges in many of the wards of the city. The point, which must be borne in mind and which is constantly being overlooked by those Members, who spoke against the Motion and who insist that the qualification for a voter must be on a property or rental basis, is that every person in a household is contributing to that rental whether it is paid by one or more persons. If we have two persons in a family—a man and his wife— living in a house, the man may be the only wage- earner and he may be paying \$6 or \$8 per as month rent. If he is paying \$12 per month as rent they can go through the process of splitting the rental value between them, as we know some Town Councillors get their qualification that way. The man and his wife can then have a vote each on that rental, but if the rental is lower than \$12 what happens is the man's wife is deprived of a vote although she to all intents and purposes is contributing towards that rental. One cannot say that because a wife does not pay rental actually in her name she has not contributed to that rental. That is why I assume— and I think it is self evi-

dent to anyone resident in the city— the mere fact of residence means that some contribution is made in one way or another, directly or indirectly, to the revenue of the municipality, and consequently I see no justification whatever that those people who are not paying any rental should be debarred from exercising the vote. Consequently, Sir, I suggest that those Hon. Members who spoke against the Motion should look at it in the light of those facts and reconsider their stand in relation to this Motion.

In relation to what the Hon. Attorney-General said a moment ago— that in this Colony we are now embarking upon universal adult suffrage for the first time for the central legislature, whereas in England they had adult suffrage over a long period of time but it was only in 1945 that the local authorities accepted universal adult suffrage— I would like to point out to the Hon. Member this fact: most of these democratic reforms which took place in England took place under the Labour Government or what was considered a liberal government in terms of the Conservative form of government. The 1911 reform was brought about by the Liberals as against the Tory's reform of 1929. It was a question of who was constituting the Government. That was why there was this time lag. I would like to point out to the Hon. Member that the argument he has adduced is not really sound, because he said that in the United Kingdom you have the County and other Councils having wide functions and a large amount of money to handle. That may be true, but that does not affect in any way the question of the franchise. In fact the argument should be the opposite way. If they have to deal with a greater amount of money and exercise wider functions, then why give them adult suffrage? Why not retain the qualification they had before? It is all the more reason because of the limited functions and limited amount of money to be spent for allowing a little bit of responsibility in the village and municipality councils.

But I do not agree that there will be responsibility because the people are allowed to vote *ipso facto* it is the responsibility of the Council. It is true that the amount of money handled by the County Councils in England is much greater, and it is true that their functions are entirely different because they have a different system of local government. They have the County Council system as against our system of domination by the Local Government Board over the Village Councils. But the question has nothing to do with the functions or how much money is being spent by the local authority, and so far as embarking upon an experiment is concerned I feel that if this Council can embark upon this so-called experiment of universal adult suffrage there is no reason why the other local bodies which are supervised by this Council should not have the same universal adult suffrage to elect their officers and leaders to carry on their business. Anything done by the Village Councils can be counteracted by the authority of the Local Government Board. The Hon. the Financial Secretary and Treasurer knows that very well.

I do not see there is any valid argument for opposing this Motion at this

moment. I do not think we should go by stages, as the Hon. the Attorney-General is suggesting. Not because something took so many years to happen in the United Kingdom that we must take so many years to achieve that in this Colony; not because there was a gap between the introduction of universal adult suffrage in the central government and in local government in the United Kingdom we should adopt that practice in this Colony. If we have become ripe to get universal adult suffrage for the central legislature, then we are ripe enough to get universal adult suffrage for the local councils.

Motion - Trading Licence Pharmacy and Poisons Ordinance: June 27, 1952

Dr. Jagan: Having looked at this amendment which was passed around I can see that the point which the Hon. the Seventh Nominated Member (Mr. Macnie) made was correct. At first I was under the impression that this Motion sought to permit certain persons who were not registered as chemists and druggists to be registered as such, but I see now that what is meant is to bring in registered sick nurses and dispensers and permit them to practise as chemists and druggists. At the moment, I am told, sick nurses and dispensers can carry through and sell drugs practically under all the Schedules, if they are not within a mile of the city limits and are practising in the rural areas. What in effect this Motion would mean if it is passed, is that sick nurses and dispensers would be allowed to carry on the practice of pharmacy no matter where they find themselves — whether in Georgetown or the rural areas. I do not think that that is really the crux of the whole problem which is facing the population — that some of these individuals do want to get on the registered list. At the moment we have three categories of persons; we have the registered chemist and druggist, the registered sick nurse and dispenser, and we have another category of persons — those who may have had training in estate hospitals and so forth, but who are not registered either as sick nurses and dispensers or as chemists and druggists.

After listening to the Hon. Member for Eastern Demerara (Mr. Debidin) I was under the impression that he was arguing for the third category that I mentioned — those persons who have no qualification whatsoever but merely have very long experience, in his opinion, should be brought into the list of exemption as was done by the 1930 Ordinance. But, Sir, I cannot see the argument he has adduced has any relationship with the Motion.

I am glad to see the Hon. Member has qualified the point. When he spoke we did not get that. I notice from the comment you have made, Sir, you were under the same impression. There is no doubt about it that there is at the moment in this Colony a serious shortage of qualified sick nurses and dispensers as well as chemists and druggists, and so if this Motion is passed in actual fact it would only affect those people who are now working within the vicinity of Georgetown or the municipal boundaries of New Amsterdam. It will not affect very greatly the qualified and registered sick nurses and dispensers who are now practising in the rural areas, because those persons are permitted by the Government or are given a certain amount of leeway to carry on under the various schedules. In fact this matter was brought up before the Committee which was considering the licences. You have on the Corentyne only so many registered chemists and

druggists and on the other hand so many sick nurses and dispensers. What is to happen in the other places? What was told to us was that in those areas where there are registered sick nurses and dispensers and no registered chemists and druggists authority would be given to those sick nurses and dispensers to carry on under the various schedules. I think the Hon. the Colonial Secretary mentioned that point. The only difficulty I see at the moment is that those sick nurses and dispensers are not allowed to practise in Georgetown within one mile from the boundaries of Georgetown, but if this Motion is passed it would permit those persons to practice in Georgetown and within one mile of the boundaries of Georgetown. I hope I am interpreting correctly what is really meant by this Motion by the Hon. the Forth Nominated Member.

I feel that this matter must certainly be looked upon seriously by Government, and provision should be immediately made to train as many persons as possible to become qualified either as sick nurses and dispensers or as chemists and druggists. I am sorry I have not the list of qualified persons with me, but if we look at the list we would find that it is indeed very limited. At the moment the Government institutions are training a very limited number of students and some of the registered drug stores are also training a very limited number, but students are reluctant to go to some of these commercial houses because in several cases they have been exploited and are used as cheap labour instead of being trained to do the job. The Medical Advisory Committee has gone into the question of seeing whether Government can embark upon a programme of training not only six but, I think the number recommended is, 24 per year. I feel, however, that the number should be increased. Let Government start some kind of school and train in large numbers, as certainly there is the necessity to train as many sick nurses and dispensers and chemists and druggists as possible because of the needs of the population as a whole. I know, Sir, at the moment there is limitation of funds and that argument has been put forward. — *“We cannot train too many in the Government institutions, as if we are to pay them allowances as we are doing now we cannot afford to train a large number.”* But I feel the training should be done, as in other educational institutions, and the question of payment should be left aside. There are hundreds of students making application to Government institutions to become sick nurses and dispensers or chemists and druggists for want of jobs. Why cannot Government institute a training course without giving allowances? I feel sure if that is done we would have many individuals coming forward with proper educational qualification to take the course and in time give proper service to the populace as a whole. That is the only way by which we are going to solve this serious problem of a shortage not only of chemists and druggists but of sick nurses and dispensers. At the moment there is a shortage of sick nurses and dispensers too. I want Hon. Members and particularly the Hon. the Fourth Nominated Member who moved this Motion to keep in mind that even if this Motion were passed by this Council it

would in no way solve the problem of a shortage of qualified sick nurses and dispensers and chemists and druggists.

Another matter which, I think, I should bring to the notice of Government is that at the moment many individuals who were selling drugs under the various Schedules cannot do so now following the amendment to the Tax Ordinance last year. The applications go before the Committee and are considered; if they want to sell drugs under the various Schedules they are told to produce the name of the registered chemist and druggist who will be on the premises. The Committee has agreed to allow one chemist and druggist to operate in two stores or business premises. It was my view that one person should be permitted to operate in three premises because of the shortage of chemists and druggists we have at the present moment, but that was not accepted. I do feel, as I said before, that the population will not be served adequately unless we can train in a very short time a large number of persons, but while this training is going on I feel another thing can be done, and that is, to amend Chapter 103 so that the Schedules can be amended. At the moment stores without the services of a registered chemist and druggist can only sell drugs under Schedule 3 of Chapter 103, but I have in mind this Schedule should be amended to embrace Part II of the Pharmacy and Medicines Act of 1941 of the United Kingdom. There was an amendment passed in the United Kingdom in 1941 which permitted persons who are not registered chemists and druggists to sell drugs under Part II of that Act. When we look there we find many more drugs are listed than in our Schedule 3 at the moment. We must bear in mind that this Schedule was framed many years ago and since then many drugs have come into the market which are not listed in it. Therefore if we were to revise the Pharmacy and Poisons Ordinance, Chapter 103, and extend Schedule 3 to embrace all the drugs listed in Part II of the Pharmacy and Medicines Act of 1941, we would find that we would be permitting many of these people who are not permitted now to sell under all the Schedules to sell a larger number of drugs than they do at the present moment, and the population would not suffer as much as if this Ordinance is adhered to very strictly.

This Pharmacy and Medicines Act of 1941 lists the persons who can sell medicines, and with your permission I would like to read from this booklet which is called "*The Chemist and Druggist Poisons Guide.*" It is an English publication. On page 47 it states as follows:—

"Section 12 (1) restricts the sale by retail of any article consisting of or comprising a substance recommended as a medicine to — (a) registered medical practitioners and dentists; (b) authorised sellers of poisons on premises registered under Part I of the P.P. Act; and (c) persons in business before August 7, 1941, who had served an apprenticeship to a registered pharmacist or a body corporate authorised to sell poisons, provided any sale is under the personal control of such persons."

In other words, those persons, who had been operating these drug stores and selling under the various Schedules and according to the Tax Ordinance of 1951 are now prevented from selling under the various Schedules except Schedule 3, can be brought in under the United Kingdom Pharmacy and Medicines Act of 1941 and allowed to sell under Part II of the Ordinance which will give them extended scope. I would like to read another passage from that booklet dealing with control as to the methods of sale, which states:

“The provisions of Section 1 (1) permit authorised sellers of poisons to carry on a business comprising the retail sale of drugs without the personal control of a registered pharmacist, provided no poisons in Part I of the Poisons List are sold and the following conditions are complied with in lieu of such control:-

- (a) The retail sale of drugs (and medical or surgical appliances must not constitute a substantial part of the business.*
- (b) Any drug sold at the premises must be pre-packed elsewhere and not opened since made up for sale.*
- (c) Drugs must not be compounded or dispensed on the premises.*
- (d) Prescriptions must not be received at or distributed at the premises...”*

Those are the main conditions. I feel if we were to adopt those two practices we would have to train as many persons as possible and as quickly as possible. We have the means to do so, as in the case of the Dentists. If we amend the Pharmacy and Poisons Ordinance by bringing in the Pharmacy and Medicines Act of 1941 and then solve the shortages of registered people in a very short time, we would be able to give the population generally a very satisfactory service. At the present moment I cannot see where this moment, as it stands, has any real merit because, as I have said before, it will only affect those people who may want to practise in the city of Georgetown or within one mile from the boundaries of Georgetown or New-Amsterdam— the registered sick nurse and dispenser who may want to practise within the limited area.

As I said before, I am told that they can sell practically everything under the whole Schedule with a few minor exceptions. The point about it is this: as I said before, if in the opinion of the Government there is not in any rural area a qualified chemist and druggist, then the Committee under the leadership of the Director of Medical Services would use their discretion in giving permission to a registered sick nurse and dispenser to carry on under the various Schedules. That is what is being done now. In effect all this Motion will do is to authorise the sick nurses and dispensers to practise under the various Schedules in the city and the towns. There is one thing which I would like to call Government’s attention to, and that is this: this

one mile limitation has worked hardship in a few cases I have in mind. When there was no chemist and druggist in Kitty when it was not as populated and developed as now, sick nurses and dispensers went into that area and were permitted to sell as chemists and druggists. Now that Kitty has developed and is within the one mile limitation of Georgetown they are faced with the proposition now of being told *"You cannot sell all the drugs under the various Schedules as permitted to chemists and druggists."* There are only a few cases and, I think, the Medical Committee which is dealing with these licences will take into consideration those few cases and give them permission to carry on as before. With those few words I do not feel any great objective is to be gained by this Motion and, therefore, I will vote against it.

In reply to the remarks made by the Hon. Member for Georgetown Central, I desire to point out that if we look through the Schedules relating to Chapter 103 we would find that in Schedule I there are two parts, so that if the amendment is accepted it would still permit dispensers to sell under Schedule I, Part I, which he is not entitled to do at the moment. They can only sell under Part II at present, and Schedule I only relates to medicines which are put up in a prepared form. The chemist is supposed to get the raw products and standardise them, and when that is done a sick nurse and dispenser in the rural areas can sell them. If we accept the amendment we would allow sick nurses and dispensers to sell under both parts of Schedule I and this really involves technical questions for which they have no qualifications, apart from selling under Schedules II, III, and IV. Schedule IV contains some dangerous drugs which are excluded from the purview of sick nurses and dispensers. The only advantage that would be given to sick nurses and dispensers by the amendment is that they would be allowed to come into Georgetown and practise as chemists and druggists, and Hon. Members would have to decide whether that is a desirable thing. I do not know how many sick nurses and dispensers are desirous of coming into Georgetown, and whether we have enough chemists and druggists already to cope with the population.

(The President: They would have to get licences.)

Dr. Jagan: Yes, but I am pointing out that the only advantage sick nurses and dispensers would get if the amendment moved is accepted, is that they would be able to come and practise in Georgetown. As I have already said, however, we would have to consider whether we would not create a further shortage in the rural areas if we allow them to come into the City.

Speaking on the Motion to set up a Committee I would admit also that when I was speaking of the advantages of the amendment of the Hon. Member for Georgetown Central (Mr. Fernandes) I was thinking particularly of the movement of sick nurses and dispensers from the rural areas into Georgetown. I did not think of the sick nurses and dispensers who are

already in Georgetown or within city limits, and consequently if the Hon. Member's amendment with the suggestion which I make that the Motion be passed with the exception that the sick nurses and dispensers should practise under all the Schedules with the exception of Schedule 4 and Schedule 1, Part I, then the sick nurses and dispensers would be allowed to practise in Georgetown and in the country districts, and those who have been carrying on in the City of Georgetown for a long period of time would be still on the same platform as their brothers in the rural area. I therefore feel that the Motion for the setting up of a Committee has some merit, but I think we can obviate that step and save this Council some time if we accept the Motion as amended by the Hon. Member for Georgetown Central with the further amendment I suggest of excluding Schedule 4 and Schedule I Part I. We would therefore be permitting all these registered sick nurses and dispensers to practise either in the rural areas or in the city but only under Schedule I, Part II and Schedule 3, whereas the chemists and druggists whether in the rural areas or in Georgetown would be able to practise under the whole set of Schedules.

Mandated and Trust Territories Bill: July 3, 1952

Dr. Jagan: I would have expected the Hon. Mover of this Motion, the Hon. the Attorney-General, to give us some more facts about the Ordinances to which he referred and which will be affected by this change. We should have a more comprehensive view of the whole situation. I do know that Mandated territories and Trust territories were under the supervision of the League of Nations. The League is now defunct and we have the United Nations taking over authority. One thing is troubling me at the moment, and that is with respect to these Trust territories and Mandated territories. As I have said, I do not know what Ordinances and what powers are really referred to by the Hon. the Attorney-General, but I do know that at the present moment there is a great deal of chicanery going on in the United Nations about these Trust territories. Some of the Nations which have Colonies or Mandated territories under their jurisdiction are not living up to their obligation in spite of reports to the United Nations Trusteeship Committee. That is why I would like to know specifically what the Hon. the Attorney-General is referring to.

I am glad to hear that. I was wondering if in the original Ordinances any benefits were offered, because at the moment I do know that some of these people—I have a press clipping of January 17, 1952, stating that at a meeting of the United Nations Trusteeship Committee the Bulgarian delegate threatened and the French delegate walked out and the South African delegate boycotted the Committee's activities—are not living up to their obligation, and I want to know that we are offering no benefits to these people. Now that the Hon. the Attorney-General has given the assurance I am quite satisfied.

South Africa is among the recalcitrant members of the British Commonwealth of Nations.

Motion - Agricultural Credit Bank

Dr. Jagan: I myself would have seconded the Motion, but I am afraid the Hon. the Financial Secretary has "*let the cat out of the bag.*" The Hon. Mover of the Motion must have been aware of this decision by Government to carry out investigations with respect to this matter, and I am wondering whether that is the reason why he has brought it forward.

In spite of all that I am somewhat disappointed the Hon. Mover did not go into the matter in greater detail. I know that when my friend, the Hon. Member for Demerara River, presented a Motion which was a sort of life work in this Council he certainly gave us a great deal of facts and figures. The Hon. Mover of the Motion should have told us, for instance, what advantages the agricultural bank would provide as against the cooperative credit banks which we have at the moment. He should have told us how much capital he thought would be required, and how this bank would be administered and so on. As I said before, I am highly disappointed. However, as the matter stands at the moment we all see the necessity for settling and giving credit to the agricultural farmers in this Colony. Therefore, I, like others, will support this Motion at the present time. I am glad to see that Government has taken the necessary steps to go into the question of the proper administration and financing of the bank.

Motion - Plaisance-Sparendamm Village Administration: July 7, 1952

Dr. Jagan: I would like to beg leave to withdraw my Motion of which I gave notice some time ago. In fact was on the 3rd April relative to the Sparendamm and Plaisance Villages which were amalgamated being restored to their original status. I have noticed subsequently that the Local Government Board has issued a notice that these two villages are restored to their former status. I do hope the Local Government Board in the future will, before taking any rash step in local government matters, take cognizance of the wishes of the people in the area. I notice right now in the case of Buxton that the Local Government Board has acted in a high-handed manner and the matter has been brought to your attention.

Rice Shortage

Dr. Jagan: I would like to draw your attention to a recent situation relative to the rice supply of the people of British Guiana. At the moment and for some time now there has been an acute shortage of rice. I think Government can ameliorate the situation by removing some of the paddy, which may be at the various mills at the moment, to the Mahaicony-Abary Scheme where there is mechanical drying equipment at the disposal of the Scheme. Thereby it may be possible to have some rice milled to carry us over this period. I approached the Manager of the Rice Marketing Board and he informed me that on account of the long spell of rainy weather we have had recently much rice has not been milled and that is responsible for the shortage. I feel that if some paddy is deployed to the Mahaicony-Abary Scheme we would have rice available in a short time.

Motion - Economic and Health Conditions in North West District

Dr. Jagan: I agree with the last speaker that we have had in the past many Committees and Commissions of Inquiry, and that we need to take practical steps to carry out the necessary schemes. I do not feel that the Hon. Mover of the Motion has any objection in this respect, but I believe his anxiety lies in the fact that nothing seems to have been done and, consequently, some step must be taken to get things going. I have listened very carefully to the Hon. Member for Georgetown Central and also to the Hon. the Fifth Nominated Member on the question of coffee production in this particular area and, in fact, I recall that during our visit to the district recently we went to a farm where we saw acres and acres of coffee cultivation that was not being properly cared for. As the Hon. the Fifth Nominated Member has pointed out, the drains were not being properly kept while there was an over growth of bush and there were trees that had not been properly pruned and some were laden with vines of one sort or another. The result was that there were many trees which had berries on them but they were not being gathered. The question of the shortage of labour has been brought into the picture and I am wondering whether this Government cannot adopt some practical measure in this respect by taking some of our unemployed who are at present roaming the streets of Georgetown and settling them in the rural areas, subsidising them if necessary. Some could be sent to the North West District to carry out some of this work and in this way we would be able to gather more of our coffee crops and prevent the importation of the article as the Hon. Member for Georgetown Central suggested.

I meant exactly what the Hon. Member said, only I did not state it in the correct terms. I have just heard the Hon. the Colonial Secretary say that from the results of the work of the experts, who came here to examine the soil conditions here, only a small percentage of that area is suitable for agricultural purposes. But I am wondering whether due consideration was given to the type of crops which can be grown in this particular area, whether those experts took into consideration the various types of crops which can be grown in this Colony, if catch crops cannot be grown where permanent crops cannot be grown in these areas. I think the Hon. the Fifth Nominated Member (Mr. Smellie) said pegasse soil is very suitable for the growth of coffee, and we have in the hilly areas other types of soil on which we saw the cultivation of citrus which is produced in a very large proportion of that area. What is going through my mind at the moment is whether we are having at the moment any planned settlement in this area. The Hon. the First Nominated Member (Mr. Roth) criticized the *laissez-faire* attitude of

Government in respect of this area, and I would agree with him in respect of planning for this particular area. Let the experts get together, and by that I mean the agricultural experts. We have an Agricultural Economist and what not in the Agricultural Department, and I think it is their duty to get down to the problem and say: *"Here we have the North West District for proper soil survey, and we have people all over this Colony who are willing to go into land settlements; having got all these facts let us examine the possibility of creating land settlements and determining the nature of those settlements."*

Sir, I can see that, if everyone is to go helter-skelter and grow coffee or citrus, the time would come when they would not have the hands to pick all the coffee or the citrus. But I do feel that if the matter is planned very carefully, individual families aside from growing coffee or citrus can go in for other undertakings, such as the rearing of poultry, the growing of coconut crops, etc. As I say, I do not know whether all these things are feasible and practicable, but that is why we have an Agricultural Department, and I feel it should be their duty to plan properly for this area. The Hon. the Fifth Nominated Member gave us the figures for citrus for instance, and I saw a great disparity between what was supposed to be the potential production of the area and the amount actually shipped to Georgetown. Obviously something is wrong there. It is not that the area is not capable of producing, but it is because of the method of handling or the method of processing which we possibly do not have at the moment. Unless these things are done this area will remain a depressed economic area, and I do feel that even though a Commission may be appointed it will take a long time before we get any practical results. I would suggest that the Government set the Agricultural Department and the Land Settlement Committee the task to work out a practical solution to this problem. I feel it can be worked out at this moment.

Motion - Primary Education Facilities: July 18, 1952

Dr. Jagan: I was expecting the Hon. Member for Western Essequibo to speak on this Motion, because I noticed that he was a member of the Committee which reported on the Primary Education Policy in British Guiana. However, the fact may be that since he attended only six of the 23 meetings of this committee, possibly he feels that it is not his duty to support all those who signed this report. I do hope, Sir, that the Hon. Member will take his duties more seriously instead of giving us long tirades about extraneous matters, generally.

With regard to this education problem, I would like also to support the Motion which has been moved by the Hon. Member for Georgetown Central. I have read this report very carefully and I appreciate the fact that there are many difficulties involved in this matter but, nevertheless, I also appreciate the fact that at the moment our education standards are indeed very low. The point that the last speaker made about the bias in our education system is indeed a very alarming one. The system should have been revised a long time ago, and I think Government should set up a Committee to look into the matter immediately with a view to improving not only the curriculum of the primary schools, but also those of the secondary schools in the Colony. We appreciate the fact that at the moment we have a growing population and that if this growing population is to be given a proper primary education it would mean the expenditure of a great deal of money. The Hon. Mover has suggested that a special education tax should be introduced in order to recover any increase in the cost of primary education, but he did not suggest by what method this tax should be collected or who should bear the additional taxation. Most of all in his mind was the fact that our education standards and facilities must not be reduced at the moment. I agree with him on that score because, if we look at the census figures we would find that among the Amerindians there is almost total illiteracy at the moment is no "total" by any means.

The percentage is very high, and that is why I said "total". Among East Indians the percentage is something like 42%, but among the other communities it is lower. This question affects us in several ways. We had before the Finance Committee not long ago the Principal of the Technical Institute, and he explained that he had great difficulty in giving proper technical instructions to some of the students who were aspiring to technical knowledge. He stated that among the things he had to give instructions in were simple arithmetic, algebra and so on—instruction which he did not feel that Institute should give, because students should be versed in such subjects before seeking admission there. We should also bear in mind the fact that we are at the moment embarking on mechanical cultivation in

farms and rice fields, and this would call for some kind of knowledge of the proper care and handling of machinery. This, in turn, presupposes some degree of literacy, such as the ability to read technical journals, books and so on from which knowledge and information can be obtained. It is for these reasons that I feel we should place great stress on the need for primary education, so that in future our adults would have, at least, a better appreciation of science and would be capable, in the long run, of increasing the national income up this Colony. As I have already stated, the Hon. Mover of the Motion did not propose any definite measure of taxation. He only proposed that a special education tax should be introduced.

The Hon. Member for Georgetown South in his remarks yesterday indicated that there is only one category of persons at the moment who can pay any additional taxation. I have studied the report of the Hon. the Financial Secretary— the Budget Statement for last year— and that clearly reveals that very high indirect taxation which is being borne at the moment, particularly by the large masses of the people in this Colony. I am wondering whether these people, in view of the rising cost of living, can afford to bear any further taxation. On the other hand, we do note that in spite of the rising cost of living profits have been climbing up not only in this country, but in those from which we import most of our commodities. I agree that at the moment there is a slump in one particular market— the textile market— but with respect to other items of importation prices have been rising for a very long time and profit margins, generally, have been placed on a percentage basis on the c.i.f. value. Manufacturers abroad have been making very large profits, and I feel that the same thing has happened in this Colony.

If we introduce a special education tax I think those who can afford to pay it at the moment would have to do so. I can see that only one form of taxation can meet this additional expenditure from time to time, therefore I am going to suggest an amendment to par. (b) of the Motion by the insertion of the words "*excess profits tax*" between the word "*educational*" and the word "*tax.*" The paragraph will then read: —

"(b) that a special educational excess profits tax be imposed to cover any increase cost in connection with primary education."

I know that the excess profits tax which was levied in this Colony during the War was subsequently removed and, possibly, a reason for that was that the profits which were made during the War were not being made after the War. I do not know whether that was the primary reason for the withdrawal of this tax, but if that was the assumption I will say that I have gathered from the press that profits have in no way been greatly reduced from the very high figures which were obtained during the War years. My figures are that profits have, indeed, rather increased a great deal. Only a few days ago I was looking at some figures of United Kingdom taxation

which showed that in 1950 the profits which were derived from the income and dividends and interests were more than double those which were earned in 1938; even though as we know, taxes have increased a great deal in the United Kingdom. The same thing applies to countries like the U.S.A. and Canada. As regards the U.S.A. I remember reading some figures not too long ago which disclosed that during the War years when there was excess profits tax, profits rose from \$2.4 billion to the tremendous figure of \$10.4 billion. The figure, today, stands in the vicinity of \$19 billion.

I feel that if such huge profits are being made in those countries, some investigation should be carried out as regards the situation locally. It is true that we do not have any national income statistics made in this Colony but, no doubt, when the World Bank officials come here we would have all the figures. As I have said, Sir, since our trading— our imports and exports— has been on the upgrade with those countries to which I have referred, I have no doubt that profits in this Colony have also been increasing to a very great extent. In my opinion, the only tax that can be levied in this Colony at the moment for the purpose stated in the Motion, is an excess profits tax— the people in this Colony cannot bear any more indirect taxation. The figures at the moment are indeed alarming in comparison with the figures of the United Kingdom. The Hon. the Financial Secretary and Treasurer will know, as indeed the Economic Adviser, Mr. Spencer, had pointed out to us sometime ago, that our indirect taxation is very much higher than that in England and consequently, I hope Hon. Members will support this amendment which I have moved at this moment.

Motion - South African Government Apartheid Policy: July 25, 1952

Dr. Jagan: Sir, I would like to say a few words in support of this Motion. Like the Hon. Mover and Seconder of this Motion I also feel very strongly about this matter which is taking place in South Africa today. As a matter of fact nearly a year ago I moved a similar Motion in this Council, but unfortunately it was not brought up for discussion. I have listened with very great attention to what the Hon. Mover of this Motion had to say about conditions in South Africa. Reading the first preamble of this resolution it seems to give the impression that one is dealing mainly with a racial problem but, Sir, I think the Hon. Mover and Seconder should have used much stronger language. It is not really racial discrimination that we are experiencing today in South Africa. If I may borrow the words of a Trade Union leader, Solly Sachs, who was recently sent to prison, he called it "*blatant fascist tyranny*." I think that is the correct term to explain what is really happening in South Africa today. Perhaps, if we were to call it fascist tyranny and thus bring in the element of fascism we may be treading on our own toes, and, consequently we may not want to use such a term. But let me assure Hon. Members that what is happening in South Africa today is not merely a racial question. It is above all an economic problem. The Hon. Mover has given us a number of Acts which were passed by the South African Government, but when we examine all of them—whether it is the Group Areas Act, or the Interracial Mix Marriages Act, or the Native Building Working Act, or the Population Registration Act — we would see that what the South African Government has done is merely to use the political power which it has to deny economic rise to the masses of the people of South Africa. By "*masses*" let me say that not only are 8 million non-Europeans affected but among the Europeans also there are many who are fighting to get better conditions in South Africa. I have a booklet, printed in U.S.A. by the Council on African Affairs; which refers to merely 2% of the white population receiving one-half of the national income of the country. Those are the people for whom Dr. Malan's South African Government is ruling South Africa and using the political power which it has at its disposal to deny the other people their economic rights. Obviously it has the political power; in the Union Parliament there are 150 members out of which only 3 representatives are for the Coloured or African and Indian population. Obviously they are able to make the laws to suit themselves.

The Hon. Mover of the Motion described to us one particularly vicious piece of legislation called the Group Areas Act. He has told us how the various races will now be divided into several categories — the Africans who will be divided into what are usually referred to as Blacks and Col-

oured, and the Asiatics further subdivided into Chinese Malayans, Indians and what not. These will be put in particular ghettos. Hitler did the same thing with the Jews and deprived them of the economic advantages which they had gained over a long period of time.

They will have to sell their properties or they will be sold by the Government and the sale will be only to the white people at whatever price the white people are willing to pay. For instance, in South Africa the Indian population, we are told, is only 1.2% of the whole population and that many of them have built up very lucrative commercial businesses. What is to happen to them now? They are to be removed and placed in the ghettos for the Indians and to be told they cannot trade with anyone else but Indians, and the same thing holds good for the other communities. I need not go into the various Acts to which the Hon. Mover referred, but I would like to draw attention to one bit of legislation to which the Hon. Member did not refer and that is one dealing with passes. The South African Government passed a whole series of Acts setting out conditions under which Africans and others have to carry within their person passes. They are about twelve in number. Rev. Michael Scott in his book "*Shadow over Africa*" referred to these various passes and he has listed them. With your permission, Sir, I would like to refer to them as he puts them:

- “1. A residential or site permit.
2. A lodger’s permit.
3. A night pass after 11 p.m.
4. A permit to seek work out of the Reserve.
5. A permit to be in a proclaimed area for purposes other than seeking work; e.g., domestic reasons.
6. Service contract.
7. A casual labour licence if such is his work.
8. A document of registration for male natives following occupation not under contract of service.
9. A temporary visitor’s permit.
10. A registered voter’s certificate.
11. A permit to attend school.
12. An exemption certificate to the effect that he is not required to

carry a pass; vis., he is over 25, has been in employment for more than three years, has a clean police record, a fair standard of education, and is recommended by his present employer."

Every person whether literate or not—we know there are a large number of coloured persons in South Africa who are literate— has to carry on his person all those passes and has to show them on demand at any time. Professor Julius Lewin, who was for a long time a professor at the London University, and is now a professor at the University of the Witwatersrand in Johannesburg, South Africa, had this to say about how these passes are affecting the South African as quoted in the Rev. Michael Scott's booklet "*Shadow over Africa*":

"The legal position today of the Africans is such that the police can arrest any of them walking down the main street of Johannesburg at any time of the day or night, and any competent prosecutor will have no difficulty whatever in finding some offence with which he could be charged."

And the Rev. Michael Scott gave figures to show that alarming numbers of South Africans have been prosecuted in respect of these various passes. He said:

"In former years an average of more than 100,000 Africans were convicted annually under the Pass Laws, but that number has now greatly increased. In 1945 the crime sheet listed 968,593 prosecutions and 861,269 convictions..."

In other words, we have almost a ninefold increase in the number of convictions today in South Africa. But what is the necessity for these Pass Laws and what purpose do they serve? Sir, the honourable Mover again did not go into all the details of these political restrictions. But the purpose to be served is that when these Africans are arrested and convicted for the violation of any of these minor Pass Laws they can be hired out on contract to white farmers and owners of mines where they have to carry out their prison sentence. In other words, in South Africa we have today one of the worst forms of slave labour of which we have been hearing so much in this Legislative Council very recently. Africans are arrested to provide workers, who are in short supply, for the various mines and plantations in the Union of South Africa. The honourable Mover of the Motion referred to Trade Unions and to the restrictions under which the coloured workers have to suffer today because of the laws which have been enacted. For instance, there is the Native Building Act under which the coloured workers cannot work in skilled jobs outside their own areas. The plantations, owned by the white population, have to be served with an adequate labour force, and the legal machinery of the State is used to supply them very readily with that. The gold-mining companies in South Africa, which are dealing

out fabulous profits to the owners, must have slave labour, and the South African Government is readily providing that slave labour by arresting willy-nilly Africans of one type or another. I have some figures here from a booklet entitled "*Stop South African Crimes*" which show an enormous exploitation is taking place today by the Union Government. In the gold companies—the consolidated Diamond Mines—profits as much as £1,886,000 were earned in one year and the Directors received a remuneration of £15,000 annually, whereas the African workers who are recruited by the Malan Government to work in those mines are paid from 17/4 to 31/- per month with some food allowance thrown in.

That is the situation we have today in South Africa. It is not, as I have said before, merely a matter of racial segregation. Above all it is a means of using the political power to keep the masses of the people in a subservient state, in a downtrodden state, to keep them half-starved and ill-educated. That is the position we are dealing with in South Africa. The resolution asks that we should express our abhorrence to what is taking place today in South Africa, and that we must appeal to the Secretary of State for the Colonies and to the United Nations to see what steps can be taken to move that the South African Government desist from its policy. But, Sir, we must deal in realities. The honourable Member who seconded this Motion referred to racial discrimination in the U.S.A. But the U.S.A., as a member of the United Nations, with its satellites is today dominating that body. As he said, this racial discrimination policy in the U.S.A. is not called "*Apartheid*" but by another name, —"*Jim Crowism*." I have been to the U.S.A. and went to school in Washington. I have been to the cinema which has a partition in the middle for coloured people to be on one side and the white people on the other side. I have ridden in the street cars where coloured people are made to sit in the back seats and in the buses where the coloured people are also made to sit in the back seats where they get all the jerks, etc. On the trains the coloured people have to travel in the first two carriages which are preserved for them and where they get all the soot and smoke from the engines. Those are conditions which exist in this haven of Democracy. This word "*Democracy*" has a lot of meaning these days, and everyone likes to use it; even the South African Government is a champion of Democracy these days. The U.S.A. is the world's largest democracy, but we do know that the Truman Administration scuttled not too long ago the Employment Practice Commission which sought to remove discrimination so far as jobs are concerned in the U.S.A.

We know that in this Democracy Negroes are the first to be fired and the last to be hired. We are supposed to appeal to the United Nations where the United States of America has a very big say. Then, the seconder of the Motion referred to the United Kingdom and to the sharp practices which he himself experienced at the hands of landladies and landlords there, but let us go a little further.

We all know that even in our own Colony — it is not on the Statute

Books but, nevertheless, it is there—this question of colour bar is being practised. Let us go on the R. H. Carr — the steamship being operated by Messrs. Sproston Ltd. for instance, and what would we find? It is true that the Company is a private one and since it is their steamer they can reserve a part for their employees, but let us go on the concession of the Bauxite Company itself which is making tremendous profits in the same way as the gold companies are earning tremendous profits for those who own them. What happens when we get up to Mackenzie where the Demerara Bauxite Company operates; is there anything but Jim Crowism there? I have visited Mackenzie and I do not know whether I would be permitted to land there again. Those were the days when I was not involved in these political disputations, and it is clear from what I saw that one section of the place is reserved for the whites and another section for the Negroes. The same thing applies at Kwakwani in the Berbice River, where another Company is operating for Bauxite. The honourable Mover of the Motion recently narrated to me his experiences at the hands of that Company. Even when we take the sugar estates; do we find anything there that does not resemble Jim Crowism?

But let us leave these awful forms of Jim Crowism and go to Africa itself.

I have given notice of a Motion today in which I am asking in similar terms to the present one, that we should protest against the violation of human rights in the Colonies of Northern Rhodesia, Southern Rhodesia and Tanganyika. What is happening in those Colonies today is a disgrace to humanity and nothing else. I have here a book from which I intend to quote, with your permission, Sir. I do not know whether it would be considered subversive propaganda. It is a book published by the Union of Democratic Control, London.

(The Deputy President: I take it that the honourable Member is in no doubt as to whether it is subversive or not.)

Dr. Jagan: If you want, Sir, I can turn it over to you. It is not that I am deciding what is subversive or not. It is a pamphlet, and it is called "*Britain's Colour Bar in Africa*". Let us look at the position in Northern Rhodesia. On page 4 of this pamphlet, under the sub-head "*The Colour Bar in the Copper Belt*," we find this: —

"Some of the richest copper mines in the world are in Northern Rhodesia. All the highly paid skilled work on these mines is reserved for white immigrants. No native African, however capable he may be in fact, is allowed to do skilled work. While most Africans do only rough unskilled work and receive less than one-twelfth of the wage that the skilled white men earn..."

How is it that these people can do these things in these British Colonies? They can do it because they have the political control. On page 6 of the same pamphlet we have the position as regards representation in the legislatures of some of these African Colonies. For instance, in Northern Rhodesia there are ten white representatives for a European population of 18,700; as against four African representatives for a population of 1,660,000 coloured people. Therefore, the European representatives are two and a half times as many as the African representatives whose representation is really infinitesimal in the light of the number of Africans residing in the territory. In Kenya, there are 14 European representatives for a population of 29,660 Europeans, as against 6 African representatives for a population of 5,218,000 Africans, and there are 8 Asian representatives for a population of 114,702 Asians. In this Colony— Kenya —the British Government is only using their “*divide-and-rule*” policy between the Africans and the Asians to stabilise their political control there. The Africans and the Asians have a total of 14 representatives between them for a total population of nearly five and a half million of their own people, while there are 14 Europeans representatives for a population of 29,660 Europeans. In this Colony also, the British Government plays up to the Indian population in order to keep down the Negroes and maintain their balance of power, and in Tanganyika it is nearly the same thing. There are seven European representatives for a European population of 10,648 in Tanganyika, but the Asians have only 3 representatives for a population of 55,322 Asians, and there are only 4 African representatives for a population of 332,539 Africans.

Whenever the question of South Africa came before the United Nations what was the attitude of the British Government? Let me quote from page 11 of this pamphlet to show what Professor Lewin (the author) has to say in that respect:

“Yet at the United Nations Britain has always been careful to avoid endorsing hostile criticism of South Africa not only because South Africa is still a member of the Commonwealth of Nations but for another reason. British diplomats know full well that under British rule restrictive laws and practices exist, and could be revealed, which are similar in kind to those that have brought South Africa’s name into disrepute in the eyes of the whole world.”

When the Rev. Michael Scott wanted to go before the United Nations to defend the rights of the coloured peoples and the other oppressed people in South Africa, Great Britain opposed it, but Mr. Tom Dryberg, M.P., wrote a very interesting introduction to his book — “*Shadow Over Africa*”. That is why I am wondering what would be the use of our appealing to the United Nations and to the Secretary of State for the Colonies to see what could be done to prevent what is taking place in South Africa today. It would give a little bit of publicity to the situation—and that certainly does some little good—but that is all. I feel that at the moment we should protest in much

stronger language against what is taking place in South Africa today, since this display of black and fascist tyranny is also taking place in other countries of the world. It is an incipient tyranny and the Hon. Member who moved this Motion, is himself the initiator of the incipient stage of fascism in this Colony.

I have in my hand a copy of the Barbados *Beacon* of June 7, 1952, and this is what it says (on page 4) about the Legislature of this Colony:

“But the British Guiana legislature is really becoming more than a joke down this way nowadays. A short time ago a Motion moved by the Hon. Lionel Luckhoo about what he called subversive literature earned him the name of Malan of B.G. Now I see that the same gentleman is moving to have B.G. register a protest against Malanism in South Africa. But I am forgetting that politicians are supposed to supply some of the comedy and all of the tragedy in life.”

Now, this is quite a comment. We must recognise the danger of what is taking place in South Africa today as a threat to coloured peoples all over the world. The Hon. Mover of the Motion has suggested the use of violence as a way out of this impasse. I have met many South Africans—some white and some black— during my trip abroad, and the white ones I have spoken to expressed the view that in this fight in which they have joined hands with Indians and Africans, unless it is brought to a successful conclusion soon the white workers in South Africa would have to swim in the blood which would soon be shed there. We have to devise our own means to force the South African Government to come to their senses for the United Nations will not take up our cudgels. What is happening today in South Africa is nothing new; it happened in Spain also. When Franco started the fascist movement there it was because of the dilatory action of the British and other Governments that we had to deal later, with fascism in Italy under Mussolini and fascism in Germany under Hitler. We have seen what the blood bath in Spain led up to; we have fought that successfully. The time has come when, if we do not want to have another blood bath, we must use all the means at our disposal to fight the fascist Government in South Africa. As I have said before, I notice that the Hon. Mover of the Motion referred to almost all the laws which have been passed in recent years by the South African Government, but he very carefully refrained from mentioning the Suppression of Communism Act which was also passed by that Government. With your permission, Sir, I should like to read the following passage from page 41 of *“Apartheid”*—the booklet from which I have already quoted— on this question:

“The Union Government will now have very wide powers under the Suppression of Communism Act 1950 to pursue their policy of apartheid in the guise of

action against communism. The definition of "communism" includes, inter alia, any doctrine or scheme (a) which aims at bringing about any political, industrial, social or economic change by the promotion of disturbances or by unlawful acts and (b) which aims at the encouragement of feeling of hostility between the European and non-European races calculated to further the objects mentioned at (a)."

In other words, what is meant by this Suppression of Communism Act is really to destroy the whole structure of the progressive movement in South Africa. Any criticism of the South African Government which aims at changing the *status quo* — which aims at reaching for equality for Indians and Negroes— is regarded as illegal. Under this Act, all the South African Government has to do in order to deprive any person— whether he is white, black, Indian or otherwise— of this ordinary human rights, is simply to name him communist and thereby prevent him from holding a trade union post or from addressing meetings or sitting in Parliament and restrict him to a particular area in the country. Those are the sort of wide powers given to the Union Government under this Act. Let us examine a few of the things which happened recently under this very Act. The coloured people in South Africa have a right to vote, but that right is now being taken away from them. Only white representatives can represent them in Parliament, but even these representatives who chose to fight for them and for the whites who are being oppressed, are now being named as communists and given marching orders and removed from Parliament. Under this Act, any book or pamphlet printed in South Africa can be deemed to be subversive and, in fact, anybody circulating any subversive literature can be sent to prison and punished very severely. Not too long ago the South African Government banned the importation of books into that country, and it is not only communist books that have been banned as being subversive. Michael Scott's book — the one I referred to a while ago — "*Shadow over Africa*" which has been published in Britain and which carries a foreword by Tom Dryberg, M.P., — is also banned from South Africa. Publications by the well known author, T.A. Jackson, have also been banned there. One can no longer criticise the South African Government if he wants to live in South Africa. Of course, that is why I said that what the Hon. Mover of the Motion is trying to criticise in South Africa he is trying to encourage right here in British Guiana. In the same direction from which South Africa started the Hon. Mover is leading us into. What is subversive can only be determined by the ruling class, but the danger is that the ruling class in any country tries to secure whatever economic hold it has at the moment. The people of that class, however, are the ones who determine what is subversive or not.

The Rev. Michael Scott himself has been banned from South Africa, and we too are banning British subjects from British Guiana. Two of them were coming here recently — Smith and Strachan, two Jamaicans — but they were

banned because they are supposed to be communists.

(The Deputy President: They are.)

Dr. Jagan: Rev. Michael Scott has been banned from South Africa; he is an undesirable also. I wonder if he is a communist too. The Hon. Mover of the Motion also included films in his list of prohibited things, and I might add that the South African Government has refused to permit the Rev. Michael Scott to show the United Nations' film, *The People's Charter*, in that country. I have before me the *Labour Advocate* of Sunday, July 19, last, in which there is a discussion relating to the meaning of the word "democracy", and this is what it says:

"The selfsame system which we hold up to the world as a scion of true democracy, when we compare it with the sham democracy of South Africa, must not be endangered by a false sense of bravado or fear of criticism in permitting scheming devils and bloody lying literature to enter into our midst and create disorder..."

As I have said before, in these days we have various definitions of "democracy". According to this newspaper South Africa is a sham democracy, and I am wondering what kind of democracy we have in British Guiana. Trade unionists in this country are not allowed to visit their member workers and speak to them in some cases. As a Member of this Legislature I cannot visit my constituency and speak to some of the workers there, and this is British Guiana. All of us thought it was a good thing that the two gentlemen I have referred to were banned from visiting the Colony because they were "devils" who were coming here to start trouble. The Rev. Michael Scott is also a "devil" in the eyes of some people, but that is the way fascism works. When capitalism finds itself against the wall and finds that it is losing ground, then it begins to use force; I do not mean weapons, I mean the legal machinery of force. I told the Hon. Mover of the Motion that I would support it wholeheartedly — and I do so with even greater vigour than he has shown — but I would ask him to be consistent and not to fight fascism in South Africa and allow it to develop here. The United States of America has gone mad; a hysteria has overtaken that country. The primary theme in the Democratic Party Convention today is whether Negroes should be given the same rights as whites. We hear of the Southern Democrats, but I think they should call themselves Southern Fascists as that would be a better term. I am going to suggest an amendment to this Motion and I hope the Hon. Mover will accept it.

That amendment is a further resolve clause—

“And Be It Further Resolved that this Council recommend to Government the immediate cessation of all trade with the Union of South Africa.”

I moved this amendment because I feel that we must advance to a stage beyond the talking stage. Now is the time to act. As I said before, if the democratic countries had acted in time, if they had applied economic sanctions when fascism was raising its head there possibly would not have raised up a Hitler and a Mussolini and possibly there would not have been a Second World War. But because they failed we had to go through that. The time has come, whether South Africa belongs to the British Commonwealth of Nations or not, when we must apply economic sanctions. As I said before, the British Government does not appear to press this issue of giving non-European people in South Africa their rightful share of justice and, therefore, we have to apply sanctions from this end. As to what form it should take at the moment I can not say, but I know we are importing several consumers' commodities from South Africa — jams and jellies. The other day I was told that pilchards and a few other items were also being brought to this Colony from there. It may be said that we have nothing to do with trade, and trade is a matter which the United Kingdom Government takes care of so far as the Colonies are concerned. Whether that is so or not I still feel that we must voice our opinion in this Council and let Her Majesty's Government know what our opinions are on this matter. The Control Board puts on restrictions on the importation of certain things even from the United Kingdom. The Hon. Member for Georgetown North (Dr. Nicholson) referred the other day to the suspension or cancellation of import licences in respect of the United Kingdom for the purchase of oils and fats. I notice today that it is temporarily withdrawn.

(**Mr. Fernandes:** I figure the Hon. Member refers to me. I did not refer to any importation from the United Kingdom. I referred to the importation from Holland. The Hon. the First Nominated Member (Mr. Roth) referred to oils and fats from the United Kingdom.)

Dr. Jagan: I am glad the Hon. Member interjected. What he has said is more or less what I said except that it was not he who referred to the United Kingdom. I feel that action must be taken immediately. All of us in the West Indies where there are mixed populations of various races should embark on this embargo, and not only the British Government but in the long run the South African Government will have to take heed of our actions here. I do not know to what extent at the moment purchases are made from this area by South Africa, but I do feel that we have to do it in our own interest because the South African Government or Dr. Malan — I hate to use the word “*Doctor*” with the name as it is an honourable title, Brute

Malan is a better term as he is really using brute force against the coloured people— has said in his Parliament and outside that the United Kingdom or the British Government is wrecking the British Commonwealth of Nations. What was his explanation of that? With your permission, Sir, I will read from a pamphlet "*Africa and the Future*" which is also a Union of Democratic Control publication, a quotation from an article written by the Rev. George Norton who is one of the fighting reverends in South Africa. He says on page 3 of that pamphlet:

"Britain and the United Nations," said Malan, Prime Minister of South Africa in February, 1951, 'are killing the Commonwealth.' The reason why? Because the British Government wishes to 'convert the British Colonies one after another into free, independent members of the Commonwealth— presumably on equal footing with exiting Commonwealth countries'."

In other words, Malan is now saying that the people in the Colonies should not be given self-government at all, because if they were to be given self-government they would soon develop into a Dominion and as a Dominion would have the right to sit and make decisions in the Commonwealth of British Nations with the other Dominions. That is not very pleasant to Malan. He looks with fear at what is happening today on the Gold Coast; because the British Government wishes to give Adult Suffrage and introduce a forward Constitution towards self government to that Colony, and Dr. Nkrumah and others have been able to win a great measure of political power. Dr. Malan feels that is a threat to the fascist domination of the non-European people on the Continent of Africa. Therefore in the same way he is against our interest in the Colonies, in the same way he is fighting against self-government for the people of the Colonies, we who are aspiring to self-government should try to destroy him and all that he represents as quickly as possible.

As I have said before, the United Nations, despite the fact that Great Britain and the U.S.A. have a big voice in that body, nevertheless cannot do very much more than is being done now. Time and time again the South African Government has taken the stand before the United Nations that it is an internal domestic matter. But, Sir, it is not a domestic matter any longer so far as we are concerned. And the United Kingdom can do nothing more in my opinion. For instance, it was suggested some time ago in respect of the Group Areas Act that a round table conference should be held in April 1951, and pending the holding of that conference the Group Areas Act of which notice had been given, should be suspended. But what did the South African Government do? Two days before the Conference was to be held the Act was proclaimed and was made Law. In other words, the South African Government scuttled the decision of the United Nations, and that was always being done. The only thing I see the United Nations can do now is to send an army into South Africa and wipe out Malan and his

bunch. They have done so in Korea where they have gone to help the fascist, Dr. Sigmund Rhee. Let us hope that this time the United Nations will help the democratic forces against the forces of tyranny. Let us on our part do what we can to put pressure in the South African Government. Leaving it to the Secretary of State for the Colonies and to the Human Rights Commission is really not doing very much. Let us be frank and admit that. The time has come for action, and I hope that this Council would accept the amendment and in fact the Hon. Mover himself would accept it.

Motion - Gambling Prevention (Amendment) Bill: July 31, 1952

Dr. Jagan: I am sorry that opportunity was not given until this moment to discuss the whole report of the Committee which sat to deal with the question of gambling and lotteries, but the Hon. Mover of the Motion has suggested that Government is now considering certain matters connected with it and in the meanwhile this Bill is being put before the Council so as to enable certain institutions to carry on lotteries. The Hon. Mover has not told us, however, what games would be included under the term "*lotteries*". I know that bingo is a favourite game in British Guiana, but I was wondering whether a small sweepstake would not be included also. I notice that under clause 2 of the Bill a lottery will be permitted "*in aid of any institution or organisation of a philanthropic, charitable, religious, medical or public character approved by the Governor in Council.*" I remember that the Committee which sat to investigate this matter had a similar recommendation to this, and I remember reading that trade unions and political bodies were to be included also in this list. I wonder whether "*institutions of public character*" would include trade unions and political parties? I do not know whether the Hon. the Attorney-General will clarify that point. If that is not so, that was a recommendation to the Committee and now that we are dealing with the whole list of organisations we should include trade unions and political parties which are also of the public character in this Colony.

Council in Committee

Dr. Jagan: I wish to move an amendment to sub-paragraph (ii) — to insert between the word “a” in the first line and the word “*philanthropic*” in the second line the words “*political, labour.*” I do so because I recall, as a member of the Gambling and Lotteries Committee, that it was one of the recommendations that all *bona fide* organisations, including Trade Unions and labour organisations, should be included in this list of organisations. The Hon. the Attorney-General in his reply stated that any organisation which is to be given this privilege must be a worthy organisation and the cause must be a worthy one. I do appreciate that erecting or repairing buildings for the purpose of a school or religion is certainly a worthy objective and so is the objective of a charitable organisation, etc., but one cannot say that a labour organisation which is interested in the welfare of a large number of people in this Colony is not a worthy organisation, or that it is not a worthy cause. If you look into the trade union situation in this Colony you would find that many trade unions suffer from lack of funds to carry on their activities properly. Some of them have no office, no building; some of them cannot afford to pay decent salaries to their secretaries and indeed need much more money to carry on properly as a labour organisation. I have in mind, for instance, a union such as the Sawmill Workers Union which has members scattered all over the interior; to organise those workers properly it necessitates a great deal of travelling which in turn requires a great deal of money, and certainly the membership cannot in all cases pay for this expensive travelling. I have in mind also a worthy organisation such as the British Guiana Trade Unions Council; this also suffers from lack of funds to carry on its activities properly. I feel that organisations such as these should be listed among those listed in the Bill. For this reason I beg to suggest to Hon. Members to include, as was suggested by the Committee, political and labour organisations, and the Governor in Council will then have power to determine whether those are *bona fide* or not.

It seems to me the main objective is the control of the lottery, which is to be carried out by the Governor in Council— to see it is properly run, and the public are not defrauded, and the money is intended for what is stated. I do not think it would be right to discriminate by allowing certain organisations only the right to run lotteries and refusing that right to others. I agree that a measure of control by the Government should be instituted, and I have no fear that we will have a mushroom growth of lotteries created, since each will have its own level and the people will, after a while, only buy from those organisations in which they have some confidence and know that the money will be placed to good purposes. With these few

remarks I hope Hon. Members will support the amendment I propose.

Motion - Unofficial Motions and Questions

Dr. Jagan: I beg to move the following Motion standing in my name on the Order Paper:

“Whereas there are examples of questions being asked by Legislators in the Legislative Council, answers to which are unduly delayed or never supplied;

And Whereas there are many Motions tabled in the Legislative Council which are never placed on the Order Paper for discussion by the Legislative Council;

Be It Resolved that this Honourable Council recommends that all questions asked in the Legislative Council be replied to within four weeks and that all Members’ Motions be considered within six months of the time tabled.”

This Motion seeks to ask that Motions of which notice has been given by Unofficial Members in this Council should be brought before the Council for discussion within six months of the time they are tabled, and that questions which have been tabled should be replied to within four weeks from the time notice of such questions is given. I am sorry that I have to bring this matter before this Council, but past experience not only of mine but of other Members of this Council is that we have had too long periods before replies are given to questions and in some instances the questions have been re-tabled at a subsequent session of the Council. The same thing applies to Motions. I remember many Motions which I have tabled in this Council have not been brought forward for discussion. It may be argued that the time of the Council is very limited, but if we look at the Standing Rules and Orders of this Council we would find that Wednesdays are specially reserved for Members’ Motions, and I want to say that we have not been sitting on Wednesdays as a general rule. There is also the fact that if there is an inadequate amount of time, then the Council can prolong its sittings to other days of the week. There are also times when on certain weeks the Council does not sit at all. I think that Members who give notice of Motions or questions in this Council should be given some amount of credit for bringing those things to the notice of Government, because of the fact that those are problems which from time to time are worrying the citizens of this Colony. If the Government for one reason or another is not aware of these problems and Members bring them forward to the Council, they should be brought up for discussion very quickly. We all appreciate that even if the Motion is passed in this Council the Government is not bound to carry out or implement what has been recommended.

Nevertheless, the Motion which has been discussed and on which a

decision was made certainly brings forcibly to the attention of Government what are the feelings of Hon. Members of this Council. As I have said before, some questions are not answered for months and months. I think that if Government were to reply to these matters very expeditiously it would help to allay a lot of suspicion in the minds of the public and at the same time it would create confidence in the minds of the citizens of the Colony in general. Many questions of public policy are brought to the attention of Members of the Council and on many occasions, questions are brought, not so much to criticise Government but to ask whether they are aware of what is really taking place. By giving a reply quickly to questions which have been tabled, one finds that the Member who has tabled them would have an opportunity to re-discuss those same questions with the people involved in the light of the answers given and thus clear any suspicion which might have been in the air. I do not want to speak very long on this Motion because it speaks for itself. I do hope that in future Government would treat Hon. Members with some respect and try to supply answers to questions as expeditiously as possible, and also bring forward for discussion as early as possible Motions of which Members have given notice.

I would accept the views of the Hon. the Attorney-General about Motions and questions generally. If answers cannot be provided within a certain time, then let us be told the matter is being investigated and as soon as the replies are available they will be given to Hon. Members. You mentioned, Sir, a moment ago some questions I asked in this Council not too long ago and now there are supplementary questions and the answers given. I did that for the simple reason that I am interested in the money which is being spent by this Government. We are spending millions of dollars on the Corentyne Road and we are told that will be an all-weather road. My reason for asking all those questions is really to see whether or not we are going to get in the long run a good road. These questions seem to be technical. I can assure you, Sir, that the same way the Government has advisers, we, the legislators, have our advisers. My information is that so far as the Corentyne Road is concerned all is not too well. I did not intend to waste the officers' time.

I take Government's undertaking that this matter will be dealt with more expeditiously in the future. The fact that we have had within the last few months many Motions and questions dealt with expeditiously, it shows that the Motion has done some good. I accept Government's undertaking and withdraw the Motion.

Motion 0 T & H Dept. Increased Fares and Freight Rates: July 31, 1952

Dr. Jagan: I beg to move the following Motion standing in my name on the Order Paper:

"Whereas there has appeared in the Press an announcement that fares and freights will be increased by the Transport and Harbours Department from July, 1952;

And whereas these proposed increased fares and freight charges have been instituted with a view to reducing the annual deficit of the Transport and Harbours Department;

And whereas it is doubtful whether these increases will result finally in a reduction of the annual deficit of the Transport and Harbours Department;

Be it resolved that this Council recommends to Government that the proposed increased fares and freight charges for railway and steamer services be non-effective until such time as the Legislative Council has fully discussed the recent 'Report of the Committee appointed to consider Ways and Means of Effecting Economies'."

This Motion deals with the Transport and Harbours Department and the recent increases in fares and freight rates which were levied by the Department. I have before me the Report of the Committee appointed to consider ways and means of effecting economies in the Department, and my Motion simply states that those increased fares and freight rates should not be levied until this Council has had an opportunity to discuss this Report very fully. Time and time again we are presented with a Bill for action to be taken without going fully into the question. Only a moment ago we passed a Bill dealing with lotteries when we did not discuss fully the report of the Committee which was set up to consider the whole question of gambling and lotteries. And so I feel that this matter should be discussed very thoroughly and fully as to the whole fate of the railway, because in my view merely attempting to increase fares and freight rates at random is not going to solve this very big problem we have in so far as transport is concerned in this Colony. But what do I find? Although notice of this Motion was given, although it has been on the Order Paper for some time, I have noticed that the increased fares and freight rates are still levied by the Department. I am wondering whether there is any purpose in discussing this

Motion at this time, and whether I should not ask instead to have a full discussion on the Report. The Resolution says:

“Be it resolved that this Council recommends to Government that the proposed increased fares and freight charges for railway and steamer services be non-effective until such time as the Legislative Council has fully discussed the recent Report of the Committee appointed to consider Ways and Means of effecting economies.”

My view is, it is very doubtful this increase in fares and freight charges will in the long run effect economies and in effect lower the annual deficit which this Department is suffering from at the moment. Already we have had indications that there is a drop in the number of persons who are using the transport facilities of the Department. On page 13 of the Report the Committee states —with your permission, Sir, I would like to read from it:

“...An examination of the statistics under this head shows that whereas in 1939 a matter of 45,529 tons of sugar were hauled from nearby estates, in 1952 the tonnage fell to 19, 313 tons hauled from PIn. Enmore. This loss in sugar tonnage is however partly offset by rice, which rose from 9,207 tons in 1939 to 29,207 in 1951 hauled from much greater distances.”

What applies here to sugar can in like manner also be applied to people who are using the railway and steamer services at the moment, because in the case of the railway services we have the competing services of bus and taxi. The sugar people have decided to change their mode of transport from road and rail to water because they find it more economical. Possibly that is one reason for the deficit at the moment. We have the increase in rice tonnage, but we have read in the papers an announcement by the Secretary of the Rice Producers Association that consideration will be given to the effect of hauling rice by road and water transport instead of by rail. At the moment the Rice Marketing Board is a semi-government body and, because the railway is owned by the Government, it may possibly mean that rice will continue to be hauled by the railway even though the charges become prohibitive.

(Mr. Fernandes: To a point of correction! The Rice Marketing Board has no voice in the means of transport persons should use in delivering rice to the Board. The Board is not in favour of the Transport and Harbours Department or any other service in British Guiana.)

Dr. Jagan: I am very glad to hear that. I am wondering what about the two mills we have— at Abary and Anna Regina. Those are all working in

close cooperation with the Rice Marketing Board. Those are semi or whole Government owned organisations.

The Rice Producers' Association has been complaining about the same thing. Now that the rates have been increased it is likely that they will use an alternative facility also. The Mahaicony-Abary Scheme sends all its rice to the Rice Marketing Board by the railway. As I said, as Government organisations that one is supporting the other. If one examines the number of persons who are travelling at the moment by the services of the Department, one finds that there has been a drop during the last few days. My information is, the people are not using the services as much as they were doing formerly because of the increase in fares. If the Government wants to continue with the present mode of transportation in the Colony, then a thorough investigation should be carried out not only into certain aspects of the Transport and Harbours Department but also into the whole question of the organisation, the whole question of roads versus rail, etc. My view is, it is really a short-sighted attitude simply to say that the Department is now suffering from a deficit of over \$1,000,000 and in order to save some money an attempt should be made to raise the fares and freight charges, because there are other aspects on which savings can be made. It is true that a Committee went very carefully into the various Heads under which the deficit has been incurred, but nevertheless I do not agree with their findings, and the people of the Colony generally do not agree with the increase. For instance, on the Ferry an increase of 50% will in the long run help to lower the deficit which is suffered by this Department at this moment.

But there is other expenditure which goes towards making this big deficit at the moment. It has been given some consideration by this Committee. Take the question of perpetual annuities. That is indeed a very burning question. We have been paying to the former owners of the Demerara Railway a sum of nearly \$88,000 per annum for the last 30 years, and it is also said that this is to continue forever. Sir, this matter has been discussed on many occasions and there are some Members, including Sir Eustace Woolford, who hold the view that the time has come when this perpetual annuity should be written off. When one considers how much we have already paid — a matter of \$88,000 a year for 30 years — one sees that this Colony has paid and is paying a tremendous sum of money for a derelict organisation which was taken over in 1921. Because we have not spent a good deal to rehabilitate the railways, the one on the West Coast the Committee has recommended should be scrapped very soon. I have talked with some individuals who are now working on the West Coast Railway, and they have told me that it is really by the grace of God that it is operating and is being kept on the run, and on some days it has to be pushed so as to give it a start. That, Sir, is another reason why this annual deficit is so high at the moment. Probably the administration of this Department has been responsible for what is taking place today, and that is why I would prefer

that we have an opportunity to discuss fully this Report and to discuss all aspects of this question instead of taking only one aspect of it — the question of fares and freight — and saying the charges must be increased. That seems to be a superficial increase of revenue. If Government has not at the same time control of the other transport facilities, which it can control and determine and fix the prices, then I can see that the people would simply leave the railway and go to the other facilities which are available at the moment, thereby defeating the purpose for which this increase in fares and freight charges has been levied.

As I have said, I am inclined to withdraw this Motion because, although it has been put on the Order Paper, Government has simply ignored what is implied and has levied increased fares and freight charges. It has been published that the Demerara Ferry fare has been increased by 50% and the fare on the railway or steamer has been increased by six cents per mile for the first class and by four cents per mile for the second class for the first 60 miles and three cents per mile from 61 miles and upwards for the second class. The Committee went into great detail to compare the figures of the rates charged by this Colony and by the United Kingdom, but one has to take into consideration the fact that the people of the United Kingdom are receiving far greater salaries and income than the people of this Colony are getting at the moment. If we are to subsidise we would have to continue to do so in order to give the people facilities which they must have.

Motion - Juvenile Offenders (Amendment) Bill: July 31, 1952

Dr. Jagan: I do not feel any advantage will be gained by removing little boys from the boys' institution and putting them in an institution with girls, although the Colonial Secretary explained a moment ago that there will be more segregation and so on. There is no doubt about it that bad boys would have a bad effect on younger ones, but I cannot see that bad girls are any better than bad boys. What is occurring in my mind is whether it will not be possible to use some other place for these young children. I do not know what are the possibilities of using the houses at the Base, because for some-time we had various plans for utilising those buildings. We had planned to have a T.B. Convalescent Hospital there, and then someone said it was not good to have a T.B. Hospital at an international base, and then the question of cost came into the picture. I am wondering whether there is similar objection to these boys being placed there. I think it will be a good proposition to place them there. I can see no advantage in taking them away from the influence of older and bad boys and placing them where there are older and bad girls.

As you say, we may pass the Bill and review the situation in a short while to see whether any beneficial results or ill results are obtained. Government should do something with the buildings at the Base which can take care of our institution problems. My opinion at the moment is, we should find ways and means to give people jobs, and that should concern Government most of all. As you rightly said, Sir, they are treated well in the institution and given good meals and nice beds to sleep on, but when they come out they cannot find jobs and have to live in the squalor of the slums and are driven back into their old ways of life. That is so in respect of all, whether old or young offenders. I hope Government would look at this matter very seriously. The unemployment situation is getting more and more desperate in this Colony. Many persons are walking the streets and we have an increase in the number of house-breakings. That is the situation which is responsible for all these delinquent youths. We have homes where the parents themselves are delinquents, and so we cannot blame the children for growing up in a delinquent way. I do hope Government would give it some attention.

C.R. Browne Pension Bill

Dr. Jagan: I would not like to say that Mr. Browne should not receive as a pensionable part of his services those portions listed in the Bill for which he has had acting appointments. I do not like to deal with individual cases, but it appears this Bill is particularly brought to deal with Mr. Browne's services. I would like to know from the Hon. the Attorney-General what is the situation, whether the Pensions Ordinance allows these acting periods to be calculated for the purpose of pension. Apparently not, and that is why this Bill is being brought before us at this time. I make this statement because I feel, if we are going to make individual exceptions like Mr. Browne's case, then we are going to have other people in a similar position coming to Government and saying "*I have given wonderful service and I want my acting period to be computed for pension,*" and Government would have no reason for denying it. I am not opposed to the principle because I think it should be brought into the law that anyone who has acted and subsequently made permanent the period for which he acted should be considered for his pension also. That should be accepted as a general principle, but if that is not the law at the moment I do not see how we can accept a Bill such as this, pass it and leave the loophole for others to come in later on. If the Government intends to amend the law to embrace this principle, then I would vote for this Bill; but if that is not the intention of Government certainly I do not feel we should make a distinction and allow certain persons certain facilities and not others. I do know that most of the Magistrates, especially the British Guianese, are given acting appointments before they are confirmed. I do hope the Hon. the Attorney-General will straighten out this matter.

U.S. Bases (Agreement) Bill: August 15, 1952

Dr. Jagan: When this matter was brought up yesterday Members asked that consideration be deferred, and I recall looking for my copy of this Bill last evening and not finding it. I do not know if all Hon. Members were in the same position, but I notice that copies have been placed on the table this afternoon. I would suggest that consideration of this Bill be further deferred to the next sitting of the Council when Members would have a full opportunity to study it in the interim. It is a very important Bill and a very lengthy one too.

I will take Your Excellency's suggestion and will refer briefly to the principle of this Bill, as I will have more time and opportunity to study it and deal with it later. I have looked very briefly through this Bill and I noticed there are several concessions which are made not only to the U.S. Armed Forces but also to the personnel which is contracted by the U.S. Armed Forces to carry out particular work. I noticed also there are various provisions which, I take it, will apply not only in wartime but also in peacetime as long as the Americans have occupation of these places. The question of Workmen's Compensation in respect of workmen who may be working for a contractor in the particular area arises. They are not entitled to get the benefits provided by the law in this country. I noticed there are various provisions giving concessions to the Americans who are within the area in respect of the question of taxation, the question of remission of Customs Duty, the question of bringing into the Colony prohibited articles, etc. I am wondering whether it is right and proper for this Council at the moment to confer such large powers on the foreign Power in this country. If there is an emergency I can see it very well. If there is a war this country should make concessions on those lines for the proper defence of this country, but at the moment, especially as the Americans are no longer here, they having more or less left the Colony, I do not see the necessity of passing any legislation such as this, giving what is tantamount to a blanket cheque to the people who are in occupation of these areas.

Why should there be this blanket cheque? Is it simply because these people were here in the guise of defenders of this country? We should take into consideration there are other large leaseholders in this Colony. There are many industrial undertakings in this Colony which have large leaseholds, and it may well be argued that if concessions are to be given to one set of people then the other set should also get similar concessions. We know the history of these extraterritorial rights which were ceded to many nations particularly in China, and we know the sordid history and background of most of the extraterritorial rights and treaties which were signed in that country. I am particularly against giving these concessions to a

foreign Power at this moment. There is no necessity for it now, but if at any future time it is necessary to issue such leases then, I think, the Legislative Council of this Colony should then consider whether the time is opportune and whether these leases and blanket cheques as set out in this Bill should be given.

That brings me to another point— the question of the holding of this large area of land. It is true that we are now told the land will be let out for agricultural purposes, but again as I said and as you, Sir, have pointed out, subject to the Agreement if the Americans want to return and take possession they must be free to do so. Why should not the people resident in the Colony have a claim to this land, and if at any future time the Americans, or Canadians, or whoever want to come to this Colony why should they not seek other areas as had been done in the past? I recall taking up the question of the payment of Guianese workers at the base. They were taken on there by the contractors who were working for the American Armed Forces. The question of the rates and wages was in dispute and the matter was taken before the Courts in the U.S.A. The Lower Courts held that in these areas which were leased to the American Government the American Labour Standard Act did not apply, that is, the minimum wages set up by the American Laws. But when that decision was taken to the Supreme Court it was overruled and the decision given was that in all these territories the law in America applied, which in effect meant— and it was argued on both sides as there was a minority and a majority decision— that these areas were tantamount to being American possessions as anyone working in those areas and committing an offence was tried according to American Laws.

That is what this Bill seems to give the authority to now. It seems to give authority to the decision of the majority of the Supreme Court of the U.S.A., that so far as we are concerned, a British Colony, we have given up all jurisdiction in these areas leased to the U.S.A. As I have said, when this Bill is in the Committee stage we will be able to deal with it clause by clause and see how much power has been relegated to the American Government through its Armed Forces. But as far as I see it, this is not only a lease which we have given to the Americans. What we have done is to say to them "*We have given you this lease for so many years*" — I do not know if it is 99 years — "*but while you have occupation the laws of this Colony do not apply to you in that particular area.*" If it is not categorically stated in this Bill, the ruling of the Supreme Court of the U.S.A., which I referred to, certainly indicates that these areas are really U.S. territories. That is why I want to have a full discussion of this matter and ask for a postponement of the second reading of this Bill. I have the decision of the U.S. Supreme Court on it and would like to give Hon. Members the benefit of the majority decision of that Supreme Court and also the minority decision. There it had been held by the majority of that Court that these leased areas are tantamount to being American possessions.

My objection, as I have said before, to this Bill is that we are going to give a blanket cheque to the Americans. I am not against giving any lease to any foreign Power, but as far as I see it, I feel that the Laws of this Colony should apply to these leaseholds. There should be no blanket concessions as stated in this Bill. When the proper time comes I shall oppose the various clauses giving these concessions to a foreign Power.

Intoxicating Liquor Licensing (Amendment) Bill: August 21, 1952

Dr. Jagan: There was some discussion as to whether a licensed premises as a first class hotel should be open on two days a week up to 2 o'clock in the morning. I do not know if that amendment was passed. I see from the printed copy it is similar to the original Bill, that a first class hotel is to be permitted to open for the sale of spirituous liquor one day a week except on a Sunday until the hour of 2 a.m. I heard the Hon. the Attorney-General say that on the other days they will be permitted to open until 12 midnight.

That is why I was suggesting that this matter be considered at the same time so as to give these people the desired permission, because I know their licence fees are going to be increased. I had a memorandum from hotel-owners to the effect that their licence fees are increased by \$70 per annum and, whereas formally they were permitted to remain open until 2 a.m. three days a week, that facility is to be granted now only one day a week, and they request to be given two days a week and the other concession which the Hon. the Attorney-General says is being considered, and that is to open on the other days up to 12 midnight and also to be allowed to sell liquor and to have dancing during those hours. Permission to have dancing and sell liquor should go hand in hand. At the moment there is some variation of the time. On the days on which they are not permitted to open until 2 a.m. they are only allowed to sell liquor until 10:30 p.m. and, I believe, dancing can be continued with the permission of the Commissioner of Police up to 12 midnight. It is necessary that they both go hand in hand and the times should be concurrent. The suggestion was made to change "one" to "two days a week," and I feel it should be done now, because at this time that amendment is being put. I would like to move an amendment.

I ask that the clause be recommitted so that I can move that amendment for the word "*twice*" instead of "*once*."

Committee - U.S. Bases (Agreement) Bill: August 21, 1952

Dr. Jagan: This is one of those clauses that seek to give certain concessions to the United States Government. I was going to ask today by way of questions whether these concessions which are granted in this Bill are similarly granted by the United Kingdom Government to the American Authorities who are now given leased lands in the United Kingdom. In this clause particularly I see no reason why the American Authorities should be exempted from the requirement to advertise and register certain documents. I think the people in this Colony should at all times have an opportunity to know what is taking place, and if they are to be informed properly, whether by Regulations are otherwise, then there must be publication so that citizens can know the various things that are happening. I do not see any reason why these things should not be advertised at all. Consequently I am personally opposed to this clause. I see no reason why it should be put into this Ordinance at this time.

I notice that sub-clause (3) states:

“Regulations may be made under the preceding subsections of this section with retrospective effect.”

I am wondering what is the necessity for that. You are going to make an Ordinance now and to make Regulations governing something to do not with the future. I do not see why we should make Regulations with retrospective effect.

I agree to a great extent with what the Hon. Member for Eastern Demerara (Mr. Debidin) has said. At the moment if you look at clause 10 of the Bill you would see it says:

“No authority or person shall exercise any statutory power of entry into or within the Leased Areas except with written or oral permission granted by or on behalf of the United States Authorities.”

It is true we are permitted to enter and use the airfield at the Base at this moment, but that is only on sufferance of the United States Government. There is no war going on now. It is peacetime and the Americans are not there, but should they choose for any reason to say we are not entitled to go there they can simply close the gates and keep us out from the Base forever. The Hon. the Attorney-General on referring to the decision of the Supreme Court of the United States with reference to these Bases said he did not agree with the majority decision of the Court but agreed with the minority decision. As I pointed out to him while sitting in my chair, what he felt

about the minority decision does not make one difference so far as the Americans are concerned; so far as the American law is concerned it is decided by the majority of the Supreme Court. I am again going to ask, as the British Government is again leasing areas in the United Kingdom for the purpose of building bases and I would like to know from this Government, whether as set out in this Bill similar concessions to the Americans in the United Kingdom are being made as in respect of British Guiana and the other Colonies.

I appreciate all that. No one is allowed to walk into an aerodrome whether in war or in peace time. But there are several concessions to be given to the American Government and, especially since they are not here at the present moment, I do not see the necessity for putting them in a law such as this and putting it on our Statute Book. It is true that at the moment the Americans have permitted us to use the place.

The forces of international events take all kinds of turns and I for one would not like to put a rope around my neck, because that is exactly what we are doing in giving these concessions to the American Government. It is true that the American and British Governments are now like hand in glove, but we do not know whether that would exist forever. This lease and this Bill are to last for a number of years. The original Agreement was for 99 years, and this Bill apparently is going to last for the period of that Agreement. Looking at the situation in the United Kingdom we know what turn events are taking over there, and it is not likely that a new Government in the United Kingdom is going to abide by this Agreement which the former Government has tied around our necks. On the other hand the Americans may not allow the future Government to enter and have free access to these areas. I do not see the necessity, as I have said before, especially since the Base is deactivated to give the Americans these various concessions.

The Hon. Member for Eastern Demerara (Mr. Debidin) was criticised on the last occasion because he said he was one who criticised the Governor in Council, and on this occasion when it is specifically sought to remove the law from the hands of the Governor in Council he is objecting to it. It is true the Governor has certain powers under the Agreement.

The Governor had the power and still has it. My point is that we are going to have a new Constitution and a Governor working with an Executive Council in a different relationship altogether from the present one. There is going to be a more qualitative change in the Government— if I may use that term— and I wonder if this is forerunner of the new Constitution.

I am trying to be very practical in looking at this situation, bearing in mind a decision of the Supreme Court relating to these bases. They are tantamount to American territory— that is what the Americans are saying. We are asking what rights they have and now we are saying they have all the rights as they themselves have declared.

Taking into consideration the turn of things in the United States of America I think there is room for fear. We cannot say that the Americans would be more generous than they have been in the past; we know the influence of the Americans today. They are using every possible means to hold up progressive movements. They are endeavouring to hinder and obstruct and, if necessary, to use violence.

(Mr. Debidin: To a point of order: I do not think the Hon. Member for Central Demerara intended to express fear about a flare-up between East and West. The East is a very big territory, and it might mean something good for him or it might mean something else.)

Dr. Jagan: The Hon. Member has misinterpreted what I said. I said there might be a change of policy on the part of the United States Government whereby Britain might not be partner any more with that country, and in that case these things might produce different results.

If anyone wants to go from the base to Puerto Rico he has to declare whether he is a communist or anything else. There would be nothing to prevent Americans from compelling anyone to say what his political views are and so on before he is allowed to enter the base, and they might do so not only in wartime but in normal times. If we read the Articles of this Agreement very carefully we would see that they need some revision.

U.S. Bases (Agreement) Bill: August 22, 1952

Dr. Jagan: I can see no harm in the amendment moved by the Hon. Member. The Hon. the Attorney-General has said that the Americans have left the base and are allowing us to use it now. If the base is not deactivated what is requested in the amendment is exactly what should apply now. If there is good faith on both sides and all around in this matter, I see no reason why the Americans or anyone else should object to this clause in the Bill. It would only bring about a condition which obtains right now.

The Hon. the Attorney-General has said that when the Agreement was made a frank statement was given and that we have nothing to do with that. I am wondering, therefore, what is the reason for bringing this Bill. The Agreement was made by the high authorities—the British and the American Governments— and if they want to provide for this let them pass the legislation. We were not consulted in the first instance.

The Hon. the Attorney-General told us about legislation which was passed in 1941 empowering the Governor to interpret the Agreement and to concede the things which are now put in black and white in this Bill. I suggest that we leave it at that until the new Council under the new Constitution sits next year. We have passed clause 7 of this Bill for Regulations to be made using with all sorts of things, and those Regulations are to come before the Legislative Council for confirmation. I do not see why we should spend hours dealing with this Bill when the Governor has power to deal with the matter. It is not necessary, as the Americans are not here and there is no question of their coming here and asking the Governor to do anything. I would suggest that Government withdraw this Bill and let us revert to the former position. We are only wasting a lot of valuable time.

This is a very important clause to my mind. Here we have in this Colony a Town Planner employed at very great expense and we have a large staff in the Town Planning Department of the Housing and Planning Authority, but we see from this clause that the leased area is to be excluded from any law or Regulation so far as buildings, etc., are concerned. I do not see the necessity for that at all. If we are going to plan for the Colony as a whole, why not planned for the Base which is a large area? We are holding back the housing of the people of this Colony through the Planning Authority who have all kinds of schemes for making reservations for industrial areas, etc. Now we find the Americans are to be given *carte blanche* to do what they like without any interference from the local authorities. I can see in time of war the necessity for putting up barracks, etc., to house the soldiers at the Base, but in times of peace I do not see why this area should not conform to the laws of this Colony in relation to such things as sanitation, building construction, etc. I have an amendment which I intend to move to

this clause. It is to have added at the end of the clause the words "*if a state of war exists*". I feel that these people at the Base should come under the laws of this Colony. If we lease an area whether it is to the Bauxite Company or a mining company or any other concern and whether it is one acre or 1,000 acres of land, and those people desire to build roads or construct buildings, they have to apply to the Central Housing and Planning Authority for permission to do so.

The trouble with us in this Council is that we are asked to pass provisions of which we have no knowledge and in which we have taken no part whatsoever. Things are handed down to us and we have to accept them whether we like them or not. That is the result of being a Crown Colony under the British Government. My Hon. Friend has told me this is a matter of international law. I hope when the time comes for us to fight for self-government the Hon. Member will join our band waggon and support us, so that we can sit in these international bodies and make laws which are favourable to us. At the same time I do not know whether the statements made by the Hon. Member is true or not.

I am dealing with the clause which is before me and, I think, I am in order to move an amendment to it. If Hon. Members feel that the information given by the Hon. Member for Demerara River (Capt. Coghlan) is correct, they can follow him and vote against the amendment. But I do feel that the Base Authorities should comply with the laws of this Colony. In the Supreme Court's decision to which I referred on several occasions in this Council — I have the decision here with me and would like to read a relevant extract— it says:

"The arrangements under which the leased bases were acquired from Great Britain were not intended to transfer sovereignty over the leased areas from Great Britain to the United States..."

This is a communication from the Secretary of State's Legal Adviser to the State Adviser in the United States which was submitted to the Supreme Court. But although that was submitted to the Supreme Court they did not agree with it fully. My point in referring to it is, even though the Supreme Court of the U.S.A. does not agree with it, the area is not American territory in which they have complete sovereignty and our laws should apply to that Base. I know the Hon. Member for Demerara River (Capt. Coghlan) would like to vote against this whole Bill. Unfortunately he was not here at the time when the second reading was taken, and that is why he did not record his vote against the Bill, but I would suggest to him that the best thing to do as an alternative is to take out the sharp edges of many of these clauses in this Bill, so that we can have control over this area as part of British Guiana and not as being part of some foreign Power. That is exactly what it is going to be, if we allow these various clauses to be passed as printed in this Bill.

Because the Americans have left and we have taken over the Base in peacetime. If the Americans should come back they would be exempted from our laws and would be allowed to do what they like.

That is what my amendment seeks to make clear — to permit the American Authorities to be outside the law of British Guiana during a war. But in this Bill that they will have these rights in peacetime.

I said that the American Authorities would be exempted from applying to the local authorities during the time of war, but the Hon. the Attorney-General has asked why should we be hampering the Americans during a time of war by saying that they must go to the local authorities and say they want to build houses at the Base and so on. There is no active war, but the Americans are still up there as they are in Trinidad at the moment. They can house a large number of people right now. We know, for instance, that the houses in which the natives were living are still there, and why shouldn't they — the Americans — comply with the public health laws of this Colony? Even though they are military Bases provision should be made for them to comply with the public health laws. In time of war people can live or sleep in trenches, but I am suggesting that the same thing would not obtain in the time of peace. We are not abrogating the Agreement at all; all we are saying is that we should put certain provisions into the legislation in order to make the Agreement more specific. The Agreement is very wide and vague, and it gave during a time of crisis extraordinary powers to the Governor to deal with the Americans as with an individual. Now we are attempting to put down in specific language and specific detail what we feel should be the interpretation of the Agreement. It would not violate the spirit of the Agreement at all. I would like the Attorney-General to tell me if an amendment such as the one I have suggested would violate the original agreement.

Hon. Members suggested that our Government has authority from the American Government and has now taken over the control of the Base area. In fact the Hon. the Seventh Nominated Member (Mr. Morrish) suggested that even the American Consul, should he desire to proceed to the Base, has to get permission from the local Board of Control. I wonder what is the necessity of having all these passes at the moment anyway. One Hon. Member suggested that he has been given a permanent pass. All of us are not so fortunate. Some of us find ourselves on the Black List and do not get easy passage from one place to another either outside or in this country. It is true, as the Hon. Member for Eastern Demerara made the point quite clear, we are not legislating for today, or next week, or next month, or next year but for 99 years, and that has to be kept in mind. I pointed out yesterday in this Council that a lots of things can happen within 99 years. People who were friends at one time can become enemies in less than 10 years. I speak in terms of countries now.

As I said before, I cannot foresee this Legislature making laws for this Colony 99 years ahead. That is what we are doing now. I want the Agree-

ment to stand as it is. The Governor can then interpret each clause of the Agreement according to the time and circumstances, but what we are doing is to put it in blanket form, as we have it here. History has a way of moving in changed directions. Who knows that Great Britain and the United States of America may not be on different sides some years hence. Members may look at this matter very cursorily, but it must be looked at very seriously.

We do not want the Americans to be sitting here with large areas of land and extraordinary powers under this clause. They can bring thugs into this country and keep them at the Base. That is nothing new. Right now German thugs who were convicted at Nuremburg Trials are being released by the Americans—Krupps and others — because they are serving the American Authorities well now. We do not know if in future the British and American policy would go hand in hand. We see a slight parting of the ways already, and 99 years from now we do not know what will happen. I do not want to give the Americans authority over that Base and for them to give it to us. I prefer to leave the Agreement as it is and let the Governor act, as by that time we will have a Governor of our own in this Colony long before that 99 years expire. It may look on the face of it as being quite right to allow these people to have the whole and free use of the leased area and not to allow anyone else to get in there if they do not agree with those persons, but not only persons will be excluded but authorities also. We may have, for instance, the Drainage Board deciding to carry out a survey in that area; they may want to drain Eastern Demerara through there or effect proper water control.

If the Americans wish to object we can do nothing about it. We are taking present day conditions and projecting them into the future, hoping that the same thing will continue. That is why I say the Hon. the Attorney-General should not introduce legislation like this, which is going to bind this Colony hand and foot for a long number of years. I am going to support the amendment by the Hon. Member for Eastern Demerara. The Hon. the Seventh Nominated Member said a while ago that the Americans have intimated their willingness to allow us to dig a canal through the area provided it does not go through their airfield area. That in itself shows that as long as the Americans' interests are involved we are not to interfere. I have been told, Sir, that the expert who was not here but unfortunately left—Mr. Hutchinson — had suggested some time ago that we should completely renovate our whole drainage and irrigation system and we should so arrange our canals as to take into consideration the lowlands and highlands and to let the canals conform to the lowlands so that we can have natural drainage. But today we cannot do those things because we have the interference of private estates. If the lay of the land in that area is such that a canal has to be dug across that area in a certain way and that is against the Americans' interests they would certainly say "No" and we would not be able to carry out the project.

I would ask the Hon. the Attorney-General to look upon this matter very seriously, and I am asking Government to do so too because we are not legislating only for a few years. It is true we can in a couple of years from now make a new law amending or throwing out what we are now making, but we do not want to do that because if we do that the Americans would have good cause for shooting us down and saying as in Korea "*the other side marched against us*". I would prefer to make legislation for a period of which we can see and be certain. Here we are trying to make legislation for actual wartime conditions. That is the point the Hon. Member for Eastern Demerara had been making all the time. I prefer to leave it in the Agreement and let it be interpreted from time to time by the Governor as to what concessions should or should not be given to the Americans.

I think the Hon. the Attorney-General would save a lot of time in this Council if he were to introduce a new clause to this Bill providing that the various clauses of this Bill will not apply in peacetime but in wartime. In that case there will be no necessity for long discussion.

If that is going to be, then I am afraid I have to support the Hon. Member for Eastern Demerara in his amendment. I can see that the Americans can come here in time of peace and tell this Government we want back the area, and we have nothing to do than to give it back to them. They can sit on it and exclude anyone at their desire.

Sir, on this question of jurisdiction, this is a very serious clause in the sense that we can have unfriendly people occupying the Base and abducting citizens of this Colony or taking them to the Base under one pretext or another. If you look into the various aspects of the clause you would see that so far as the American citizens are concerned, if a state of war exists, they are under the jurisdiction of the United States Government.

The clause says:

"The Government of the United States of America shall have the right to exercise the following jurisdiction over offences committed in the Colony:

- (a) Where the accused is a member of the United States force—*
 - (i) if a state of war exists, exclusive jurisdiction over all offences wherever committed;*
 - (ii) if a state of war does not exist, exclusive jurisdiction over security offences wherever committed and United States interest offences committed inside the Leased Areas; concurrent jurisdiction over all other offences wherever committed."*

That seems harmless enough, because that is dealing only with the American soldiers and individuals. But when we come to (b) we find this deals with British citizens. It says:

“(b) Where the accused is a British subject or a local alien and a civil court of the United States is sitting in the Colony, exclusive jurisdiction over security offences committed inside the Leased Areas.”

If we turn to sub-clause (2), it reads as follows:

“(2) Whenever under subsection (1) of this section, the Government of the United States of America has the right to exercise exclusive jurisdiction over security offences committed inside the Leased Areas, such right shall be extend to security offences committed outside the Leased Areas which are not punishable under the law of the Colony.”

I wonder if Hon. Members realize the grave suggestion in that sub-clause I have just read. Security offences committed by British subjects will not only be considered if committed inside the Leased Areas but also if committed outside the Leased Areas if those offences are not punishable by our Courts. If we turn to page 7 of the Bill to understand what is defined as “security offences” we find the following: —

“(a) Treason;

(b) any offence of the nature of sabotage or espionage or against any law relating to the official secrets;

(c) any other offence relating to operations in the Colony of the Government of the United States of America, or to the safety of the United States naval or air bases or establishments or any part thereof or of any equipment or other property of the Government of the United States of America in the Colony.”

This is a very wide definition of “security offence”. Why, also, this definition of “treason”? The American law of treason is entirely different from the British law of treason. What may be considered treasonable by American law might not be considered a treasonable by British law. Therefore, if the British do not consider an offence treasonable the Americans could say it is treasonable under American law and, further, that they want the person accused to be apprehended and tried under American law. I would like the Attorney-General to say whether that is right. The term “treason” has a very wide definition today in the United States of America. Many persons have been sent to prison— some for a period of 10 years— and many fined \$10,000 or \$20,000 for committing no acts whatever, but simply for belonging to a political party— a communist party. That is considered treason under the United States law today.

There are very large and wide loopholes in sub-clause (9) — (c), and I for one would not like to be tried under American law in this Colony. I

know British law as it is. I am a British subject and, therefore, I know what my rights and privileges are. I cannot accept that those same rights and privileges which I enjoy as a British subject are guaranteed to me under the American law. As I see it, this clause should be given very serious consideration. If the British Government has sovereignty over this Colony, why let the Americans have jurisdiction over the leased Areas? They seem convinced that they have what is known as current jurisdiction. In other words, our Courts, such as they are, will have jurisdiction in some cases, but that would not be so in cases dealing with security offences. I hope, therefore, that the Attorney-General will delete sub-clause (2) - all of this clause whereby the committal of an offence is not confined to the Leased Areas but also to outside the Leased Areas

I would ask that the Attorney-General give a formal reply to the points I made, because he indicated to me that I was wrong. I referred to sub-clause 11 (2) which deals with the question of jurisdiction over British subjects outside the Leased Areas.

What I am saying is that the United States Government might say that an act is punishable although the British Government might not regard it as such. Therefore, a person committing such an act can be handed over to the U.S. Government to be tried.

I am referring to the United States Federal law such as the Smith Act and the Dixon Act. There are treasonable offences under these Acts, but we do not have those laws in this Colony. Treason is not defined in the same way.

It says "*against the United States and punishable under the law thereof.*" It can be any law unless we see specifically the law of treason and what not pertaining to this Colony.

If the Hon. the Attorney-General is willing to clarify that, I am willing to concede the point. I cannot see that a British citizen who is free of treason according to our law being tried by the Americans for treason under their law.

United States Bases (Agreement) Bill: September 26, 1952

Dr. Jagan: On the last occasion that this Bill was before the Council, I asked the Hon. the Attorney-General certain questions relating to clause II I remember mentioning that in sub-clause (b) (1) it is stated that:

“The Government of the United States of America shall have the right to exercise the following jurisdiction over offences committed in the Colony:

(b) Where the accused is a British subject or a local alien and a civil court of the United States is sitting in the Colony, exclusive jurisdiction over security offences committed inside the Leased Areas.”

I next objected to clause II (2) which states that:

“Wherever under subsection (1) of this section the Government of the United States of America has the right to exercise exclusive jurisdiction over security offences committed inside the Leased Areas, such right shall extend to security offences committed outside the Leased Areas which are not punishable under the law of the Colony”.

In other words, Sir, if the United States Civil Court is sitting, then that Court will have jurisdiction over security offences, not only inside the Leased Areas but also outside the Leased Areas if those offences are not punishable under the law of the Colony.

But on page (7), in subsection (9) we find that “security offence” means any of the following offences against the United States and punishable under the law thereof—

“(a) treason;

(b) any offence of the nature of sabotage or espionage or against any law relating to official secrets;”

Now, Sir, the point I made on the last occasion was whether this question of treason will be judged on the law of the Colony or on the basis of the law in the United States? That is not very clear. It does appear from this sub-clause that what would be regarded as treason by the United States authorities here would be treasonable offence under United States law. It could certainly be unjustifiable for the American authorities here to charge

a British subject for a security offence which is committed outside the Leased Areas. The security offences include treason which is specially defined under the American law. If it is to be done according to the British law, I have no objection because we have our own law regarding treason. Why then is this definition included here?

I will accept that, but I would like to go back to page 5, section 11(1) which reads:-

“The Government of the United States of America shall have the right to exercise the following jurisdiction over offences committed in the Colony:— (b) where the accused is a British subject or a local alien and a civil court of the United States is sitting in the Colony, exclusive jurisdiction over security offences committed inside the Leased Areas.”

If a security offence is committed inside a Leased Area and a civil court of the United States is sitting in the Colony, the individual concerned will be tried not by the law of the land but by the law of the United States.

The reason why I brought these matters to the notice of Government is that we have to be very careful with these extraordinary powers which we are trying to give these foreign powers.

I see in clause 12 (2a) that —

“No summons or warrant in respect of any alleged offence shall be issued by any Magistrate...”

I do not see why - we have courts functioning in this Colony, and why should these persons be given this right to have the approval of the Attorney-General. That is the law of the land and why should we make this exception?

I must draw Government's attention to paragraph (1) (b) (II) which reads:

“...being in attendance as a witness— refuses to produce any document in his power or control lawfully required according to the law of the United States of America by such court to be produced by him;”

If any person refuses to produce a document, he could be charged by the Authorities for committing an offence. Now, Sir, one has to be very careful with these provisions. A person may be called in as a witness and he may be asked by the American Court to give information which he feels should not be given, and if he refuses he could be fined and sent to jail according to the American law. We have it on page 10, in clause 15 (1) (III)

—

“....refuses to answer any question in which such court may lawfully require

an answer according to the law of the United States of America, the President of such court, or the judge or other person constituting such court, as the case may be, may certify the offence under his hand to any Magistrate and the Magistrate may thereupon enquire into the alleged offence as though the certification thereof were a complaint and such witness shall be liable on summary conviction to a fine not exceeding one hundred dollars."

I recall an instance, recently, where certain persons were called before the Un-American Activities Committee in the United States of America. Those persons belonged to organisations set up to give aid and relief to the Republican forces during the civil war in Spain. Many organisations set up bodies which collected clothing, food and monetary help to be given to those people who were fighting in Spain. We know that from that time to the present time, changes have taken place on the political scene in the United States and today— not too long ago— individuals from organisations such as those in the Un-American Activities Committee and others have got to submit the names of the individuals who were associated with those organisations not only in the United States, but also in other places. Those individuals who were asked to submit the names refused, because they felt that if they were asked to give the names of individuals still living in these places their lives might be in jeopardy and, consequently, they were charged for withholding information and sent to jail. We have to be very careful in putting wide powers such as these in the hands of foreign people. I do not know what is the position in our Courts here. The clause goes on, in par. (b) (iii) to say:

"(iii) ...refuses to answer any question to which such court may lawfully require an answer according to the law of the United States of America,"

For refusing to answer any question under the law of the United States of America?

I do not know what the Hon. the Attorney-General means. I am speaking about organisations that were set up to represent progressive ideas. Any organisation in the United States today which is progressive, is brought before the Un-American committee and punished. If we are giving the Americans the same rights as we have in this colony, although it might appear on the surface to be justifiable, in actual fact when it is put into practice it may create injustices to the people of this Colony.

I do not see why this clause should have been inserted in this bill. It gives the United States authorities extreme powers. In the sub-clause (1) it says:

"(1) ... it shall be lawful for any member of the United States forces or any civilian employee thereof, or any other persons designated for the purpose by agreement between the colonial Secretary and the United States authorities, to enter

upon any land or other premises and make such survey accordingly, and to do all things as may be incidental to such survey..."

These are extraordinary powers which are being given to these people.

The Attorney-General might say that the Americans are here to protect us. I am always assuming that their position would be one of protection, but I do not see why such wide powers should be given to them.

Referring to the United States public vessels operated by the war or Navy Department and other US authorities this clause states that these vessels shall —

"(a) not be subject to light or harbour dues under Transport and Harbours Ordinance 1931;

"(b) not be subject to compulsory pilotage under the Transport and Harbours Ordinance, 1931;

"(c) not be subject to payment of fees under the River Navigation Ordinance or any Regulations made thereunder."

If may be said that the United States is well involved at the moment and will protect us in the event of hostilities, but let us get to the figures straight. The Americans are always saying how generous they are in the question of lend-lease and how much we have given also. In the days of the lend-lease I was in the United States at the time— they boasted of how much they gave to the British government and how the British government never paid any back. Now, however, we are undertaking all the obligations that should be met by the American authorities. They should pay these fees and when we have collected them we would know. This is a matter of revenue and if there is any facility that they had given to us we would keep it in mind. I feel that we should keep a record of all the benefits we give to the American government. I do not think there is any necessity to waive these fees as set out in the bill. I will vote against this clause.

Sub-clause (2) of this clause reads as follows: —

"(2) no fee shall be payable for the licensing or registration of any vessel or boat while owned by a person who is ordinarily resident in the United States of America and the used by him exclusively for the performance of any service or work for the United States of America in connection with the construction, maintain hands, operation or defence of the bases;"

These charges must be made by the government of British Guyana so that we can collect these monies as revenue, and if it is necessary for us to contribute anything to the US government let us contribute our equal share.

Sub-clause (1) (a) of this clause states: —

“(a) no fee shall be payable in respect of the registration of any motor vehicle or trailer —”

Not only do we find this exemption, but we find that when the Americans come here they bring their cars — some of them with right hand drive — and they are allowed to use not only the leased Areas but other areas in the colony. When private persons apply for similar concessions — to operate American vehicles in the colony — however, we find a lot of red tape being used against them and they are not allowed to do so. I remember one Hon. Member saying that when he was in Trinidad he could have bought an American car quite cheaply but he did not know whether the government would have given him permission to use a car with a right hand drive. All these facilities are not granted to individuals in this Colony, but they will be granted to the Americans as a matter of course, according to this bill. And that is why I am opposed to the bill.

I was looking at sub-clauses (1) and (2) of this clause and I find that sub-clause (1) reads:

“(1)...Any person who is employed by the government of the United States of America or who is a national of the United States of America employed in the construction, maintenance, operation or defence of the bases shall be deemed to be a workman”.

Then, sub-clause (2) goes on to state that if such a person elects to he can come under the compensation laws of the United States of America. But, supposing he does not sign a declaration that he elects to come under the American law — feeling that he is protected by the law of this colony — what then happens? It seems to me that if he does not make a written statement to the effect that he elects to come under that American law, he would be within the local law. If he says he wants to be under the American law as that would give him more advantages, then that should be made more explicit in this clause. This seems to indicate that if the workman elects to come within the American law he is entitled to do so, but if he does not elect to do so then he would come within the local law. Many people do not know those measures are there for their protection.

If that is to be so, it seems to me that the question of the workmen electing to come within the American law is not admissible in this ordinance. The workmen should be automatically entitled to compensation under American law if he is going to work under the American sphere of influence. Therefore, I feel that the word *“elected”* should be deleted from this sub-clause.

I agree with that, but why should he elect? Why not make it automatic? The Supreme Court has already ruled that in these territories the American law applies so far as wages and conditions of work are concerned.

If that is so, I do not see why the workmen should have to elect to get certain benefits which he is entitled to by law. You are really making legislation to deprive him of some of his rights.

I do not see how we can make any legislation here to deal with an American sphere of influence where the American law applies. That is the whole tenor of this bill. If you go to the base and make American law applicable there, then it seems to me that as regards workmen's compensation, the law as applied in America should apply there. The Supreme Court has already ruled that the fear wages law should apply in this Colony.

The Supreme Court has already ruled that if we accept this clause here, we will be going against the law of the United States and the decision of the Supreme Court. If it is intended to give the worker the benefit, I do not see why it is not stated here that automatically the worker should get the rights laid down. It seems to me that the difficulty is in the word "*elect*". Why should he have to elect? You are conceding a right to him.

It is not only the question of knowing what the law is. We have to regard these people as employers. In my own experience I know that certain workers are supposed to get, by agreement, a week's holiday with pay every year, but many workers do not want to apply for it because they fear they will be victimised. We will be dealing, not only with American government, but with people who are working as contractors. Many people will want to get away with a few cents; I do not believe in this "*election*" business. A man would not want to do so because of the fear of victimisation. If there is a law of compensation in America corresponding with our law, why should he not get the benefit of it automatically? We cannot legislate for a foreign power. We cannot legislate here anything that will be contrary to the law of the United States. We may find that a worker may not elect to get compensation according to this ordinance and later on we may find ourselves going to the Supreme Court of the United States and they would say: "*Yes; you are entitled to compensation,*" although we are legislating against it. Even though he does not elect, the court might say that he is entitled to compensation.

We would be interested in the protection of our people, wherever they are working. I remember the Elmhurst people. We all agree in these days that if your workman is injured he must be compensated. That is accepted. If the worker is working there and is not entitled to the benefits under the British Guiana Workmen's Compensation ordinance, then he should be entitled to the American compensation, if there is any. The worker should not be left to elect whether he should get compensation or not. If the Attorney-General wants to protect the British Guiana worker, then he should so frame this clause that it would read "*that in case there is a workmen's compensation law in America, the worker who has worked at any of the bases should come within that law,*" but this is an entirely different thing. In case there is a law, the worker must be entitled to come within that law. I hope the Hon. the Attorney-General has seen the distinction I am drawing. I would like to

ask him to redraft this clause, otherwise I will vote against it.

Drainage and Irrigation (Declaration of Areas and Validation of Acts) Bill 26th September 1952

Dr. Jagan: I notice that the description of the Drainage Area in the Second Schedule is "*Lots 52 to 74 Corentyne Drainage and Irrigation Area.*" Representations were made to me some time ago to the effect that the people of one of these areas were informed by the Authorities some years ago that they would not be called upon to pay these rates. I do not know whether, in view of clause 4, all these people would be called upon to do so now. If they have been called upon in the past and did not pay up, I do not know whether they would have to pay any rate supposed to be due. I know that that question is now engaging the attention of the Courts, because there was no right on the part of these Authorities to collect those rates. I do not know whether representations were made to Government in this matter and whether this area would be affected.

You are now passing retrospective legislation to continue something which was not being done legally and which is still being done at the moment.

The point I was making is that in certain areas listed in the Second Schedule attempt is now being made to collect rates. In one village area particularly — I think it is No. 52 — a token amount was placed in the estimates for drainage and irrigation rates. The majority of the Council objected because this matter was not discussed at all when the estimates were considered by the village council, but only when it came back to them after having passed through the Local Government Board a token amount was put on the estimates. The matter was then brought to the attention of the Chairman who was nominated by the Government and it was felt that this token amount should not have been placed there. The village councillors felt that if the amount was passed then exactly what is stated here would have happened — the rates would have been assessed by the village council on their lands and they would have had to pay. They are claiming that when this work was being carried out an undertaking was given by Governor Lethem that they would not have to pay because they were being given internal drainage only.

The village council is claiming that the token vote was illegally put on the estimates. If it is claimed by Government that that was some indication that the rates were owing, it means that a clause is now being put into this Bill to collect them. That is why I have asked the Attorney-General whether any representations have been made in the matter.

If this Bill is passed now I do not see why the rates should have any retrospective effect. I think the Bill should apply from the present time — the date of passing.

The people say an undertaking was given to them that they would not have to pay these rates. Indeed, it is now being said that through the old Drainage and Irrigation Board they may become liable for a lot of expenses which they might not be able to pay.

I understand that when Sir Gordon Lethem and Mr. Laing (the Commissioner of Local Government) went there the people were called together and told that if they got their trenches dug they would not have to pay these rates. I feel that if we pass this Bill we would be saying that these people would now have the rates to pay.

I have already stated that a token vote was put on the estimates with regard to the village area 52 to 56, and because this was done by the village council, by a majority, and they are now objecting. Mr. B. O. Adams is now handling the matter in Court for them. The people felt that if the token vote was passed they would be liable to pay the rates not only as regards the future but also as regards the past. On the other hand the people are claiming that they should be exempt from these rates. I am saying that if the Court were to decide that they should be exempted from payment of the rates, they would be brought within the ambit of the law if we passed this now, and would have to pay notwithstanding the decision of the Court. I would therefore ask the Attorney-General to defer consideration of this clause until further information is obtained about this matter.

I accept the general principle that if improvements were made to the land then the owners can be made to pay for these improvements. But there was an undertaking given by a former Administrator of the Colony and I think it could come with good grace if one Administrator follows in the footsteps of another. The matter is engaging the attention of the Court and I think we may well defer this clause until we get some more information on the subject.

Sir, I would like to make a few observations on this question of drainage and irrigation and, with your permission, I would like to digress somewhat, not to speak exactly on the Bill, but to speak on drainage and irrigation generally. The point I would like to make is that this Council should be afforded the opportunity of having copies of Mr. Hutchinson's report placed before it. This question of drainage and irrigation is a very important one and Government, I believe, should go to the expense of printing those reports. I know it will be said that it is technical matter, but members of this Council should be able to go into it fully, even if they have to be advised about its technical details. The other point is that Government should immediately undertake to extend the area within which the Drainage Board is operating. I am not sure, but I think Mr. Hutchinson agreed that there should be one authority for Drainage & Irrigation in the whole Colony. There are certain places where people are suffering because of lack of proper drainage and irrigation, in many cases, because their lands are outside the area of the Drainage Board and the Local Government Board. The people suffer from lack of water in some cases and, in other cases, from

too much. I hope the Government will take this matter in hand immediately and, if possible, let us have those reports. Members would then have an opportunity to know what recommendations were made by this expert so that we could arrive at some very good conclusions on this matter.

House to House and Street Collection (Control) Bill: October 2, 1952

Dr. Jagan: I notice in the definitions "*house to house collection*", and "*street collection*" that only certain organisations are listed — charitable, religious and philanthropic. I would like to find out if Government is choosing the mode of connections and if it is felt that certain people are defrauding the public and that is the reason why this has been brought forward. All applications will go to the Commissioner of Police and he will decide whether the organisations are charitable, religious or philanthropic. It seems to me that we should say what is charitable, religious or philanthropic. In other words, the Commissioner of Police will be empowered, more or less, to say that this organisation, — let us say, this religious organisation — can not be allowed to carry on any street to street or house to house collection. Difficulty may arise as to what religious organisations are in the good graces of the Commissioner of Police and which are not. I, personally, do not see why. This Bill is going to create a great deal of difficulty, unless Government is satisfied that there have been bogus connections in the past and this is really an attempt to prevent the public from being defrauded. I do not see any reason why this clause should be necessary in the Bill. In fact, the Bill itself should not be brought before the Council. It is going to create a great deal of confusion; when a little church wants to carry out a "*rally*" the members usually go around with cards and you punch them and give a little coin. This business of making application on every occasion will cause difficulties. The Police Commissioner will be allowed to say "*I am not going to allow this or that organisation,*" but that is giving him too much power. Why should he be given the power to say that certain religious bodies must not be allowed? We must be careful in making any such legislation at the moment.

Another point, Sir; the Commissioner of Police will be given the power to say what organisations will be permitted "*street to street*" collections of money. Only charitable, religious and philanthropic organisations will be permitted to carry on these collections. The Attorney-General has mentioned that this matter should be discussed in committee stage; I do not know if he intends to move an amendment to this definition, because it seems to me that any organisation — any *bona fide* organisation — should be permitted to carry out these collections, especially now that the Commissioner of Police has to give permission, and also because, as set out in the Bill returns are to be made to the Commissioner as to how much money is collected. If these powers from clause 3 to clause 8 of the Bill are to be passed, then any organisation, and not only organisations of the charitable, religious or philanthropic nature, should be permitted to carry out these

collections. I know as a fact, Sir, that the Trades Union Council of British Guiana carries out a street to street collection on May Day. In fact, I know that representation has been made about the debt which is owed by them to Government and the Government has asked this organisation how they intend to collect this money and how soon they intend to pay it. Money has to be raised to carry out the organisation's activities and also to pay debts such as this. The Trades Union Council has been carrying out street to street collections year by year, but if this Ordinance is passed as it is, such organisations will not be permitted to carry out any street to street collections in future.

I do not know if the Commissioner of Police would include Trade Union activities under that head. It is not a collection for the poor; it is a collection for carrying on union activities. Only a few days ago we had a special clause inserted to amend an Ordinance with regard to bottling rum in bond and that was brought in so that no discrimination should be permitted. On the last occasion I moved that trade unions should be included with the other organisations such as those listed here, — charitable, religious and philanthropic, — for the purpose of carrying on lotteries, but that was turned down by this Council. I suggest that if Government sees it fit, they should bring an amendment forward and avoid any discrimination. We should insert after the word "*philanthropic*" the words "*or any other*" and that will make it all-embracing, so that any *bona fide* organisation will be able to make representation to the Commissioner of Police.

I will not worry too much with the Hon. Member for Western Essequibo; he has a bug in his brain and something is taking place there now. I do not think we should deny the rights to other organisations which may be listed under the head of Trade Unions or other political parties, and I would like to move an amendment to Clause 2 to insert the words "*or any other*" between the words "*philanthropic*" and "*purpose*" so that it will be all-embracing. The amended clause will read:

" 'House to house collection' means the collection of any money for the sale of any articles from house to house for any charitable, religious, philanthropic or any other purpose, but does not include the sale etc. ..."

The whole purpose of the Bill is to prevent bogus collections and to prevent the public from being defrauded. We are empowering the Commissioner of police, and the Governor in Council to decide what organisations and what types of people should be permitted and what purposes the collections should be for. We are being told that to enlarge this, would be going outside the purpose of the ordinance. If the Hon. member persists in the way he has been discussing the Bill, it would seem that the government has some sinister motive to strangle some organisation or organisations. Bring forward an amendment to allow all and sundry to make the application according to law as you specify. If the government wishes to discrimi-

nate, let them to discriminate; that would not help the situation, because the people are getting to know the whole business. They know what is government's real interests.

The Attorney-General says that the definition which I have sought to insert would make it too wide, but if we take the words "*charitable, religious and philanthropic*" — the purpose in respect of which representations were made— we find that trade unions and political and, let us say, educational activities might be covered, and many other purposes would not be included if we made it all-embracing by adding the words "*all other purposes*". We are always supposed to frame our legislation in line that which obtains in the United Kingdom, but it seems to me that when there is anything good to be copied from the United Kingdom we do not adopt it here, but when there is anything odd which is not in existence there we introduce it here. I would like to ask the Attorney-General whether trade unions and political organisations are precluded from making house-to-house collections in England.

The same thing could be said about some religious organisations. One only has to read the *Daily Argosy* to see that the authorities of the Coptic Church are said to have defrauded people in this colony.

Ban against Messrs. Strachan and Smith: October 2, 1952

Dr. Jagan: I have come to a very important matter of principle which, I believe, should be given a great deal of consideration by Hon. Members of this Council. Some time ago there were two individuals Messengers William Strachan and Ferdinand Smith preparing to come to British Guiana and apparently Government decided that they should not come here. When I asked, by way of questions in this Legislature, why these individuals were not permitted to come to British Guiana, the reply given was that they were undesirables. I subsequently asked the Government on what basis they were adjudged undesirable - whether they had dangerous ideas -and possibly, ideas are also considered dangerous in these days but Government had no further answer to give on that point. We are dealing with a very serious breach of the individual's right. That is why I spoke very strongly a moment ago when we were discussing the previous item, about the question of discrimination. Here are two British subjects who were permitted to roam about freely in London and elsewhere, but when they wanted to visit the Colonies in this part of the Commonwealth, the ropes and the barriers were put up. We have to be very careful because I do not know what were the reasons, what was operating in the mind of the Government when they decided to ban these two British subjects from entering British Guiana, but I supported it with the usual ramblings which is now taking place.

It has been maintained at certain quarters that these two men are either communists or communist sympathisers, but if we look at the situation in the world, we find other people who have sympathy with optimism but are not communists. The system prevents people from moving freely. The Government in South Africa was before the United Nations against the opposition of the British Government on behalf of the people who were losing their rights in various parts of the Commonwealth, the Africans, the Malayans, the Koreans and the Chinese. All the individuals are as far removed from communism as anyone can be. What is being done by the South African Government is the fact that it has passed a law - the Suppression of Communist Act - under which any person who criticises the South African Government today can be deemed a communist and thereby lose all his rights.

We had the alarming spectacle of a Trade Union leader Solomon Sachs in South Africa who brought a charge against a newspaper for calling him a "*concealed communist*." The case was brought before the Supreme Court and he was awarded damages in the sum of £5,000, but a few days later after the passing of the suppression of Communism Act by the South African Government this individual was named a communist. And where one

is named a communist he cannot hold a Trade Union post or sit in Parliament - the chief seat of the Government or speak at a public meeting. As a matter of fact this individual was sent to jail for being something which a few days before the Supreme Court ruled he was not. That is the sort of hysteria which has involved Colonies such as ours and minds such as those of the Hon. Member for Western Essequibo. Some of this hysteria has reached the point where, willy nilly the rights of individuals are being taken away. It is the Hon. Member for Western Essequibo who likes to talk about purges and what not. I ask, in all fairness what does the Hon. Member expect when he would join with others and deny people willy nilly of their rights? When these people's turn come should they not be expected to do the same thing?

The Hon. Member is prepared, for if in doubt, he would escape to other countries and write books and what not when such a time comes to British Guiana. He and other people like him in this Colony are joining today perpetrating these injustices, these damnable tyrannies to deny people of their rights as British subjects. As I have already stated, these British subjects are allowed to move freely in London and the United Kingdom but our Government says that they are undesirable without having the guts to say why they have been deemed undesirable. Let us come out with it. If it is that these people are communists and the Government doesn't want communists to come here a law to that effect should be enacted. Government should not hide behind the bushes. We see hiding taking place all the time and that is why I became very annoyed a few minutes ago. If we mean something let us say so and then we would know how we stand. If we mean that one British subject having a particular view does not have the same right as other British subjects, we should say so.

In these countries today, legislation should take into consideration actions such as are best calculated to preserve our future, because of the Constitutional set up that we have. Of late there has been this principle of ruling with iron hands, but the tables will some day be turned and they will not only be turning in this Colony but in other countries too and there will not be any place to run and hide. You will jump out of skyscrapers and other places and, possibly, that would be the only escape. That is happening already. Let us deal with these individuals and take them by their records.

Mr. William Strachan was born in Jamaica. At the beginning of the last war he volunteered for service - was good enough to join His Majesty's armed forces - and he fought in the Royal Air Force. He was given credit and acclaimed for what he had done and, in fact, he received serious injuries as a result of this service that was so generously given, and today he walks around with a serious limp. But, because he chose to remain in London - having joined a constitutional organisation - the London branch of the Caribbean Labour Congress - it has been said that he must not visit these parts to see the people for whom he has been making representations

over the last few years. I have met this individual Sir, and anyone who has done likewise can testify to the fact that he has been a hard worker in the cause of West Indians and Guianese - taking their cases before the Colonial Office, interviewing M.P.s and so on, to see what could be done for their benefit. It is true that the Hon. Third Nominated Member (Mr. Raatgever) fights on behalf of the people of the West Indies when it comes to sugar and so on, but individuals like William Strachan and others are doing likewise today although they are resident in the United Kingdom. And, if they decide to come to the Colony and examine conditions at first hand in order to see what is taking place, I see no reason whatever why Government should decide to ban these individuals.

Let us take Mr. Ferdinand Smith; he is also a Jamaican-born West Indian. For a long time he was associated with the Trade Union movement in the U.S.A., and, in fact, he held a position in the National Maritime Union which had never been held by a Negro before. He rose to a very high position and that was, possibly, because of the New Deal which was introduced by the Roosevelt Administration whereby progressive individuals and organisations were allowed to operate freely and without any restrictions. But, with the advent of the hysteria campaign in the U.S.A. also, this individual was consequently kicked out of the country. He has however secured a job in Europe. To be kicked out of the U.S.A. today is no calamity. In fact it was not due to any measure of dishonesty on the part of this individual that he was kicked out. The Dean of Canterbury himself has been told that he cannot enter the U.S.A and I do not think anyone can say that the Dean of Canterbury is a dishonest or immoral individual although we know that certain persons like the Hon. Member for Western Essequibo, would like to see him hanged.

Mr. Ferdinand Smith subsequently joined the World Federation of Trade Unions and that is what brought about the smash, because it is supposed to be a communist organisation. But whether this is so or not, the point is that it is a Trade Union organisation. I remember that some time ago the British Government, through the Labour Department, was circulating some books among Trade Unions in this Colony. The books were a Trade Union course, actually, which came from the Education Department of the T.U.C. in England.

Officers of the Local Labour Department went about giving lectures to trade unionists and others. One of the booklets used is called *"Your Union and the World around it"* and on page 8 there are some very relevant statements which I would like to quote. Beginning at page 7, it says:

"On October 3rd, 1945, the World Federation of Trade Unions was born in Paris. Nearly 67 million trade unionists in 52 countries had got together. There were very great differences of ideas and experience among the delegates many differed as widely as the capitalism of the U.S.A. and the socialism of the U.S.S.R. - differences so great that the International Trade Union Movement had never been

able to overcome them between the wars, this is the greatest victory for togetherness that the world has yet known and it is the victory of ordinary people like you and me.

“The W.F.T.U. elected a General Council of 70 members, and this General Council elected an Executive Council of 22. Three more will be added when the International Trade Departments have been set up. The headquarters of the W.F.T.U. are in Paris, and the General Secretary is a Frenchman, Louis Saillant, who was a leader of the Resistance movement during the Nazi occupation.

“The programme of the W.F.T.U. is too long to be repeated here. But the idea behind it is simple enough. We’ve met it already. At the beginning of this talk we found that you may earn a living, but we can’t get it unless thousands or other people work at thousands of other jobs. Those jobs can’t all be done in Britain. You’ve drunk some tea today. Was it grown here? So we all depend on one another all over the world. That’s the idea behind the W.F.T.U. We have different tastes and different opinions, but, in spite of our differences, we can’t get away from that dependence on one another.

“But doesn’t that also mean that if we all get together and decide to make a world order for ordinary people to live in, nobody can stop us? That is the big job the W.F.T.U. has set herself to work for peace and reconstruction. By way of beginning, you and I and the other 67 million workers have welcomed the creation of the United Nations Organisation, but protested against the San Francisco Conference refusal to let the World Trade Union Movement take part in its debates. We’ve said we must be represented in the Assembly or the U.N.O. and given a vote in its Social and Economic Council.”

Now, Sir, this is an organisation which was set up with the blessing of the British Government. In fact, the British Guiana Government lent the T.U.C. over \$1,000 - I have forgotten the exact figures to send the then President of the Union to the W.F.T.U. Conference which was held in Paris. Here it is, this body got together all these organisations and it was felt that they could fight together. I hope the Government will start burning its books very quickly because I am sure they are very subversive at the moment and this Council has already accepted a Motion to ban subversive literature from the Colony. Government has seized some books from me which, no doubt will be burnt soon; and I have no doubt they will see that all such others be burnt soon. In that case, what about the W.F.T.U.? This organisation, as I have said before, was set up by the various countries and by a general vote an Executive and a General Council were elected, but suddenly we are hearing that the organisation is communist dominated. Why has there been this sudden change of front? With your permission, sir, I should like to read another extract from this publication *The Wreckers*.

(The President: Unless the Hon. Member is near the end of his remarks we will have to adjourn, as it is already 6 o'clock.)

Dr. Jagan: I am not near the end of my speech, Sir; and, with your permission, I should like to continue tomorrow.

Ban Against Messrs. Strachan and Smith Con't: October 3, 1952

Dr. Jagan: Yesterday when I spoke on this Motion I referred to Mr. Ferdinand Smith and to the fact that he was in the Secretariat of the W.F.T.U. I also referred to a Trade Union course which was sponsored by the British T.U.C. and showed how the W.F.T.U. was set up and so on. Within the last three or four years there has been a great deal of rumour to the effect that this organisation is communist dominated and that all the people in it are communists and consequently, it could be recalled that the American Federation of Labour was the only big organisation which stepped out of the W.F.T.U. when it was started in 1945. Mr. Arthur Deakin and some of the leaders of the Dutch unions and the French unions who broke away, felt that the W.F.T.U. was going too far in the sense that it was beginning to investigate conditions in Asia, Germany and other places, and that if those investigations were carried to their logical conclusion they would have exposed the rottenness of not only British imperialism but also French and Dutch imperialism which is obvious in these areas, particularly in Asia, no longer serve the Trade Union Movement, and as such it had become subservient to a few countries.

It is strange that remarks like these should have been made because the President of that organisation, Mr. Arthur Deakin, at the time declared that the W.F.T.U. was not under Soviet control.

With your permission, Sir, I would like to read from a pamphlet I have here entitled "*The Wreckers*" by George Sinfield, and published in the United Kingdom. It says:

"Under the heading 'W. F. T. U. Not Soviet Tool', the Daily Herald reported the following news item on July 21, 1948:

"Vigorous denial that the World Federation of Trade Unions was acting as a tool of Soviet imperialism was made by Mr. Arthur Deakin at the International Transport Workers Federation Congress in Oslo yesterday. Mr. Deakin, General Secretary of the British Transport and General Workers' Union and President of the World Federation of Trade Unions, said: 'I 'm one of the leaders of the W.F.T.U. and very far from being a communist. I take no orders from Moscow.'

"That was in July, but less than two months later, to be exact, September 8, Mr. Deakin, speaking at the Margate Trade Union Congress, bitterly attacked the W.F.T.U. and accused it of being 'nothing more than another platform and instrument for the furtherance of Soviet policy'."

At the moment we find that people in British Guiana - and it appears that the Government also were giving their blessings not to the W.F.T.U. but to the I.C.F.T.U. of which Mr. Arthur Deakin is now the head. What is the reason why this so-called working-class leader, who was the President of the W.F.T.U., has changed within two months exactly and repudiated what he said two months before? Those who have examined the situation carefully will see the truth, and the truth is that Mr. Arthur Deakin and others like himself - people in the A.F.L. (American Federation of Labour) felt that the W.F.T.U. was going too far. It will be recalled that the American Federation of labour was the only big organisation which stepped out of the W.F.T.U. when it was started in 1945. Mr. Arthur Deakin and some of the leaders of the Dutch unions and the French unions who broke away, felt that the W.F.T.U. was going too far in the sense that it was beginning to investigate conditions in Asia, Germany and other places, and that if those investigations were carried to their logical conclusion they would have exposed the rottenness of not only British imperialism, but also French and Dutch imperialism which is obvious in these areas, particularly in Asia.

It is also because of the Marshall Aid issue that these Trade Union leaders decided to break away from the W.F.T.U., and Mr. Arthur Deakin recanted from what he had said a short time before.

(Mr. Roth: May I ask what this has to do with the subject of banning Messrs. Strachan and Smith from entry into British Guiana?)

Dr. Jagan: I was giving some background information of the things Messrs. Strachan and Smith were associated with and showing why they were banned from visiting this Colony. I will also show that Mr. Romaldi who is a member of the O.R.I.T. was allowed to come to British Guiana and moved around quite freely. I hope the Hon. Nominated Member (Mr. Roth) will see that what I am saying now is very important to the subject. These individuals, after they found that the W.F.T.U. was honestly and sincerely fighting on behalf of the oppressed people everywhere and that they could not carry out the intention and policy of control which was being pursued by their own Governments -the British, American, French and Dutch Governments - they engineered the break away from the W.F.T.U. Today we find that the I.C.F.T.U. has been set up. How this was breakaway devised? The British T.U.C. had a joint Council meeting and passed a resolution that the W.F.T.U. must suspend its activities for one year. This decision was later supported by another member country of the W.F.T.U. the C.L.O. and when the Executive Bureau subsequently met in Paris the C.L.O. and the British T.U.C. moved a resolution asking for the suspension of the W.F.T.U. for one year. Members of the Secretariat and others in the W.F.T.U. protested, be-

cause, they said the Executive Bureau could not entertain such a resolution except it had been discussed by all the 69 countries of the W.F.T.U.

In other words, the W.F.T.U. felt that here is an organisation in which there are 69 countries and if any decision is to be made in this vital question of suspending its activities, all the member countries should sit together and decide it. This suggestion was turned down and, as a result, the British T.U.C. and the American C.I.O. walked out and subsequently formed, along with the A.F.L., the I.C.F.T.U. This organisation held its first meeting some time in 1949 at which time this Government again paid to send a delegate. I would like to give Hon. Members of this Council an idea of the policy of this so called I.C.F.T.U. which seems to have the support of the Government at present.

It is not a matter of concern to me because I am not here to amuse myself. I know these facts and can speak or write about them any time I want. All I am here to do is to give all the particulars to this Council so that Hon. Members might know the facts and vote on a Motion such as this. There is a great deal of prejudice relating to this matter at the moment. I think that if we have less interruption it would save a lot of time.

(The President: I think the Hon. Member should proceed to deal with the Motion proper.)

Dr. Jagan: Yes; I am coming to that. At this historical meeting which was held in London where one of our delegates, Mr. Critchlow, was present - a resolution and a report were submitted to the Conference and here again I would like to read from the report of the W.F.T.U. on page 9 of this book. I quote:

“Following the Rome meeting, Mr. Deakin made his ‘vigorous denial’ that the World Federation was an instrument of Soviet policy; but earlier, Mr. Frank Rosenblum, Secretary-Treasurer of the Amalgamated Clothing Workers of America, and a Vice-President of the World Federation until the C.I.O. defaulted, said that there was no communist domination of W.F.T.U. affairs and that at no time did the Russians impose their will on the Federation Executive Bureau or General Council.

If that was the general view during and immediately after Rome, what had happened between July, when Mr. Deakin defended the World Federation against its liberate and his own violent outburst less than two months later at Margate? ...”

There is no doubt that the W.F.T.U. was ready to fight for colonial people all over the world. If we look at this same Mr. Deakin, we would see what is happening in the United Kingdom. In yesterday's newspapers and

also in today's we see that he is making war against Mr. Bevan. Yesterday's issue of the *Daily Chronicle* states:

"Arthur Deakin, British Trade Union leader, today declared war on Left-Winger Aneurin Bevan and threatened to fight to stop Bevanites bid for supremacy..."

We are represented in the Human Rights Commission by the British Government through their delegate, and we must be free to criticise what they are doing there for us. We are dealing with Trade Union Leaders now and with the Trade Union Movement. As I was saying, Sir, we see today all the evidence and the role that these "*splitters*" are playing. We see it in the Labour Movement in Britain where Mr. Arthur Deakin is using his influence to upset the People's Movement in the United Kingdom.

We should spend what we have not got on arms, and we should cut down Social Services. Perhaps that is what some people feel. Mr. Bevan's point is that we cannot afford to carry out the rearmament programme. That programme is a very expensive one. Look at what is happening in Malaya; £5,000,000 has been spent in four years and for what? To carry on the rubber industry. Mr. Bevan is saying that the money should not be spent at the sacrifice of the people in Great Britain. Here, I want to go back to the same Ferdinand Smith. He has been appointed to the World Secretariat of the W.F.T.U. That is a very big post and I think West Indians should be very proud to find that a colonial has risen to such great heights. But, instead of that, we along with others have now decided that these individuals are taboo. It must be remembered that it is not only a few individuals such as those whose rights are being taken away.

In British Guiana, Trade Union leaders including myself cannot enter upon sugar estates in their own Constituencies. I have already visited Trinidad and Grenada, but now I cannot go there any longer. We have Mr. Richard Harte who was elected by the unions to be their representative in any dispute as an arbitrator and was notified by the Government that he had been so appointed. He was awaiting word as to the time of a meeting he should have attended in British Guiana, but before he got that word he received a letter from the Governor stating that he would be permitted to land in Trinidad. We have also the case of Geary who was, some time ago, banned from St. Lucia. There are other similar cases; Mr. Herbert Critchlow himself was, at one time banned from entering Trinidad.

(Mr. Roth: To a point of correction: That was due to a mistake for which the Government apologised.)

Dr. Jagan: That is the kind of thing that is happening, however. We have MacDonald Stanley and Lucien who were banned from entering Grenada, and we have Marryshow— a veteran who has been prominent for a long

time in the West Indian Movement — who was banned from entering Aruba. While the “*routine*” reason might be that these individuals are communists, we find that once we begin a movement today with anybody who is progressive he would share the same fate. The Hon. Member for Western Essequibo made a certain point yesterday when we were discussing the Bill relating to house to house collections. He asked why should permission to make such collections be left “*open*” so that the few communists would be able to take advantage of it, but I can assure him that other individuals would be affected also. In the United Nations — at the Human Rights Commission — we are represented by Her Majesty’s Government. Article 13, sections I and II, of the United Nations Charter reads:—

“1. *Everyone has the right to freedom of movement and residence within the borders of each state.*

2. *Everyone has the right to leave any country, including his own, and to return to his country.*”

But, apparently, these British subjects do not have these rights any longer. Yet, our representative sat in the United Nations and agreed to Resolutions and Declarations such as those. When protests are sent to the Colonial Office, he gets up and airs the matters in question on behalf of the Local Government, and we are told that we have an elected majority in our Legislature. But we happen to know that it is not the elected majority which rules in these Colonies; it is the people hand-picked by Government who conduct its affairs, and the Legislative Council is merely a rubber stamp. We all know that. Mr. Oliver Lyttleton is throwing dust in the eyes of the people who know; perhaps he can fool those who don’t. Our Government should take a neutral position in all these matters. I should like to recall that Mr. Fenner Brockway, a Member of Parliament, not too long ago, moved a Motion in the House of Commons which has some bearing on this matter.

With your permission, Sir, I will read from the *Daily Chronicle* of May 26, last. It says:

“*Only this weekend Reuters has reported a Labour move in Britain to have established a standard of human rights and freedoms applicable to all British subjects without distinction of race, colour, sex or religion. It was a matter of honesty, said Mr. Fenner Brockway, mover of the Motion, that the Government which accepts the United Nations Declaration of Human Rights, as Britain has, should apply it in the territories for which they are responsible.*”

It is no use, Sir, making these resolutions as Mr. Brockway has said, and

then not abiding by them. When this Motion was moved in the House of Commons, Mr. James Griffiths, a former Secretary of State for the Colonies, said that he intended to support the Declaration of Human Rights Bill introduced into the House by Mr. Fenner Brockway. Now, Sir, if individuals like Mr. James Griffiths who became Secretary of State for the Colonies, are willing to support declarations which are made to give people in the whole Commonwealth equal rights, then I think it will be very bad for us at this moment to prevent and to obstruct individuals and to deny them their rights because they desire to move freely from one place to another. I was looking at the *Daily Chronicle* a few days ago, and I noticed that a coloured Jamaican preacher, the Reverend Marcus James, preached at St. Paul's Cathedral, in England, and I think that we must pay heed to what these people are saying. Individuals such as these, having come from among the people, realise what is taking place and, when they speak, they do so with a full knowledge of coming events. With your permission, Sir, I would like to quote from the *Daily Chronicle* of September 23, 1952. Rev. Mr. James, in this sermon, said:

"You who are steeped in Western European traditions should be reluctant to give hasty judgment on your fellow Christians in those lands, for action which you may not understand: There is not the slightest theological justification for the theoretical belief that Christian faith is by divine ordinance identified with the capitalistic economic system. The hearsay which still has its believers in the West is not only foolish but dangerous. It is dangerous because it implied Christians had a peculiar stake in such an economic system and should therefore automatically resist any attempt to attack it. Christian evangelism worthy of the name must include the emphasis on the radical social implications of the Gospel. It must be made clear that Christianity, in its concern for the abundant life, is on the side of the underprivileged in their struggle to improve their lot."

In other words, Sir, what the Reverend Mr. James is saying is that we have to be very careful that the church does not assume that as it is ordained by God it should defend the capitalist system and if it was not ordained by God that the capitalist system must be defended by the Christian church, then more so it should not be; more so, the Colonial Governments, over which the people have no control, should not protect the capitalist imperial system. We are always told that officials and Governors are neutral Civil Servants and, naturally, do not take any sides. Well, we are now seeing that is not really true, that is merely a bluff. They do take sides when it comes to the rights of British subjects. Sir, it is true that Mr. Ferdinand Smith is chief of the Colonial Bureau of the World Federation of Trade Unions and that the Trinidad Government banned him, although the Trinidad Trades Union Council is affiliated with that body. This Government of B.G. has however, allowed an individual, who is not a British subject— a Mr. Romauldi who was born in Italy and subsequently became an Ameri-

can citizen— because he has chosen to play a stooge's role to British and American imperialism —to come into this Colony. But, champions of the people, even though they are British subjects, have been told not to come, the gates are shut.

(The Attorney General: Are they not stooges to anybody?)

Dr. Jagan: They are stooges of the people; yes. That's better than to be stooges of the robbers who are sucking the lifeblood of the people.

(The Attorney General: What do you mean by "*the robbers*"?)

Dr. Jagan: The people who have their money invested in the Colonies for years and years, draining the wealth out of the Colonies and controlling the economy of the Colonies. Sir, what is the purpose of a Colony? How does a Colony function? Surely the Hon. the Attorney-General knows that. He is no baby in politics; he was in politics. There is an article published in a magazine by the World Federation of Trade Unions, which shows how capitalists drain the Colonies of their raw materials, and how they seek cheap sources of labour for the investment of their capital. Now, sir, if the Hon. Member wants me to translate that in terms that would refer to British Guiana and other places, I can do so right now.

(The Attorney General: Too a point of order, sir.)

Dr. Jagan: I was going to wind up, but the Hon. the Attorney-General wanted to incite me a little further. I shall not go into the whole issue. We all know that what I have said is an accepted fact: that is why the people have not been given their Independence. This bluff about the people not being ready— being uneducated and illiterate —cannot last. They cannot fool the people any longer. The people have not been given their Independence, because to do so will prevent the drain of profits and prevent all the robbery which is taking place. Sir, how did England become such a wonderful country? She became rich from slavery, from trade and from industrialisation. That is history. Eric Williams, the famous West Indian historian, sets that out. I am sure the Hon. the Attorney-General has read that work very carefully. Sir, to end, I would like to appeal to Hon. Members of this Council to take a sane outlook of this whole issue and not be fooled by propaganda or sentiment to the effect that because these individuals may be communists, they have no rights to move about and to come to British Guiana. It is a simple proposition. We are British subjects— we are living within one Commonwealth of Nations today and our representative in the United Nations has pledged that free movement will be allowed so far as

British subjects are concerned. Therefore, I am asking Hon. Members of this Council to honour this pledge and let us remove this ban which has been placed on these individuals. Do not let us wait too long so that these individuals will be ready to go to their graves before the ban is lifted.

Yes, sir. The Hon. Sixth Nominated Member has replied very cleverly to the argument I adduced— like a clever lawyer addressing a jury— making certain submissions in favour of the banning of these individuals. He has mentioned the case of William Joyce, but I would like to ask him— and the Colonial Secretary also who spoke of the Governor in Council as having power under the law to impose this ban— what crimes have these people committed? Let them say specifically. The Hon. Sixth Nominated Member said that I spoke about history, but I want him to find a charge in this case. What are the charges against these people? It is all well and good to speak about the case of a Minister in Trinidad and to say that under the local Ordinance the Governor in Council has the power to ban people as they have done, but that is not good enough. Talking about Ministers, we know that politicians also change their colours, every night sometimes. What is happening in Trinidad is no phenomenon; it is happening all over the world.

I would like to know whether Mr. Albert Gomes who is now a Minister in Trinidad gave permission for Mr. Romauldi to visit that island. I would also like to know whether he entertained any fear, some time in 1948, at the formation of the Local Branch and when he expressed the desire that all West Indians should assist it? This is the same Mr. Gomes who came here and spoke in support of the party some time ago. The Hon. Member for Georgetown Central has mentioned the case of Mr. Manley in Jamaica - how he has purged from his ranks the communists who infiltrated into his organisation— but what he failed to mention was that when the P.N.P. was formed it was intended to embrace people of all shades of opinion against the reactionary element led by Bustamante. Therefore, it is not surprising that Manley's party today has split the working class movement and set it back for several years. But, as long as a few Left Wingers are eliminated, then Mr. Manley is the greatest individual in the world. Again I ask, what crimes have those people committed? Will Government tell us? It is all well and good to say that they intended to come here and do so and so, but, as a lawyer, the Hon. Member (Mr. Luckhoo) should know that one cannot say what a man intends to do before he has done it. It is also well to appeal to jury, but we must remember that the jury in this case is not only this Council but the whole population of British Guiana.

What is the argument vis-a-vis the Colonial Secretary? It is assumed that these people would come here and destroy the liberty and freedom of the inhabitants of the Colony. That, however, is an assumption without any proof; no one has gone into the records of these individuals. The Hon. Colonial Secretary should bring the charges against them and let us see what they are. He dares not, however, because he has no facts. It is all well and good to say that these people were coming here to destroy the liberty and

freedom of the inhabitants, but the Hon. Member for Western Essequibo let the cat out of the bag when he said that we must prevent people from coming here who would in any way change the situation from what it is. The Hon. Member's speech to the effect that he was born here and that he played on the fields and would die here, does not hold water and cannot fool the people any more. What counts is what one does, and that is how the people are going to judge him when he goes back for re-election.

Most Hon. Members who have spoken, like to deal with this question of freedom in an abstract sense. We all have freedom, but when we speak about freedom we must speak about it not in the abstract, but in the concrete situations in which it occurs. We talk about freedom, however, as if somebody is selling it to somebody else and it is going from one person to another. In the capitalist countries freedom is given by the authorities to the minorities, and we see how it is really being given. What about my right to go to the people in my Constituency and speak to them? What about my right to go to Trinidad? Have I committed any crimes? But, the Hon. the Sixth Nominated Member and the Hon. the Colonial Secretary has suddenly seen offences and crimes which I would commit if I go there. If we are going to believe in a Constitution— and the Hon. the Sixth Nominated Member speaks about swearing allegiance to the Crown— he should know better than I do that the Crown in Great Britain is the constitutional monarchy and it is supposed to be neutral. I have not studied Constitutional History as my Hon. Friend is supposed to have done, but I venture to say that all this talk about the Crown is idle.

If these people had committed any crimes why weren't charges instituted against them in England? Why were they permitted to roam in the so-called Mother Country but cannot come here? The Hon. Member for Western Essequibo has said that I have never confessed that I hold the same views as these two individuals. I hear that on the one hand, and on the other I hear from the Hon. the Sixth Nominated Member that I have not got the guts to say that I hold the same views and that I am a communist like them. That is how we get the facts twisted. The point is that we are not issuing threats, but we are not afraid of anybody— as the Hon. Member has said— and so have to bolster up our courage. We do not need to have Dutch courage as he alleges. We know that what we are saying is right.

(The Financial Secretary and Treasurer: Who is right?)

Dr. Jagan: I have not got to define anything— we who are fostering the interests of the working classes— the very people whom the Government Members particularly try to protect. In looking at this issue of freedom the Hon. Member has said that I promised to liquidate him and everybody else, but I did not say that. What I said was that if you oppress people and take away their rights, you should not expect them to welcome you with open arms when the time comes and they sit where you are sitting now.

The Bible speaks of turning the other cheek after having been hit on one, but that is very much to expect of human nature. We do not have to issue any threats, however. I know what is happening in the world today; I am not living in a fool's paradise.

The Hon. the Colonial Secretary has stated that the Governor in Council, in the interest of the people, banned these two individuals. I repeat, however, that Government should have their records and that I can show at any time that they have been fighting for the freedom of individuals—the majority of individuals. Government cannot deny that, but it is the same Government that is wielding the stick against the minorities. This debate, as usual, went beyond the Iron Curtain. We were discussing a simple issue as to whether two British subjects should have been banned from coming to this country, but a lot of red herrings were drawn across the trail.

I did not refer to irrelevant matters; I spoke about the W.F.T.U. and the I.C.F.T.U. of which these individuals are members. That was very pertinent but, as usual, we brought in red herrings again. We brought in the issue of missionaries being persecuted in China, and the allegation that there are no churches in Russia, and so on. I have been to Czechoslovakia and in Prague, the capital, I saw people going to church—the kinds of churches—synagogues, Roman Catholic churches and so on. Certain people do not like to hear about the Dean of Canterbury, but he is a churchman and he has said that there is no denial of religion in those countries. In fact, he went on to say that in democratic countries he has found so-called Christians going to church on Sundays, but from Monday until Sunday when they go out again they can be found robbing the people all the time. Many people do not want to hear that, however, because they want to preserve the old order. We know, as a fact, that in history persons have taken sides—some on the side of the people and others on the side of capitalist interests. I refer again to *“Capitalism and Slavery”*, by Eric Williams, and there one would see that certain parties who owned slaves in the West Indies were opposed to the abolition of slavery. I do not agree, whether there are Roman Catholic churches or otherwise, that we should classify churches according to their status. The Roman Catholics apparently have a monopoly of all things that are good; at least they think so.

(The President: I think the Hon. Member should pass on to the other points.)

Dr. Jagan: I am replying to the points made by the various speakers. If your Excellency insists I will pass on, but I notice that every latitude was given to certain Members to speak. The Hon. the Sixth Nominated Member said that Mr. Romauldi came here and went to a few places educating the people—telling them that the strike weapon was not to be used first, and so on. There is no one in his right senses who would tell the people that the strike weapon is to be used first, because strikes harm the employers as

well as the workers. Mr. Romauldi is supposed to have educated the people, but it is strange that he did not go to the T.U.C. — the biggest Trade Union body in this country.

The Hon. Member (Mr. Luckhoo) also referred to infiltration - communist infiltration into Trade Unions by subtle means— and admitted that some of them worked hard, but we all know that Trade Unions are democratic organisations and that people hold positions in them through election by their fellow members. Therefore, if any particular person get into positions in the Unions it is because they put up fights for the workers. It is not that they put themselves there and were bullies of the Unions— the employers and everybody else. It is strange that we like to attack and criticise organisations here for being party organisations, and believe that they are breaking away and splitting the Trade Union Movement. The Labour Department says:

“Why do you go into an organisation and leave it afterwards? If you do not like the office-bearers in it get them out, but do not form more organisations.”

The Hon. the Sixth Nominated Member did not disagree however with the breaking away from the W.F.T.U., but said that it did not properly represent the working classes all over the world. That is how the so-called democratic countries work; they talk about freedom glibly, but when it does not suit them they hit everybody in the head and tell them where to get off. Mr. Romauldi, it is said, came to educate the people, but education of the people can be done in several ways. You can educate the people by undermining their chances also and keeping them where they are.

I do not know that anyone would be frightened by what the Hon. Member for Essequibo River has said. The people have learnt by experience, and they know that in these communist countries, everything is given to them. The land is given to them and many other facilities also. It is done in Czechoslovakia, Germany and other places. In Germany the lands of Krupps, Thyssen and other rich individuals were taken away and given to the people. What has been done by the Americans, however? Thyssen was sent to jail, but now he has been released and given everything back. In the Eastern countries that is not done; a small man is not squeezed and any factory employing more than 50 persons is taken away.

We want a change and if there are certain individuals who are willing to come here to make certain changes, I do not see why we should not let them come.

If they break the law of the Colony when they are here, and then by all means, let us punish them. The law of the land is there, as we ourselves will be punished if we break the law. Don't prejudge an individual who has rights. The Colonial Secretary assumes that he has certain rights, but he assumes that he will cause trouble. That assumption will not hold water in law and certainly he should not use it. These people, as I have said be-

fore, have been coming here to help and Sir, again I refer to the Hon. Member for Western Essequibo. He said that these people were coming here to help to strengthen us and what not. I can assure him that we do not need very much help, we do not need any help at all; the people are already awakened and nothing can stop them. It is like the tide moving forward; you may resist it for a time, but you cannot stop it. Help is coming to the M.P.C.A. in the form of books and films and projectors, that is where the gold is coming from. It is left to the International Congress of Federated Trade Unions to do it. There has been all this talk about gold coming from Moscow. Now we see where the gold is coming from. Try as they might, they cannot stop it. The people are awakened; time will tell.

(**Mr. Luckhoo:** The I.C.F.T.U. is not a political organisation; it is concerned with Trade Unions.)

Dr. Jagan: Trade Unions and politics cannot be put into separate airtight compartments. They have admitted that what has been set up is merely an extension arm of the State Department in the name of Trade Unionism. Don't let us be fooled that this is a Trade Union organisation. One does not stop at wages and working conditions. We need law that can put back profits and other benefits into the pockets of workers. There is provision for two weeks' holiday with pay, but the Governor in Council will have the right to say what categories of workers should have holiday with pay. Don't let us divide Trade Unionism and politics. Sir Walter Citrine has said that from the time you are born and until you are dead, you have politics always with you. Everybody is talking about gold coming to British Guiana from Russia; only yesterday the Hon. the Sixth Nominated Member was "*crowning*" that they do not go and collect money house to house. If we were getting all this money from Russia, we would not need to go house to house and collect money. As I have said before, Sir, I think the Government will do well not to take sides in this issue and not to prejudge these individuals. They have rights and they have obligations and duties; and if they abuse their rights or duties or obligations, then they must be brought before the law. We have the law, let us use the law. Don't use the administrative weapon—the 'big-stick' method. You bypass the Supreme Court and you use the 'big-stick'. If you are going to have that method of Government, you are not going to have justice. If one thing is good for one set of people, it must be good for others. We must respect the Supreme Court and the laws we have made; don't let us override them. I am asking Members to take this matter seriously. It is not only the rights of two individuals that are involved; it goes much further. It embraces the whole Movement. We should not leave it in the hands of the Administration and a few people in big positions to decide what is in the interest of the people and what is not. From what has been done, they have shown themselves incompetent to make proper decisions, not only now but in the past. I am asking Hon.

Members to support this measure—not to look at it through biased eyes, but to consider it dispassionately. You are prejudicing the two individuals, and therefore, you are depriving them of their rights.

Pharmacy and Poisons (Amendment) Bill: October 8, 1952

Dr. Jagan: I do not want to go over all the ground that was covered on the last occasion when the Hon. the Fourth Nominated Member (Mr. Farnum) moved his Motion relating to this matter. It does appear to me, however, that he will have to look at this question from the point of view of the general principle and not in the interest of a few individuals only. I agree with the Hon. Member who has stated that this Bill, as it stands, savours of discrimination. Government should, first of all, decide on the principle that sick nurses and dispensers who have given long service as such— not less than a certain number of years —should be permitted to register as chemists and druggists, and not allow a few people only to come within this category. The Hon. the Fourth Nominated Member has mentioned a case in which a sick nurse and dispenser saved someone's life as a result of instructions issued to him to perform an operation, but there is nothing miraculous in that since he was a qualified man and had same training in that respect. A sick nurse has to do with ailments of the body and some of them have advanced themselves by reading textbooks and so on. I agree that there is a vast difference between the training of a sick nurse and dispenser and that of a chemist and druggist, and sick nurses and dispensers who work in the country districts are not allowed to do certain things under Schedule 1 (1) of the Ordinance, with respect to the compounding of certain drugs and poisons. The duty of the dispenser is merely to dispense what has been compounded by the chemist and druggist, and we have to remember that. It is true that a sick nurse and dispenser might acquire a certain amount of practical knowledge in the course of his employment at a hospital or in the Government Service, but that would merely be in dispensing drugs.

A strong case has been made out in favour of the three public officers whom Government have in mind, and the Hon. Member for Eastern Demerara as urged that other sick nurses and dispensers should be placed in the same category. My view is that if any leniency is to be extended the men who have served in estate hospitals should be considered first as they were more proficient than those who worked with the Government. The reason for that is that in a Government hospital a sick nurse and dispenser does not have to specialise in any Department since there are many of them there, but in the estate hospitals the sick nurse and dispenser is solely in charge when the doctor is not present and therefore he has to do much more than his opposite in a Government hospital. Therefore, a stronger case can be made out in favour of the men who have served in estate hospitals, and I agree that this should be deferred. We should not legislate for

the benefit of a few individuals only. If the door is to be opened it must be opened for all and not only for a chosen few. I think it would be better if the Bill is withdrawn and the matter given further consideration. Government should fix a period of service as entitling a sick nurse and dispenser to registration as a chemist and druggist and register all those who have given it— instead of only a few. Those who were employed on sugar estates also found it difficult to take advantage of the opportunity offered some years ago because they were working too. Another point to be considered is that those sick nurses and dispensers who have served Government for a long number of years are provided for by way of pension and if they are qualified (as sick nurses and dispensers) they can go outside the city limits and practice. I do not agree that the law should be amended as proposed in this Bill.

The Hon. the Attorney-General said a moment ago that the purpose of the Bill is limited. From the Government's point of view we accept that, but it does not follow that this Council must accept that limitation, especially in view of the fact that the Motion introduced by the Hon. the Fourth Nominated Member (Mr. Farnum) was for a general application of the principle. This Council, therefore, has the right to amend the Bill to suit its own purpose.

We have to accept the ruling on the matter but there is one observation I would like to make, especially as remarks have been directed against me as regards what took place in the Medical Advisory Committee. I would like Hon. Members to know that this matter was not brought up by the Government or by the Director of Medical Services but under "*Any other business*" by the Hon. the Third Nominated Member (Mr. Raatgever), supported by the Hon. Member for Georgetown North (Dr. Nicholson). In the Medical Advisory Committee matters are discussed for a few minutes and decisions are taken. I would like to point that out to Hon. Members.

You have already ruled that the amendment is out of order, therefore I am speaking on the clause in the Committee stage. That should be obvious. I am speaking as to the references which were made about my supporting the measure in the Advisory Committee and coming here and playing to the gallery, as the Hon. the Third Nominated Member (Mr. Raatgever) suggested. The point I wish to make is that this matter was not brought up by the Government or the D.M.S. in the Advisory Committee. It was sponsored by the Hon. the Third Nominated Member and the Hon. Member for Georgetown North. A very limited discussion took place, and while I supported it I also cited other cases. Hon. Members have dismissed that fact very arbitrarily. That is what happened. I do not say I object to the Bill, but Hon. Members are making it appear now that I am opposed to these individuals and talking about discrimination. My stand is that the exemption provided for in this Bill should be all-inclusive.

When the question was debated in this Council on the Motion of the Hon. the Fourth Nominated Member (Mr. Farnum) I made the point that

at the moment sick nurses and dispensers are allowed to practice as chemist and druggists in the rural areas. The only thing they are debarred from doing is the compounding of drugs under Schedule I, Part I. My view is that Government should allow all sick nurses and dispensers to practice under the same Schedules, whether they are in the city or the country districts, and there would then be no confusion or discrimination which the passage of this Bill will certainly bring about. Since you have ruled, Sir, that the amendment is out of order, I will have to vote against every clause of the Bill. The point I would like to make is that Government should defer consideration of the Bill if it is intended to give these individuals the right to practice as chemists and druggists. At present sick nurses and dispensers can practice as chemists and druggists in rural areas under certain Schedules. Let them be given the same privilege in the city. That would solve the problem. I hope Government will heed my advice.

The object of this Bill is to allow three sick nurses and dispensers to practice as chemists and druggists in Georgetown and New Amsterdam. The Ordinance should be amended, or a separate Ordinance introduced to allow sick nurses and dispensers to practice as chemists and druggists in Georgetown and New Amsterdam under the same restricted conditions as obtain in the country districts at present. If that is done, Government would not be accused of discrimination, and people with influence would not be able to do any wire-pulling. Why don't Hon. Members speak on behalf of the other sick nurses and dispensers? They are willing to accept a part and not the whole. I do not think Government should listen only to a few individuals who have influence and introduce a Bill which savours of discrimination. I urge that Government withdraw this Bill and take the course I have suggested.

To a point of order: According to Your Excellency's ruling that would extend the limitation of this Bill and, therefore, it is out of order.

Motion - Non-Sterling Currency for British Guiana: October 10, 1952

Dr. Jagan: I beg to move the following Motion standing in my name on the Order Paper:

“BE IT RESOLVED that this Council recommends to Government that immediate steps be taken to approach Her Majesty’s Government for a greater allocation of non-sterling currency for British Guiana.”

I move this Motion, sir, because of the increasing rise in the cost of living to the inhabitants of this colony. During the past year the cost of living has been increasing gradually but inevitably, and in many instances without due compensatory increases in wages. The result is that there has been a deterioration of the living standards of the people in this country, and I think that all of us owe a debt to them to maintain a fair standard of living which they enjoyed a few years ago and which is not being maintained at the present moment. One of the factors that has contributed to this increase in the cost of living and the decline in the standard of living of the people, is the fact that we have to expend a great deal of money for the purchase of not only manufactured goods, but food and raw materials from external sources. In the budget statement which was presented last year by the acting financial Secretary and Treasurer (Mr. W. O. Fraser), he made some very pertinent statements and, with your permission, sir, I would like to read from what he said on page 1. He said:

“The major anxiety which has beset us in this colony stems from the burden which international attention is imposing on the world economy, and which in turn reacts on our economy...”

Then, on page 4 he goes on to say:-

“Unfortunately, the prices of the goods we sell to the outside would have not altogether kept pace with the steadily rising prices we are required to pay for the commodities we import. This condition is reflected in an anticipated adverse visible balance of trade for the year amounting to \$7 million an increase of \$2,536,000 over that for 1950 . . .”

Then, he continues: -

“When the direction of trade for the period January to September, 1951, is ex-

amined, it will be found that of the total exports practically all of which went northwards, approximately 49% went to Canada, 34% to the United Kingdom, 9% to other Commonwealth countries and 7% to the United States, the figures for the corresponding period in 1950 being 53%, 30%, 11% and 5% respectively. Of the total imports 45% came from the United Kingdom, 15% from Canada, 14% from other Commonwealth countries, 12% from the United States and 14% from other foreign countries; the corresponding percentages for 1950 were 47, 13, 17, 13 and 10 respectively."

From this it will be seen that we are today purchasing a great deal of our requirements from the United Kingdom whereas we are not selling to the United Kingdom, in terms of dollar exports, as much as we buy from that area. When we take Canada which is the dollar area, however, we find that while our exports amount to 49% our imports amounted to only 15%, last year. Therefore, if prices are cheaper in Canada, let us say, it means that this colony is paying more for articles imported from the United Kingdom and in that respect we tend to increase the cost of living to the people in this colony. If we study the figures that have been given to us by experts, we will find that what has been said by the acting financial secretary and treasurer in his budget statement is rapidly turning out to be true. Dr. Benham who came here in 1943 said that goods were costing us \$100 in 1938 were costing us \$236 in 1943; and what we are exporting for \$100 in 1938 was only bringing us \$125 in 1943. Then we find that Dr. Nuemark in his paper — the importance of Agriculture in the Caribbean Economy - has given us some alarming figures. He refers to the question of prices abroad and cites the case of sugar, comparing the value of our trade with the United Kingdom as against that with Canada, in 1938 and 1947. He also pointed out that the value of the commodities which we were importing rose greatly within the same period. He mentioned the case of flour from the United States and Canada, and disclosed that what cost \$100 from the United States in 1938 had cost \$236 in 1947, while what cost \$100 from Canada in 1948 had cost \$288 in 1947. The figures did not deal with salt fish which, for instance, we import from Newfoundland and which rose from \$100 in 1938 to \$336 in 1947.

If we take these figures given by Dr. Benham and Dr. Neumark we would find that the statements made by the Acting Financial Secretary and Treasurer are indeed a very correct evaluation of what is taking place in this Colony. Because of the international tension and so forth we have had to pay, particularly within the last few years, increases on imports which were not in proportion to those received for the products we have to export from this Colony, and I think we should examine the situation from the point of view of what is good for the inhabitants of British Guiana. A few days ago we saw in Georgetown notices disclosing that textiles had come into this country from sources other than British, and we found that sales were taking place in almost every store and that prices were going down very rap-

idly. I speak subject to correction, but a few days after these sales had started we were suddenly confronted with a Government notice of the cancellation of on quotas for Japan and certain areas in Europe. The result is that we are forced again to purchase from the traditional sources and, that being so, it means that the cost of living automatically increased. If we are to look at the people's interest in this Colony then, by all means, we must try to buy from the cheapest sources.

I know that it is being said by the manufacturers and others in England and even the Labour Party was debating the issue at their conference there a few days ago - that Britain must exert pressure in normal times in order to see that the standard of living of the people in certain territories like Japan rises, so that these countries would not be able to come into the open market and undersell British manufacturers through the use of what is termed "slave labour." While that may be quite good so far as Great Britain is concerned, and while it may be a very generous attitude on the part of the Labour Party to say that the standard of living of the people should rise in those countries and that the cost of their goods should come into line with prices obtaining in the United Kingdom. We have to look at the conditions relating to labour in these countries. We have to look, for instance, at the amount of money people in this country are working for per man hour. It is no use for us to work for 12c per man hour and buy goods from countries which may be purchasing our exports, if they have a higher standard of living for their workers and man hour rates ranging from 60c to \$2 per hour.

This fact becomes all the more obvious when we take into consideration the question of technical improvements. For instance, if technical improvements in Germany are on a par with those in the United Kingdom and if wage rates in Japan and Germany conform to wage rates in this Colony then, by all means, it would be advantageous for us to buy from countries like Japan and Germany because the products there would be cheaper so far as we are concerned. But, technical improvements being equal, it would seem unfair to ask the people in this colony who earn between 12c and 24c per man-hour to buy goods from the United Kingdom where people are working for between 60c and \$1 per man-hour.

I have before me a magazine called *Labour Research* which is printed in the United Kingdom and in this issue for August, 1952 it deals with the question of wages and the cost of exported products and so on. It says:

"Cutting wages is bound up with the call from the City for a complete freeing of the pound. This would mean cutting costs; the unit value of U.K. export prices is 23% higher than in 1950; that of the U.S.A. 14% higher; nearly a 2% differential. . ."

In other words, taking the two countries - the United Kingdom and the U.S.A. - we find that since 1950 the cost of exported products, so far as we

are concerned, has risen unfavourably. What applies to the United States applies also to Canada because Canadian economy is very much tied up with that of the U.S.A., and the cost of production there is more or less the same. When we come to Japan and Germany we find an even better situation so far as this Colony is concerned. I have been told by certain people who should know, people who are in the business, that quotations amounting to 50% of English prices can be had from Japanese and German sources. We must not only look at the issue from the point of view that this is a British Colony; we must look at it from the point of view of justice for all sides. This country has a low per capita national income and if the standard of living of the people is to be maintained at a fairly good level, then it means that whatever money we are able to save through imports from cheap sources should be saved, especially since we have to import not only manufactured goods into the Colony but also foods of all kinds.

When we take the figures which were given by Government in answer to some of my questions, we find for instance, that imports from Canada for 1951 amounted to about \$9 million; whereas exports of our products amounted to \$29 million. During the period 1945-1951 this Colony earned approximately \$126 million and we were allowed to spend in Canada only \$67 million. We know that certain areas in Europe are tied to hard currency, and my point is that if we were allowed more hard currency we would be able to trade with those countries in Europe whose goods are cheaper at the moment. I do not suggest that we should cut off our trade with the United Kingdom. I recall that in a Budget Statement the Financial Secretary stated that in 1950 we exported to Canada about \$27 million worth of goods, but in that year we were permitted to import only \$7 million worth of goods. I remember that in that same year we sold to the United Kingdom only \$13 million worth of goods and had to purchase \$27 million worth.

Let us assume for the moment that the British Government is helping this Colony by way of preferences and other aids in so far as our sugar industry is concerned, the disparity between imports and exports between the U.K. and this country is too great, and because of prevailing prices in the world markets the workers in this Colony are definitely losing. If the imperial preference on our sugar is counteracted by preferences which we have to give to British goods we will find that in the long run the workers in this Colony stand to lose a great deal. Dr. Neumark, an eminent Agricultural Economist, made that point convincingly at the Agricultural Conference which was held in Curacao. He said that the dependence on the sugar industry in this Colony was a basic weakness and that because of our dependence on sugar we had to go hat in hand to the United Kingdom Government for preferences and increased quotas. He made the further point that the sugar industry was only prosperous during the periods of the two world wars, and that outside of those periods the sugar industry was more or less in a depressed state and could not face up to the competition of a

country like Cuba. I am adducing this argument because I know it is going to be thrown back at me that we are begging for quotas.

Dr. Neumark made the point that at the moment we were producing sugar cane in certain Colonies where it should not be grown. He mentioned the case of Nevis which produces sugar from cane grown in St. Kitts. We know that after 48 hours of cutting deterioration takes place in sugar cane, and Dr. Neumark suggested that it would be more profitable to cease production of sugar in Nevis. He also mentioned the case of Grenada where there is a yield of only 17.2 tons of sugar cane per acre, whereas in British Guiana the average yield is between 30 and 35 tons of cane per acre, nearly twice as much. I recall that the Venn Commission recommended for British Guiana for special subsidy of \$4.80 for every ton of sugar produced. So that to those who argue that we enjoy imperial preferences, my reply is that those of us who fight strenuously for increased quotas and increased preferences for sugar, should think very seriously about the economy not only of British Guiana but of the Caribbean area as a whole.

The Hon. Member knows what I mean; I refer to the bodies which the Chamber of Commerce controls. I am not suggesting that the preference on sugar will not be an advantage to British Guiana but I am saying that in the long run it will not be an advantage. But even if we assume that it is an advantage, I say that we should buy from the United Kingdom as much as we sell to her, and not more. We should not be forced to buy more. If we earn \$13 million by exporting our sugar to the U.K. then let us buy \$13 million worth of goods from her, and if we sell \$30 million worth of goods to Canada we should be allowed \$30 million with which to buy goods from Canada.

The cost of goods in certain areas is much cheaper than that of similar goods in the U.K. When I was in the U.K., I visited an industrial establishment in which a manufacturer told me that electric ranges which he was manufacturing and selling at £100 were being sold for £60 by the Germans. He obtained that information at a conference which he attended. I can give other examples. For instance, when we were ordering kitchen equipment for the Public Hospital the Hon. Third Nominated Member (Mr. Raatgever) will remember that we knew we could get it from Canada much cheaper than we could in the U.K. We are thinking of purchasing a pasteurisation plant, and forced as we are at the moment to obtain it from the U.K. at a high price, it is inevitable that the cost of living of the people of this Colony will go up.

What this Motion seeks is that this Colony be given a greater allocation of non-sterling currency. Certain Members of this Council who are businessmen can testify to the fact that in spite of the devaluation of the pound sterling and almost double the rate of duty, goods landed in this Colony from hard currency areas are cheaper than similar goods from the U.K. I do not say it is so in every case, but in certain lines. Businessmen have told me so, and if it is so we should be allowed to take advantage of the lower

prices. If we were not earning dollars it would be a different matter altogether. Surinam is earning dollars, and she did not devalue her currency when the Netherlands Government did so. We should have done the same thing in this Colony, but we did not. When devaluation of the pound sterling was introduced the cost of living rose sharply in British Guiana. The Cost of Living Index was less than 200 points, and it rose to 222 points immediately. It has now risen to 260 points.

We have to think in terms of the masses in this Colony, and for the benefit of Hon. Members I think I should give some figures which have just been released in Britain. The situation has improved in the United Kingdom, and because of that I feel that the request made in my Motion can readily be granted. A Reuters' announcement from London published in the *Daily Argosy* of October 7 stated:

"Britain's balance of payments switched from a deficit of £394,000,000 in the second half of 1951 to a surplus of £24,000,000 in the first half of 1952, the Treasury announced today. Including United States aid, this jumped from £1,000,000 to £58,000,000, the improvement was from a deficit of £393,000,000 to a surplus of £82,000,000."

That brief statement shows that the position in Great Britain today is not as bad as it was during the latter part of last year when the dollar reserves were draining away rapidly.

(The Financial Secretary and Treasurer: That is the position of the sterling area as a whole.)

Dr. Jagan: It is true it is the position of the whole sterling at us all, but we know that today the dollar areas are purchasing very little from the United Kingdom, for one reason or another, and Great Britain's heavy imports from the dollar areas have to be met from dollars earned by her Colonies.

That is true, but now that there has been an improvement in the situation I am suggesting that we should be given a greater allocation of dollars. I see the Hon. Member's point that the cuts in imports has been responsible for the improvement; and that if we begin to share out dollars again we would return to the same position. If that is going to be the argument then let us examine the situation very carefully and see whether we are running this Colony and other Colonies for the benefit of Great Britain alone. Let us face that situation very seriously. When I speak I am told I am trying to run this country for the benefit of Russia. I would like Hon. Members to speak for this Colony as I am speaking now. I think I have given sufficient facts to show that this Colony is at a great disadvantage, and that the standard of living of its people is going down from what it was in prewar days, which

we admit was very low. Our neighbours in Surinam have taken matters in their own hands; and their position is much better than ours so far as trade relations are concerned with their Mother Country. If that can happen next door to us in Surinam, I cannot see why it cannot happen in British Guiana.

I hope Hon. Members will support the Motion. It has always been said that Canada is our traditional market. It is traditionally related to British Guiana for several reasons. If it is to the advantage of this Colony to trade with Canada let us do so. Canada is within the Empire. Let us approach H.M. Government for an allocation of more dollars to trade with Canada.

As I listened to the Hon. Members who have spoken on the Motion, I gathered that they are very much satisfied with what I have said. I think that even the Hon. Member for Western Essequibo has agreed with me, even though there might be some disagreement as regards the wording of the Motion. If the Hon. Member for Georgetown Central is not prepared to attack British imperialism, I have pledged my life to attack imperialism - British or otherwise so that if the Motion is regarded as an attack on British imperialism I would still have to press it. I feel that the Hon. Financial Secretary and Treasurer have also contributed to that idea because he has surely given a wrong impression to this Council. The impression is usually given that finance is such a technical subject that it must be left "*up there*" with the gods. I, on the other hand, do not feel so.

The Hon. Financial Secretary has stated that there were many contradictions in my statement, but I do not think I was contradictory. If he thinks so, I do not think he was following my frame of mind very closely. He referred, for instance, to the things I said about sugar and added that at one moment I spoke in favour of nationalising the industry and in the next I spoke of expropriation. Nationalisation is a separate issue, however, and if it is brought about, it means that the surplus value of the industry would be left with Government. There is nothing, therefore, illogical in what I have said.

The Financial Secretary is confusing the issues. When the coal industry was nationalised in England it was not expropriated. If nationalisation of the sugar industry should take place, the taking away of the surplus value from the working class people would stop. It is clear that nationalisation and expropriation are different things entirely. They are in different categories. When I spoke about sugar I was referring to the benefits which the producers get while the crumbs fall to the workers. The benefits which we get by way of imperial preference and so on are not handed down as they should to the workers, and I also referred to an economist of no mean calibre, Dr. Neumark, who said that in planning its economy a country should make such provision as would enable it to grow the things which can be produced in the particular area. I should also point out that in putting forward my views I was speaking particularly of the future, and I cannot agree with an economic setup if it would mean going to Her Majesty's Government with hat in hand for assistance. The sugar people are very careful

today; they use labour leaders like Gomes, Bustamante and Adams to go and plead their case. That is their policy, but the point is whether it is in the interest of the Colonies concerned, as a whole. That is why I brought in Nevis (St. Kitts) and Grenada, and that is why I support the idea of federation with Dominion status.

It is necessary to grow products in certain areas where they can be properly grown. I was saying that the sugar industry should be nationalised because we are in doubt as to the future, but although sugar should be produced in those places where it could be easily grown and made, they should not depend upon sugar production only, so that if a crisis should come we would not be hard hit by it. I do not think there is any contradiction in that statement at all. Whenever I speak I always try to be logical; if not to satisfy Hon. Members, to satisfy my own conscience. This Council has been always led to believe that because the sugar industry left the Essequibo Coast there is misery there, but this myth has been exposed by me on several occasions in the past. It is not because the sugar estates went out of existence in Essequibo that the people there have become blighted, but it is because of the influence that the sugar economy of this country has. If one goes to the West Coast, Berbice, also he would see the conditions of insecurity and everything else that exist there. According to the sugar producers, there must be no prosperity outside the sugar estates.

(The Financial Secretary and Treasurer: That is illogical.)

Dr. Jagan: That might be said to be illogical, but I would like to refer Hon. Members to the fact that when slavery was abolished the sugar producers had to search for cheap labour from other sources and they had to go to China, India and Madeira. Attempts were made to get them from other places also. Mr. Eric Williams's book "*Capitalism and Slavery*" shows that from the time slavery was abolished to 1917 when the entire system of immigration ceased, these immigrants were not able to maintain themselves owing to malnutrition, disease and malaria. Therefore, the sugar producers had to get labour. Why didn't the sugar estates take in the surplus labour and put them somewhere else - on the blighted Essequibo Coast, or on the West Coast, Berbice? Why were they not put in laid-out areas and given drainage and irrigation so that they could find their feet? The sugar estates, definitely, have been ruining this Colony. Policy has been directed in their favour, so do not let us talk too much about them. I do not want to go into a debate on them at all. Why is it that Dr. Neumark has made the point to which I have referred? There was never any research in this region as to how we could grow plantains, cassava and things like that, but he says the time has come when we should have research into things like that. I can defend my position as regards sugar at any time and speak on it with authority.

The Hon. Member for Georgetown Central has admitted that it is true

we buy more from the United Kingdom than we sell to her, while the situation is in the reverse with regard to Canada. He goes on to make the point that I am asking in the Motion that we be given all the dollars we make from Canada so that we might buy only from Canada, but that is not correct. The point has been made also that we cannot always buy at cheap prices and sell at high prices. I agree with that, but Hon. Members know that at the moment we have no control over our foreign trade. The point was made some time ago that we can sell our gold to Venezuela and get more than we are getting at present for it, but we cannot do that. We have no control over our exports, and that is the reason why we have to send all our bauxite to Canada. The Hon. Member for Georgetown Central has said that we sell \$30,000,000 worth of products per annum to Canada, and we should take all the money and buy from Canada also. There is nothing wrong with my stand or my theory, however, because we all know that today raw materials especially ones like bauxite, are very much in demand. The dollar areas are hungry for strategic raw materials and are going all over the world hunting for them. We are certainly in a position of advantage, since we can say to Canada: "*We are selling you all our bauxite and we want some agreement for that.*" We do not sell any produce to Japan or certain other countries because we have no control over our foreign trade, and that is why I am fighting for self-government for this country. Let us have control over our exports and sell to the countries that would benefit us most.

Even if we want to trade with Japan at present we cannot. What is wrong with our going to Japan and saying: "*We will sell you \$2,000,000 worth of bauxite and we want \$2,000,000 worth of goods from you.*" We cannot do so, however, because Britain has to put all the dollars we earn into a pool. The Hon. Financial Secretary made a statement about our bauxite being sold to Canada which country, in turn, sells to Great Britain for payment in dollars. He endeavoured to differentiate between the local Bauxite Company and the company in Canada - the Aluminium Company of Canada - which sells to Britain, but I have already explained the position with regard to these companies. The Aluminium Company of Canada is owned by Aluminium Ltd., and Aluminium Ltd. is a holding company of the Demerara Bauxite Company. The Hon. Financial Secretary also pointed that Britain has to pay in Canadian dollars for the purchase of bauxite from Canada, but the point I made was that we should get American dollars for it because the profits from these companies go to the "*big boys*", Americans and others. They are the people who own the Aluminium Company of Canada. That is what was done in order to get away from profit taxes in the United States, and in connection with which they were charged in the Supreme Court there. They are free to sell our bauxite, but we should have been in a position today to sell either to Canada or the United States as we liked. It is the same parent body in the long run that is purchasing it. It is true that Britain needs the ingots to make aluminium and sends it back to us here in

the form of various articles, making some more profit, but she has to pay in hard currency for it and that does not say we must be squeezed in the Colonies in order to provide it for her.

The Hon. Financial Secretary made one good point, however, when he said that if we relax as regards this question of currency control the position would get worse again. Let us look at what the Labour Party has just passed - a resolution advocating more trade between East and West. The E.E.C. has also suggested the same thing. Western Europe has no outlets for its products. It is only manufacturing goods, and the only places it can sell them are in the Colonies where the raw materials come from. In every country in Western Europe, Poland and others we are able to buy without any need for dollars, but because Britain continues to think of herself she has to take dollars away from us - not only from us, but also from Malaya, the Gold Coast and other British Colonies. The Hon. Financial Secretary might not want to admit it, but that is a fact. The Labour Party has had to give up, because they realise that they cannot live in England at the expense of the Colonies.

I observe that the Hon. Financial Secretary is raising alarms about this Colony coming out of the Sterling Area. When the 13 British Colonies separated from Britain and formed the American Republic the British experts at that time said: "*Go ahead and run yourself, you will soon beg us to take you over.*" But it was the beginning of Alexander Hamilton that brought about the independence of America. I would not be worried too much by the Financial Secretary's statements, because his views always fit in with the imperialists' views. What is done by the Conservative Party suits the Financial Secretary, but it does not mean to see nationalism for British Guiananor for Russia or even Great Britain? Ceylon has dominion status today. She is trading with China and Australia, but we cannot do so, and the Hon. Member suggests that we should never think of doing so. This is not a complex matter. It may appear to be complex to those who do not want to face the issues.

Reference was made to the Commodity Control Board. In view of the argument of the Hon. Third Nominated Member (Mr. Raatgever) I would have felt that there was no need for a Control Board at all, because he said that at the moment we are not taking up our quotas on Canadian allocation. He also mentioned that there were only a few products in respect of which prices were cheaper in other places, and food coming from other areas was not controlled at all. American economy is very much tied up with Canadian economy today. I have a book the title of which is "*Who owns Canada?*" It points out that it is Americans who sit on the various Boards. Canada is fast becoming an American colony. Today a country does not need to have physical possession to own a colony. Imperialism does not signify physical possession; it is money that talks. I hope the Motion will be accepted by this Council and that Government will take early and vigorous steps to see that it is implemented in our favour.

Georgetown Valuation and Rating Bill: October 15, 1952

Dr. Jagan: The Hon. the Attorney-General has given us reasons for this Bill but no figures to show exactly how much it would involve the Town Council to comply with the law as it is at present. It seems to me that the chief reason for amending the Ordinance is the question of the expense involved in revising the valuation list and publishing it every five years.

The Hon. the Attorney-General has remarked that the Town Council would not do anything to the detriment of their financial position, but what he failed to mention was that something might be done to the detriment of the ratepayers who control the Town Council. I do not know whether that aspect has been taken into consideration. It is stated in the Objects and Reasons attached to this Bill that the Council may direct the making of a new valuation list at any time after the current valuation list has been in force for two years. That is all well and good, provided one can say that the control of the Town Council is in the interest of the City. One cannot always say that. I do not know if one can assume that the Town Council acts in the interest of the whole City and does not make regulations in order to favour certain individuals.

I desire to be very specific on this point. Let us assume that there are on the current valuation list certain properties which are undervalued. If this Bill is passed it would mean that another valuation list would not be made in 1955 but in 1960. Let us assume that there are certain members of the Town Council will own properties which may be undervalued at the moment. If those Councillors are in the majority then, obviously, they would not take advantage of the provision in paragraph 2 of the Objects and Reasons to which I referred a while ago. On the other hand, if they are in the minority, the Council could take advantage of the proviso and amend the current list which was made in 1950. We know that at the moment it is very difficult to change the constitution of the Town Council, the present voter's qualifications and so forth being what they are. Therefore I feel it would be a wrong step to amend the Ordinance at the moment. I cannot see what objective will be gained by so doing. I suppose the Hon. Member for Western Essequibo (Mr. Wight) may be able to give us more precise information as to what expenditure is really involved—how much it costs the Town Council to carry out these valuations and to produce a list every five years. Having been armed with those figures we would be in a better position to say whether or not the valuation list should be revised every 10 years.

Another question I would like to ask is whether the Town Council has the power to make revisions of the current list from year to year to revalue those properties which were valued in 1950?

The Hon. Member for Western Essequibo gave us some figures a moment ago and it appears that there is a great deal of expenditure involved in this matter. But perhaps he should have told us also the corresponding income, if any, resulting from revaluation between 1945 and 1950. The figure was very high but was reduced to a great extent the second time, and I believe there has been some saving also as a result of appreciation of certain values. I know of several cases at the moment where properties are undervalued and if this Ordinance is passed those properties would not be revalued until 1960.

I am coming to that. The Hon. Member for Georgetown Central has said that elections will be held in a couple of weeks and that everything is done in a fair and proper manner. I am not disputing at all that elections are held in a fair and scrupulous manner; that is the kind of jurisdiction we have. What I am saying is that as the rental qualification is \$6 per month many people are left out. I know of my own personal knowledge that many people do not pay as much as \$6 a month for rent because they share room with others, and so on. If the contention is that very few people pay less than \$6 why doesn't the Town Council accept a reduction of the rental qualification to \$3 per month? It is afraid that there will be too great an increase in the number of voters. The whole question, I am afraid, hinges on the distribution of seats at the moment. The Hon. Member for Georgetown Central knows that as well as I do. He knows that a candidate for Georgetown Central lost his deposit when it came to the question of elections for the Legislative Council, but nobody can defeat that candidate for his Town Council seat at present with the voters' list being as it is. Don't let us live in a dream world and say that there is no need to revise this list.

The Hon. Member for Georgetown Central usually misses my points and puts his own interpretation on them. I was making the point that under the present conditions the new Council, elected next year or this year, is likely to be of the same class composition as the present one. The Hon. Member can say that the people will have a new Council and that the elections will be fair and so on. That sort of prognostication might be very good for his own purpose, but not for mine. I am a realist and I have to deal with facts — and concrete facts at that. I am opposed to the Hon. Member's idea because I feel that if a new valuation list is made it is likely that in five years' time a sum of money will accrue to the Council which will be appreciably greater than the amount which the Hon. Member has suggested would be lost. I would suggest that this matter be given fuller consideration, and that we do not pass this clause at the moment but defer consideration of the Bill until the new Council is elected, within the next two months. Then we could have a thorough survey made, having regard to all the cases brought. There are cases within the knowledge of members of the council and if all of them were examined and it was found that the revenue that should come to the Council is more than the cost of the new valuation, then I suggest that the new valuation should be made in five

years instead of ten years as proposed at the moment. I think some research is necessary and that we should carry it out in order to determine whether the Council would gain or lose in the end. The Hon. Member has only put one side of the picture by saying that the Council will have to face a loss of \$15,000 without mentioning that there might be an increase in revenue which might be able to cover that amount.

I need not go into this whole matter now. The Hon. Member for Western Essequibo has been accusing me of cold feet, but if the truth is to be told I am the last Member of this Council who should be accused of suffering from cold feet. The Hon. Member is bolstering up the idea of a regional system in the Town Council today— a system of pocket boroughs. That is the thing that is giving him the Dutch courage. We are not afraid to run against anybody and we are going to do it even if we lose, because we know that we will win in the end. It is inevitable. The only reason why this situation is presenting some difficulty is because the Town Council has refused to redistribute the seats in Georgetown. We have the wards like Albuoystown and Werk-en-Rust with only 700 odd voters each, while there are other wards with only just a few. As the situation stands at present the Hon. Member can do things as he likes, and he keeps throwing out challenges all the time. I remember that when I ran for a seat in this Legislature against the late Mr. John D'Aguiar it was said that no one could have defeated him, but everybody knows what happened. Let the Hon. Member keep bragging; something might happen in the end.

and prove that he got a disease as a result and arising out of his employment. If that particular disease has been left out of the Schedule, it means that the worker cannot qualify for compensation, but if it can be proved to the tribunal that the disease arose out of and was contracted in the course of his employment, then his claim would be allowed. That was the stand which the Trades Union Council took in the matter.

I observe also that so far as disease is concerned, it is stated in the Objects and Reasons that: -

“(ii) no compensation is payable where the accident would not have occurred in so far as the incapacity or death would not have occurred but for a preexisting diseased condition of the workman.”

In other words, if a worker suffered from heart disease, even in a mild form, and died while working, according to the Bill no compensation would be payable. Under the provisions of the Industrial Injuries Act of 1946 in England: if it can be proved that as a result of some unusual exertion un-

Workmen Compensation (Consolidation) Bill 15th October 1952

Dr. Jagan: I agree, with the last speaker who has said that this Bill should not be postponed. In my view it should have been passed months and months ago. This Committee was appointed on March 24, 1950, and this Bill was published since August 26, 1952. The Hon. the Fifth Nominated Member has said that a copy of this Bill has only just reached the hands of the Secretary of the Association, but I do not think that should make a great difference, because if this Bill is passed employers would have to take out insurance. It does not make any difference what the insurance rate is — even if it is 500% more than the present rate — it is not the insurance companies but the employers that are going to pay it, unless the insurance companies are tied up with the employers. In that case, they would have to charge the higher rate and pay it themselves. If there is any boycotting and the insurance companies say they would not sell any more insurance for workmen's compensation, Government should think in terms of running its own insurance. I think the time is long past when we should delay legislation such as this. My point is not that this Bill should be delayed, but that Government has not gone far enough to bring a Bill which is modern and up to date so far as the protection of workers is concerned.

The Hon. the Attorney-General knows that up to date legislation in this respect has been passed in the United Kingdom. There is the Industrial Injuries Act of 1946 which brings workers under an insurance scheme to which they have to contribute, and I would like to know why something similar has not been introduced into this Colony instead of making little changes here and there in the old Ordinance. A Bill of this nature should have been passed months ago— and it was not necessary to have a Committee to go into all the details. I have read the report— I have received a copy from the Attorney General—and I think it is a pity that Hon. Members did not get it before. As I see it, this Bill should be passed and proclaimed immediately because, before the next few months elapse, many workers might become disabled — some of them permanently—and they might still be paid at the old rates that have been existing since 1944.

I intend to support this Bill and to move several amendments when the Committee stage is reached, but I do feel that a lot of valuable time has been wasted. It is over two years since this Committee was appointed and what we have is merely an amendment of the old Ordinance. If that was the purpose for appointing the Committee, I am sure that the Attorney-General himself could have looked through the old Ordinance and revised a few of its provisions here and there, and then bring it before the Council. What we need is comprehensive legislation such as we have in the United

Kingdom at the moment. What we get in this Council is always retrograde legislation and we are always behind Trinidad and other places. Since we are tied to the United Kingdom we should always try to adopt such progressive legislation in the interest of the working people, as that introduced in the United Kingdom.

This Bill has many shortcomings. For instance, let us take the question of lump sum payment relating to permanent disability. Various percentages are set out for permanent total disability and for permanent partial disability, but we find from experience that if a worker is injured he goes to the hospital —and in many cases he is put in the paupers' ward for which the state has to pay. He receives only a temporary allowance for the period during which he is sick. Let us say that the period is four or five months and he receives the allowance due to him according to the calculation set out. At the end of that period, if he is permanently disabled— whether partial or wholly—he goes to his employer and says: "*I want to get my lump sum payment*". What happens then? The employer can deduct the amounts that were given to him while he could not work from the lump sum payment he gets. In some cases, therefore, the worker gets only a few dollars after he has come out of hospital and sometimes he is told that the amount he received in hospital while receiving treatment, then if he had taken the sum in the first place.

Under the English law we would have a period of benefit which, is called the injury period —one during which the worker is receiving treatment— and after the injury period is over— when the treatment phase of the injury is finished— the worker goes to the Board and receives a disablement benefit according to the nature of the disability suffered, and he receives it all the time. That is a shortcoming which we have at the moment and which would continue. Another condition we have at the moment is that if a worker gets injured and is receiving his lump sum by monthly or fortnightly payments, when he goes back to work his employer, for one reason or another, says: "*I have no more work for you.*" In many cases the worker alleges victimisation, but the employer can easily get around that by saying: "*I have the right to hire and fire*". If the worker even gets light work, he is entitled to receive a difference between what he earned previously and what he earns for the light work, as a benefit monthly or fortnightly. But, the employer can, at any time, elect to say "*I want to stop this monthly payment because I feel that the worker is no longer capable in the sense that he needs treatment for the injury he has had and I would like the Court to assess the amount of permanent disability suffered by him.*" If it is to the advantage of the employer he does that. Following the assessment, the amount for the disability— permanent or partial— is paid to the Board and the worker comes along, and if he can get work he would have no right but to access it. If he cannot get any work or if he is victimised because he brought forward his case for compensation, he has nobody to appeal to.

I feel the time has come when Government should introduce a scheme

similar to that which exists in the United Kingdom. It is true that the workers would have to contribute a small amount but it is very small in the United Kingdom towards such a scheme, but I do not know whether the employers there are contributing also. I know, however, that in France the employer contributes an equal share as the worker and the Government contributes an amount equal to the suffering of both the employer and the employee, and that fund is used for the payment of compensation. At the moment, though an employee might not be contributing in this Colony, he suffers more because he is not properly protected under the Workmen's Compensation Law, when compared with the benefits provided under the English Act, whilst it might appear that there is disadvantage to the worker in having to pay a small contribution, in the long run he definitely benefits.

I urged upon Government especially since the registration of employees would become compulsory and the carrying of insurance on employees would also become compulsory - that serious consideration be given to the setting up of its own compensation scheme. I see no difficulty in this respect, because in the same way as the insurance companies drew up their various figures and tabulated them as a result of experience in order to determine the various rates that should be charged for employees, Government can do likewise. The Government has done it in England and I do not see why it cannot be done in this Colony also before him. We had more or less similar legislation to the English Act. Benefits were given to individuals in lump sums as set out in this Bill. But now persons receive a monthly contribution while they are injured and also a monthly contribution while they are disabled. Therefore in the long run they do not suffer any loss in their standard of living either, the workman or his family.

Under the English Act consideration is also given to the number of children a workman may have, and to various other factors, in order to see that there is no drop whatever in the standard of living of the family of the injured workman. In this Bill, we are placing the worker at a severe disadvantage in the sense that he can be easily victimised, when that is done and suffer great loss so far as earning power is concerned, after he has gone back to work. Therefore, he suffers a drop in the standard of his living.

There is one other point to which I would like to refer, and that is the question of diseases as set out in the Bill, and also the question of artificial limbs. It is stated in the Bill in clause 22 which deals with compensation for occupational diseases that:

"(5) the diseases to which this section applies shall be prescribed from time to time by the Governor-in-Council."

I know, however, that when the Industrial Causes Injuries Act was before the Government in the United Kingdom, the Trades Union Council put forward a claim that the definition should be amended to include not

only injury but extent of injury by accident and disease arising out of and in the course of employment. Therefore, instead of setting out merely a list of diseases that might be considered as industrial diseases, one enlarges the definition of injuries to include not only those caused by accident but also by disease. Therefore, a worker can at any time go before a tribunal and prove that he got a disease as a result and arising out of his employment. If that particular disease has been left out of the Schedule, it means that the worker cannot qualify for compensation, but if it can be proved to the tribunal that the disease arose out of and was contracted in the course of his employment, then his claim would be allowed. That was the stand which the Trades Union Council took in the matter.

I observe also that so far as disease is concerned, it is stated in the Objects and Reasons that: -

“(ii) no compensation is payable where the accident would not have occurred in so far as the incapacity or death would not have occurred but for a preexisting diseased condition of the workman.”

In other words, if a worker suffered from heart disease, even in a mild form, and died while working, according to the Bill no compensation would be payable. Under the provisions of the Industrial Injuries Act of 1946 in England if it can be proved that as a result of some unusual exertion undue strain was put upon a worker who was suffering from even a mild form of disease and he died as a result of that exertion his employer would be liable to pay compensation. Such contingency is not provided for in our law. I feel that the time has come when we must give the worker as much protection as possible. We must not merely look up at him as a means of providing income for himself and profit for his employer while he is alive and well, but we must also regard him as an entity, as the head of a family whose standard of living has to be maintained. In so looking at the whole issue we must devise ways and means to ensure that should he become disabled as a result of injury, the standard of living: all of his family would be fully maintained.

I observed that reference is made to artificial limbs in one of the clause of the Bill, but I do not think it is specifically stated that employers are compelled to provide artificial limbs for disabled employees. What I gather is that where artificial limbs are provided and the earning capacity of the worker is thereby increased, the temporary allowance paid to him during the period of incapacity may be reduced in like proportion. I think a clause should be inserted to make it compulsory for employers to provide artificial limbs or other aids, not only for the purpose of improving an injured worker's capacity for work but his appearance. For instance, a worker may lose an eye, in which case a glass eye should be provided so as to improve his appearance.

I am supporting this Bill because I feel that the matter is very urgent

and that this legislation should be passed as early as possible. There should be no longer delay. I hope Government will take this matter up seriously, and in the very near future place before the Council a comprehensive social insurance scheme.

In reading through the committee's report I found that the committee was in favour of the trial of these cases by the Commissioner instead of a magistrate, and I noticed that they included in the report a definition of the term Industrial Commissioner. I think the Government has decided, however, that instead of having an Industrial Injuries Commissioner with his staff to look after these cases, they would continue the old practice of leaving them for the magistrate's court. There is one other point I would like to raise, and that is with respect to "*dependants*". In this clause the term "*dependants*" means:

"such of the members of the workman's family as were wholly or mainly dependent upon the wages of the workman at time of his death, or would but for the incapacity due to the accident, have been so dependent,..."

What is passing through my mind is that there might be a case of a young man, for instance, who might have had an accident and might have died. During the time he was working he might have had a parent— a mother or father —not wholly dependent on his wages, but perhaps living in his house. When the time comes that that parent cannot work any longer — because of old age— what would be the position? In normal circumstances, that parent would have been eligible for support from the son if he had not died as a result of the accident. In this definition we find that in case of death as a result of injury by accident, a parent who might have become a dependent later on — if the son was alive — is excluded, and no lump sum payment would be made to that mother or father. There are several cases that would fall into this category, and I think the law is creating an injustice which should be remedied by amending the definition of "*dependants*". I do not know if the Hon. the Attorney-General would say that my point is covered in the definition as it stands.

The point is that the injured person would have been providing for his parents, but if he dies he would not be able to do so. I am saying that a parent who is not a dependent might well become a dependent although not living with the injured person. There is a benefit clause which provides that if there is an dependent the money is not paid by the insurance company. I am saying that the money that the money should be held in trust to be given to those persons who may become dependent upon the injured person. We are trying to define "*dependants*" as a person depending upon the injured person at the time of injury, but my view is that it should be all-inclusive and should include a parent who may become a dependent in due course.

I do not know how Hon. Members feel, but I think the definition should

be enlarged to take care of the cases I have cited. I know of many such cases, and this Council must decide whether it is not right to make an amendment. In other words, a principle must be decided on. It is quite possible for one to have a dependent such as I have mentioned, because many parents—especially those of the working class—depend upon their children for support in old age.

Workmen Compensation (Consolidation) Bill: October 16, 1952

Dr. Jagan: This clause seeks to confer exemptions in certain cases and so on. If it is included in the ordinance one would find that in accidents arising out of cases where an individual may be offering help, as stated in clause 4, in such cases as hostilities and wartime operations so as to protect the property of his employer, he would not be entitled to any Workmen's Compensation whatever. I do not see why there should be any distinction as set out between clause 4 and clause 5. I know that in the case of merchant and shipping war risks are usually provided also and I do not see why they cannot be added in this case, because the cost would be very small. I feel that this clause should be deleted and the whole thing covered under clause 4.

I feel that this clause is one of the most important clauses in this bill and I would like to make some observations with respect to sub-clause (1), first of all. As I mentioned yesterday, this sub-clause says:

"(1) if in any employment a workman suffers personal injury by accident arising out of and in the course of such employment his employer shall be liable to pay compensation..."

I want to suggest the insertion of the words "*or disease*" between the words "*accident*" and "*arising*". If we look at clause 22 of the Bill we would find that a schedule would be published from time to time prescribing what the diseases are. As I mentioned yesterday, the TUC in England, when giving evidence before the community relating to the Industrial Injuries Act, suggested that the question of diseases should be included in the Act so that if the worker can prove that the disease was contracted in the course of or as a result of employment, then it would not make any difference whether it was included in the schedule and not. One can easily see the reasonableness of such a request. The list of diseases might be scheduled by regulations issued by the Governor in Council, but the worker might contract some disease that has not been scheduled at all. If we come down to the lower parts of this clause we would find that the worker would not be allowed to collect any compensation if it is proved that the accident is attributable to the workman's own "*serious and wilful misconduct*" which shall include: —

"(I) his being under the influence of drugs or intoxicating drinks; ..."

Then it goes on to specify a few other conditions. In other words, these

conditions here which debar the worker from getting compensation as in the original Workmen's Compensation Act in the United Kingdom, but when the Industrial Injuries Act of 1946 came into being that provision was deleted — the provision which debarred workers from getting compensation. If we look at clause 3 (2) of this bill we would find that a worker would be able to receive compensation in spite of the fact that he may have contravened any of the things stated in (i), (ii), (iii) and (iv) of sub-clause (1) (b). Clause 3 (2) reads:

“(2) An accident resulting in the death or total or permanent disablement of a workman shall be deemed to arise out of and in the course of his employment and the employer shall be liable to pay compensation notwithstanding that the workman was at the time when the accident happened acting in contravention of any statute or regulation applicable to his employment, or of any orders given by or on behalf of his employer, or that he was acting without instructions from his employer, if such act was done by the workman for the purpose of and in connection with his employer's trade or business.”

In other words, the workman can claim compensation if there is total or permanent disablement or death even, if he has contravened all the things set out in (i), (ii), (iii) and (iv) in clause 3 (1) (b), but if he suffers in minor injury he is debarred from claiming compensation. That is straightened out in the present law and that is why I feel that paragraphs (i), (ii), (iii) and (iv) should be deleted from this clause so that the workman would be in a similar position to that in clause 2. That is the argument that has been used in England. At the present moment, where the workman disobeys certain instructions he is permitted to get compensation, the reason being that he may have been doing a job fully realising that he was carrying out his duties in so far as his employment was concerned.

Under the law dealing with intoxicating liquor it may be stated that if an employer knows that your workman is under the influence of drugs or liquor, he should not be employed for that particular day because it could be very difficult to say to what extent he would be liable in such circumstances. That might lead to confusion, and in many cases workers have suffered undue hardship.

Therefore I beg to move that sub-paragraphs (b), (c), (d) in the second proviso in sub-clause 3 (1) be deleted. As regards (c) it is provided that the employer shall not be liable under this ordinance for compensation if:

“(c) it is proved that the accident would not have occurred, or in so far as the incapacity or death would not have been caused, but for a preexisting diseased condition of the workman;”

No, sir, if this clause is allowed to pass it means that in practically every case in dispute the employer can claim that death or incapacity would not

have taken place had it not been for some previously existing diseased condition of the workman. Under the English Act this matter has been gone into very carefully and it has been shown that the definition of injury does not necessarily mean an outward observation of injury, but that it can also have an all-inclusive and all embracing meaning. I would like to read also what definition has been given to the word "*illness*", so that we have to consider whether the workman would not be debarred from getting compensation if we pass this definition.

This section is very relevant to what I am saying. I am saying that if we include in this clause anything against "*a preexisting diseased condition of the workman*" it would mean that the construction placed on the English Act would not be applicable to this law at all. In other words, the protection given under the English law would not be given under the law we are now passing. With your permission, Sir, I would just like to refer to one more section.

I am not reading from the law itself, but from what has been said about it. If this Bill is passed with sub-clause 3(1) (c), when a claim for compensation is brought before the court the employer can very well say that but for some preexisting diseased condition on the part of the worker he would not have suffered the injury. This sub-clause is very wide indeed and it seems to me that it should be taken out of the Bill, and that it should be left to the medical record, in case of a dispute, to determine whether or not the particular disease was responsible for the accident and, if so, whether an undue amount of exertion had caused a flare up of the diseased condition and, as a result, there was the injury.

If we leave this clause as it is it would mean that in almost all cases an injured workman would have a tough job in getting compensation. All an employer would have to do would be to find out whether he suffered from some preexisting diseased condition. We know that many employers have their own doctors and can always checkup on their employees to find out whether they are suffering from blood pressure or some heart condition. I feel that this clause should be deleted, and that in case of dispute it should be left to the medical referee to decide. I move the deletion of paragraph (c).

The Hon. Member appeared to give the impression just now that I was trying to take away certain rights of the workers which are being given to them by Government. That is an erroneous impression. The Hon. Member did not listen to what I said. I said that under sub-clause (2), if a worker should die or become permanently disabled his employer should pay compensation whether the worker had contravened any regulation or any of the conditions mentioned in sub-paragraphs (i), (ii), (iii) and (iv). The Hon. Member says he knows all the laws. I am referring to the English law under which all of these provisions are covered by a section similar to sub-clause (2). The Hon. Member makes a big point about the workman wilfully removing some protective device, but I will ask him this question:

Did the work man remove that guard with the intentions of being injured and securing compensation?

Even if a worker contravenes certain regulations when he is working and earning wages for himself and profits for his employer all the time. The Hon. Member also made the point that if every worker had to be medically examined it could mean that quite a number of persons would not be employed. At the moment we know that employers have the right to hire and fire, and they always boast about it. If they wish to have workers medically examined before they are employed there is nothing to preclude them doing so at present. I am not trying to take away any rights being given to the workers, but merely trying to bring this law into conformity with the English law and practice at the moment. I do not know whether the Hon. Member has studied the latest law on Workmen's Compensation in England. He claims to have done so, but it does not appear so from the argument he adduced a moment ago. Why not pay an injured worker is smaller amount of compensation if he contravened the regulations?

I am asking you, Sir, to put the various paragraphs of the clause separately, so that I may put forward certain amendments. I move the insertion of the words "or disease" between the words "accident" and "arising" in sub-clause (1) of clause 3; the deletion of paragraph (b) and self-paragraphs (i), (ii), (iii) and (iv), and paragraphs (c) and (d).

The Hon. the Attorney-General has pointed out in England the workers pay a certain contribution towards insurance schemes but, as I pointed out yesterday, in England the workers get many more benefits than they do in these parts. What I am pointing out here is that we are accepting a principle which is denied in sub-clauses (2), (3) and (4). The principle on which we are working is that we will pay the worker if he is totally disabled or if he dies. We are however going against the principle when we say that the worker is not a worker if he contravenes certain rules. That is what I want to straighten out. I notice that if I suggest the deletion of (b), (c) and (d) in clause 3 there will have to be a consequential amendment in clause 2; therefore I propose, as an amendment, the insertion of the words "partial or" between the words "or" and "total" in the first line of sub-clause (2), and the deletion of the words "and permanent" in the first and second lines.

(The Chairman: Actually, the whole clause may have to be redrafted, and perhaps the whole Bill.)

Dr. Jagan: I do not see that that would be necessary. If the amendment is made the sub-clause would read as follows:

"(2) an accident resulting in the death or partial or total disablement of a work man shall be deemed to arise out of and in the course of his employment and the employer shall be liable to pay compensation notwithstanding that the work-man was at the time when the accident happened acting in contravention of any statu-

tory or other regulations applicable to his employment, or of any orders given by or on behalf of his employer, or that he was acting without instructions from his employer, if such act was done by the workman for the purpose of and in connection with his employer's trade or business."

That would cover all phases of the injury.

The Hon. Member says that if a man dies as a result of injury to which he has contributed that would be sufficient punishment for him, but I would like to point out that if he suffers partial or permanent disability his family would suffer also. He would get his full pay if he loses an arm or otherwise.

At the end of clause 6 (3) you find the words:

"...such costs, charges and expenses being adjusted to the workman's station in life and his actual physical condition occasioned by the injury".

I would like to know whether "*the workman's station in life*" is the Paupers' ward, because in many instances when workmen are injured they are taken to the public hospital and put into the paupers ward for which the employers do not have to undergo any expense. Further, when the workmen are taken to the PHG they often get inadequate treatment. I would like to know from the Hon. The Attorney-General what is meant by "*the workman's station in life*"?

I know that there are various categories, but I would like to know what is in the Government's mind as to the status of an ordinary unskilled workman — whether he should go to the Seamen's Ward, the 50 cents per day Ward, or the 25 cents per day Ward? I would like to know what is regarded as his station in life.

The last two speakers dealt with the negative aspect only—that an injured worker must not go to a ward above his station. But how is he to know what is above his station? Let us know exactly what your workman's station in life would be in relation to the public hospital, because most of the injured workmen go to that public hospital.

Another point on which I would like to get information is whether employers have to pay the cost of treatment of injured workmen at the public hospital, in the pauper Ward or elsewhere? We know that the rates at the Mercy Hospital are much higher, and that in such cases the insurance companies have to pay more. I would like to know whether the cost of treatment at the public hospital is calculated by Government and charged to the employers concerned.

I would like to hear from the Hon. the Attorney-General what is considered a workman's station in life. If he enters a ward above his station in life does he incur expenditure which may not be borne by the employer?

I observe from clause 8 that the benefits which are to accrue to injured workers are split up into various categories. Those earning up to \$50 per

month would receive compensation to the extent of 100% of their earnings, while the next category earning \$50-\$75 per month will get 75% of their earnings, with a minimum of \$50. In the third category are those earning over \$75 per month but not exceeding \$100 per month, who will receive compensation to the extent of $66\frac{2}{3}$ % of their salary with a minimum of \$57. The fourth the category — those earning over \$100 per month — will receive compensation to the extent of 50% with a minimum of \$67.

I feel that instead of four categories there should be only two, the first to include all the wages and salaries up to \$75 per month with compensation to the extent of 100%. Under the present ordinance full compensation is payable to persons receiving salaries up to \$50 per month. I moved the deletion of paragraph (d) (ii) and (iv), the substitution of the words "*seventy-five*" for the word "*fifty*" in sub-paragraph (i); the deletion of the words "*but do not exceed \$100 per month*" and the substitution of the words "*seventy-six*" for the words "*fifty-seven*" in sub-paragraph (iii).

I am not trying to put undue hardship on the insurance companies but the whole matter must be looked at from the point of view of the interests of the workers. I hope Hon. Members are not suggesting that I am wasting time. It is true that certain benefits are going to accrue to injured workers, but it is not correct to say that they will get tremendous benefits. The wages on which workers are existing at the moment do not provide a high standard of living, and it is proposed to lower the percentage of compensation as the wage scale rises. I feel that we are further depressing the standard of living. I feel that every effort should be made to maintain a decent standard of living. It is not always true that all additional expenditure by employers must come out of the workers' wages. I can show that it could come out of profits.

A premium on \$1800 for 13 months would amount to about \$60 per month; and that premium can be considered as being quite good because there are many workers who do not earn as much as \$60 per month, but what happens in the case of a man who is earning a maximum of \$160 per month? His dependants would receive only \$3600, which, would not be equivalent to 13 months wages. In the first instance we would be allowing an advantage to the workman who is receiving less than \$60 per month, and in the other instance we would be penalising the worker as he would not be getting 13 months wages. It seems to me that the figure (\$3600) should be amended to read \$4500, which would be for 13 months wages at \$150 per month.

I am dealing with clause 8 (1) (a) (i). I'm suggesting the deletion of the words "*thirty-six hundred dollars*" in the sixth line and the substitution of the words "*forty-five hundred dollars*" thereof. If a workman earns \$150 per month for 13 months there would be a lump-sum payment of \$4500.

You are merely giving the dependants of the deceased 13 months salary, and if the salary is \$150 per month then the dependants should receive \$4500; but now we are fixing it at \$3600 which would be less. In other

words, in the case of the higher category of workers the dependence of the deceased would get a lump sum which is less than 13 months salary.

The amendment reads as follows:

"In sub-paragraph (1) substitute the word "seventy-five" for the word "fifty" in the first line. Delete sub-paragraphs (ii) and (iv) entirely. In sub-paragraph (iii) delete the words "but do not exceed on hundred dollars per month" in the second and third lines; and substitute the word "seventy-six" for the word "fifty-seven" in the last line."

At the moment a workman who is injured and has to spend a long period in hospital receives a periodic payment, and if his injury results in permanent partial disability he is paid a lump sum from which all periodical payments are deducted. The result is that in some cases the worker gets nothing at all, and in other cases a very small lump sum. I think the periodic payments should have nothing to do with lump sum payment for the permanent disability. If your workman loses an arm or an eye he should be compensated for that loss which affects his future earning power. This clause allows an employer to deduct the periodic payments from the lump sum. The worker suffers a serious disadvantage, and several cases have been brought to my notice. I observe that payments made for hospitalisation, for medical service and travelling, are excluded from the lump sum payment. The periodic payments should also be excluded.

A moment ago reference was made to the English Act under which a workman has to contribute to national insurance. In this country an employer can deduct the cost of these increased benefits from the wages of his employees. I know of a case in which an injured man was in hospital for several months during which his family was maintained. He left hospital totally incapacitated and he gets nothing at all. The point is that after a long illness a worker's earning capacity may be so greatly reduced that he could never earn sufficient money to maintain his family to the standard he was accustomed to. That is why it seems equitable that the standard of living should be maintained while he is ill, and when he leaves hospital and his earning capacity is reduced he should be given a lump sum to tide him over. We have to think in terms of his family, not only during his period of medical treatment but after he has been discharged from hospital and while he still incapacitated. If all the periodic payments are deducted his family may get nothing at all.

From what I have heard it appears that this clause does not make it compulsory for an employer to provide an artificial limb required for a disabled work man, but merely provides that were a limb has been provided the rate of compensation may be reduced in the proportion to the improvement in the workers earning capacity.

This clause has many aspects which I feel should be considered very seriously. For instance a worker may be absent from work for a period of

less than 14 days in every month, through illness or other reason, and it will be found that his total yearly income divided by 12 would work out as a very small average monthly salary. I think it should bear some relation to the daily rate.

If a man worked a whole year but was absent from time to time, one week in every month, his salary would be based on the aggregate.

If a worker has been absent more than 14 days then his case would come under (b). I observe that it is not clear whether it is 14 days in a year. As it stands here sub-clause (2) is very ambiguous.

I think sub-clause (2) should be amended by the addition of the words "*per annum*" after the words "*fourteen days.*" It might be interpreted to mean 14 days per month if it is not made perfectly clear. What we desire is to maintain a worker's wage at the rates prevailing at the time of the accident, and give him the average.

Probation of Offenders Bill: November 14, 1952

Dr. Jagan: I am also supporting this Bill. I see that there can be no alternative at this moment. We have perforce to build up a superstructure—more Magistrates' Courts, a larger Supreme Court, additional Magistrates—and to bring in Probation. That is inevitable under the system under which we are living. As long as we have a rotten base, no doubt we have to build an elaborate superstructure such as that. What I would like the Probation Officers to do is to give us not only the figures of people who are sent to prison but to make a study for us and tell us what type of families these offenders are coming from, the income of those families, where they are living and how much employment they get per year. Then possibly we will be going to the root of the problem. But what are we doing? As I said, I have no objection to this Bill. It is a palliative which we have to support.

But I am interested in more than that. After the offender is put on probation the question is that he must be more or less rehabilitated and given a job. His case must be investigated to see that the internal barriers which are there are removed. But can the Probation Officers do that at the moment? If they can, to what extent can they do it completely? I know that some people on coming from prison go to the After-Care Officers and are given a small pittance and told to go and fend for themselves more or less. They go to the Municipality of Georgetown for a job and are told "*Sorry; we do not want any ex-convicts*". That attitude is not only taken up by the Municipality but by many persons in business at the moment. Possibly those persons rightly argue, if they can get a man who has a clear record why should they worry with a person on whom a stigma is cast already, whether he be a first or second or third offender. As long as we do not have full employment for these people I can see that all these conveniences are going to result in nought.

The Hon. Member on my left (Mr. Fernandes) spoke of that little minority who are put in the category of "*born criminals*". I do not believe in a person being a born criminal. He did not use the exact words but he referred to the type which is beyond redemption, more or less. Sir, if we were to make a thorough investigation into the causes of crime in this Colony, we would see a great correlation with the fact that a lot of people are unemployed at the moment and as the result of that unemployment we have today stealing, breaking and entering of premises, and other sorts of small crimes for which people are brought before the Courts.

We have it — the Hon. Member has given the figures—that many of these people who are brought before the Courts are not sent to gaol but are fined and they cannot afford to pay the fines. Those persons should be put on probation but, as I say, unless we can provide them with jobs and see

they are not placed in the same predicament as before we will not be solving the problem at all. We will only be spending money in a direction in which too much money should not be spent. I think Government should investigate this whole problem very thoroughly, this question of prison reform, not only at the bottom but all the way to the top. Perhaps the Probation Officers may sit on the Board of Planners of Government, because they now have a Department of their own and when one puts a case before them they usually say "*We have no money; we cannot do anything to rehabilitate these persons*".

I do feel that something must be done, and done urgently, not only in providing jobs for these people but in creating an economy which will give people full employment. We must provide something which will see to the rehabilitation of prisoners so that when they come out of prison they can occupy themselves either on farms or in a small one-man or two-men business and thereby earn their livelihood.

This is a Bill dealing with probation. We have the other step, which is the Essequibo Boys' School. What is happening there? The boys are receiving excellent training, but when they leave there they go back into the jungle. I do not mean the jungle of British Guiana. I mean the jungle of Georgetown. There they become lost and fall back into the former environments from which they came originally. That is a big problem. I do not know how far this probation is going to solve that particular problem. I do hope Government would look into this matter seriously.

I think it is necessary to set up a State Farm or what we call Government Agricultural Schemes, so that those people who are trained at the Essequibo Boys' School can be absorbed into them. That is the only way, I can see, we will provide a solution to this growing problem of crime and delinquency. We must provide people with jobs, and if those people who are provided with jobs continue to commit offences, then put them in an institution where they will get proper training, and when they come out, whether as probationers or not, they should be provided with opportunities to earn a decent livelihood. I am not opposed to this Bill but, as I have said, it is not going to achieve very much.

Cinematograph (Amendment) Bill: November 14, 1952

Dr. Jagan: I think the Hon. Member for Georgetown Central (Mr. Fernandes) raised a very interesting point—the point about the right of appeal—because it seems to me from this clause 2 that the Superintendent will be empowered to determine what should be the safety limits, so far as fire hazards are concerned and, as the Hon. Member rightly said, opinions may vary as to the pattern required for proper safety requirements. I can see the amendment in certain respects will be regarded as an appeal, because if the Superintendent refuses to give a certificate and says *“Look here, you have to carry out such and such alterations”*, then the person involved can go to the Board and say *“Here I am told to do so and so; if I were to comply with all the things I am told to do it would be better to break down and build the place over”*. You can have that taking place also.

It seems to me, Sir, that it should be distinctly stated in this proviso also that the Board shall have power to review all the decisions made either by the Superintendent of the Fire Brigade or the Director of Public Works or any other appropriate authority so far as sanitary matters are concerned. If the Board feels that a decision should be changed, then it should have the right to say to the theatre proprietor that it feels the whole or part of the recommendations made should be carried out, and a fixed time given for that to be done. I can see that the point of view of the Hon. Member for Georgetown Central. If the members of the Board say they would not allow the proprietor to open the door of the cinema until the recommendations have been carried out, then we might have a wholesale closing down of cinemas after the Fire Chief has recommended that certain measures and alterations should be carried out for the purpose of staging performances and so on.

I am told that if the Fire Chief or the Director of Public Works is given the right to issue certificates without any right of appeal that would be unsatisfactory, and that the Cinema Board is the correct body to which a right of appeal should lie. Therefore, I shall ask the Attorney-General to revise this clause so as to provide for a right of appeal along with the right to issue temporary licences for a short time until recommendations are carried out. In the case of an old city theatre I cannot see any harm in the granting of a temporary licence to cover the period allowed for the carrying out of alterations and so on. I repeat that some provision should be made for a right of appeal to the Cinema Board, from decisions made by the Superintendent of the Fire Brigade or the Director of Public Works. I think that was the suggestion of the Hon. Member for Georgetown Central.

I appreciate the fact; it may be said that the right of appeal is implicit in the law, but it only applies to the length of time during which the recommendations of the Fire Chief should be carried out. The clause does not say that the Board shall consider as an appeal the question whether the recommendations of the Fire Chief should be carried out. The Board might say that the recommendations of the Fire Chief are to elaborate and might extend beyond the principles involved. That is why I feel that there should be a right of appeal.

The amendment of the Attorney-General was further amended by the Hon. the Sixth Nominated Member. Let us assume that the latter amendment was put to the vote and lost. The other amendment would have had to be taken and we would have voted for it. That is why I wanted a ruling as to whether the Attorney-General is right in withdrawing his amendment.

The Hon. Member is talking about professional people as if their dictum is something handed down by God. Obviously he should know in the case of many Government experts — I take the case of Mr. Hutchison whose schemes were put before Government — we have had to get technical opinion from other experts in order to check and double check. There is no reason why a Board constituted under this Cinema Ordinance cannot get the advice of other people.

Further, someone from the public Works Department says this building does not comply with the requirements. That may be the expert opinion of that one officer, but the board can bring that officer along with other officers, if the individual affected is not satisfied, to listen to the technical advice of the other officers. In the same way Government has had to do so as to determine whether the advice given by one individual is correct. We have the Workmen's Compensation ordinance wherein we have just passed that permission is allowed to the individual to appeal from the opinion of one doctor to another doctor, because opinions may vary. We know that even in the case of engineering science people may make calculations which are not quite correct. It is the same way with medical knowledge, people make wrong diagnoses.

I can see nothing illegal about the argument of the Hon. the Sixth Nominated Member, as the Hon. the Financial Secretary and Treasurer alleged a moment ago. We know in the case of appeals with reference to Government itself, there are many appeals which lie with the Governor in Council for instance. Those people are not experts. Let us take the security of tenure ordinance; they are provided for an appeal from the district commissioner to the Governor who has to be advised by his advisers. It is true that it may be appealing from Caesar to Caesar, nevertheless there is the right of appeal. In this case we feel that in the same way as in the courts you have one body over another, no harm would be done if the decision of one individual, though regarded as technical, should be reviewed by a body higher than that individual.

B.G Representation at Commonwealth Conference: November 26, 1952

Dr. Jagan: I would like to crave your indulgence, Sir, to raise an important matter which is now taking place. I noticed in today's papers it is said that the Hon. Albert Gomes of Trinidad and Mr. Grantly Adams of Barbados are advisers to the secretary of state for the colonies on the West Indies and British Guiana in British Honduras. I do not know if the selection was made by the British Guiana government because, as far as I am aware, I am not cognisant of any such decisions having been made by British Guiana to have Mr. Gomes or Mr. Grantly Adams represent us as advisers to the Secretary of State for the Colonies. I feel, Sir, that these two gentlemen are always speaking on behalf of British Guiana and the West Indies, and it could do this Colony a great deal of good in the future if we have our own representatives to advise the Secretary of State for the Colonies on matters pertaining to British Guiana and, if necessary, on matters relating also to the West Indies. On many occasions we see the same two names appearing over and over. I would like to know from Government whether this decision was made with Government's approval.

If I may make one observation arising out of the remarks of the Hon. the Financial Secretary and Treasurer, I would like to say that from what he has said the regional economic committee has made this decision or has chosen these two gentlemen who are members of that committee. Though nothing can be done with my objection at the moment, I would like to register my strong objection. The regional economic committee, so far as I am aware, is not directly represented or elected by the People's Representatives. I know we have one member, the Hon. Third Nominated Member (Mr. Raatgever) representing us on this body, but I feel that on such an important body as the regional economic committee this Council must have a voice by electing one of its members or someone from outside who is competent to represent us. I am not saying that the Hon. the Third Nominated Member is not competent to represent us, but from what I am seeing and have just heard it seems we are merely getting indirect representation at every level. I do not think that is good enough for British Guiana. I hope that in future when any important matter, such as this conference, is to be discussed British Guiana will be consulted and members of this Council taken into the confidence of Government as to whom the representatives are to be.

Continuance of Part IX of Housing Ordinance

Dr. Jagan: I have no serious objections to the extension of this part of the ordinance, but I feel that this Council should have taken the opportunity to discuss very fully the comprehensive question of housing and planning of the whole city of Georgetown, especially since it is going to mean the reservation of certain areas for industrial purposes, commercial purposes, etc., and that persons will be removed from certain areas particularly those areas which are called slum areas. Also no definite decision, as far as I know, has been made as to how matters will proceed in those areas, whether new houses will be erected, whether the lands will be left as they are, etc.

I have in mind the recent decision that was made to clear an area out in Georgetown for the purpose of slum clearance. I am not quite sure, but I think this curio will come within the industrial zone. What is going to happen in an area such as that when the people who were now resident there, not only tenants but landlords as well, are forced to leave the area? A few of them may be accommodated in the new decanting centre houses, but I am not quite sure whether individuals who own properties in that area will be permitted to continue to build houses there, or whether the area will be left standing - I speak subject to correction - since it is reserved for an industrial area to await the erection of industrial buildings. Taking the rate of industrialisation in British Guiana into account, I feel that is going to be a matter of long-term policy. If this area is reserved for industrial purposes, it would only mean we would have very large area particularly vacant for a very long period of time.

I do not know if this Government or the housing and planning authority has any proposals to build temporary houses to house the workers, or whether, as I have said before, the area is going to be left unoccupied and vacant for a long number of years, awaiting the arrival of industrialists and commercial people. We know that at the moment very few homes are going up in the city of Georgetown and its environs, especially since it is very expensive to build at the moment. Many landlords are reluctant to build new houses, because they say it is not profitable and economical to build houses for the working class people. Any houses that are to be built are being built for the upper and middle class persons only. So we will have facing us a very serious problem.

If an area is to be a slum clearance area, particularly an area in which of the working class families live, and no provision is made to accommodate all those people, even if they are accommodated at the moment at the decanting centre, what is going to happen to the other slum areas? Very large families may be removed because, as far as I see it, this decanting centre is

only a makeshift until the people can be placed on a rehabilitated site. If the plan is to work out properly, then I can see Government or the central housing and planning authority having to acquire new lands from time to time as slum areas are put out of operation and the houses there broken down, and new houses erected on those new areas. I do not know whether the central housing and planning authority has a very comprehensive plan at the moment because, as far as that is concerned, it will be foolhardy to break down houses to clear a slum area and not make provision for the settlement of those people subsequently.

I will support this Motion, but I do hope that an opportunity will be given to members of this Council to debate fully the greater Georgetown plan which was put forward by the central housing and planning authority. I myself have heard various criticisms by members of this Council in finance committee, and I am sure those members would like to express their feelings on this very important matter at an open meeting of this Council, so that all views can be put forward.

Motion - Reduction of Pound Fees December 4, 1952

Dr. Jagan: Before I proceed with this Motion I would like to ask your permission, Sir, to make an amendment to the resolve clause. I would like to delete the word "*the*" in the second line and all the words of the third line substituting therefore the words "*and amount equivalent to 100% increase on the old fees.*" The resolve clause will then read: -

"Be it resolved that this Council recommend to Government that the pound fees be reduced to an amount equivalent to 100% increase on the old fees."

The reason why I have brought this Motion is because of the great hardship which many residents have been experiencing in the payment of these high fees. I do not recall exactly when these fees were raised - sometime in 1949 or 1950 - but before they were raised to what they are at the moment the charges for big animals were 48c. per head per day in the city pound, while for small animals like goats and sheep the fees were 24c. per head. These figures were increased on the last occasion from 48c. to \$2.00 and from 24c. to \$1.00 - an increase of a little over 300%. While I agree that strays found in the city can certainly be a terrible nuisance - not only to people using the roads but also to those who cultivate kitchen gardens and so on - at the same time we must remember that there are many persons living around the city who have to make their living from farming, including dairy farming, producing milk in some cases and in others rearing goats, sheep and so on. Many of these people have, for a long time, been earning a livelihood by these activities - people in Campbellville, Bel Air, Sophia, Vryheid's Lust, Liliendaal and so on.

The complaint about the pound fees is that while they are \$2 and \$1 in Georgetown for large and small animals, respectfully, in Kitty they are very much reduced. I can see no reason why pound fees should be so low in Kitty, those in Georgetown being some three or six times as high. We have been told that Kitty is merely a suburb of Georgetown and that the strays caught there have been reared in the area so that the owners only have to pay a small fee when they are impounded there. On the other hand, if the strays are impounded in the city the fees are very much higher. This discrimination in pound fees has resulted in stray-catchers bringing animals from the vicinity of Kitty and Subryanville to Georgetown pound. Some time ago a gentleman who is residing in Kitty had to write the Georgetown town Council a very strong letter of protest about this matter. He pointed out that sheep and other small animals were being brought from Kitty and impounded in Georgetown instead of being taken to the Kitty pound. The

reason for that is that there is a practice which entitles the stray-catchers to 50 % of the pound fees, so that the higher the pound fees are the more money he would get.

Only a few days ago I had to take up this matter with the drainage board while it was discussing the question of the city limits, because that has some bearing on what I am saying. A large number of sheep were taken to the Pleasance pound and the owner had to pay quite a few dollars in order to have them released. When I took up the matter with the secretary of the drainage board he informed me that specific instructions had been given to the stray-catchers to the effect that goats and sheep were not to be impounded in the area. Nevertheless, it was not possible for the owner in question to get back his money as the drainage board said they could not refund it. I want to make the point that stray-catchers go out of their way to impound people's animals at certain places so that they can get 50% of the higher pound fees, and this has been brought to the attention of the town Council on many occasions. Of course, it is always difficult to prove where the animals were straying; for instance, whether they were at the rifle ranges or at Kitty proper. Apart from that, however, I feel that the fees being charged in Georgetown at the moment are really very high.

This Motion seeks to permit an increase of 100% on the old fees, instead of the unreasonably high increases existing at present. One assumes that these increases were made so that owners of cows and other animals would exercise more care and not allow them to stray. If it is felt that a fee of \$2 would act as a deterrent in this respect, then I feel that the fee of \$1 would serve a similar purpose, since it would also represent a substantial increase on the old fee for large animals and there is no farmer would like to those \$1 per head per night if his cows have been found straying. Therefore, if the figures I have suggested in the Motion are adopted, they would act as a deterrent in the same way as the fees now in existence. I hope Hon. Members will see the reasonableness of this Motion and support it. At the moment many persons at Bel Air and Sophia earn their livelihood by dairy farming, and supply milk to the city. They complained that they are experiencing great hardship as a result of these very high pound fees and it is hoped that Hon. Members will find themselves in agreement with what I have said.

As I listened to Hon. Members I gathered the impression that it is inadvisable to reduce the pound fees because if we do that we would be encouraging owners to permit their cattle to enter other people's land and so on. I think, however, that Hon. Members have failed to comprehend very fully the points I was trying to make. I was not suggesting that there should be no deterrent with respect to these owners of cattle, but that we should consider whether the fees being charged at present are not going beyond the stage of being merely a deterrent. The Hon. Member for Demerara River, for instance, cited the fact that a magistrate can exercise a discretion and impose a fine on a sliding scale for stealing, but in this case - a question of

pound fees - there is no sliding scale; there is a fixed penalty. I am glad that the Colonial Secretary has details with respect to these pound fees because we find that in addition to the fee of \$2 (for small animals) there is an additional charge of \$2 for the pound keeper. Therefore the fees were actually raised from 48c. to \$2.

From 96c. we now have \$4 and from 64c. we have \$2. As I have suggested in the Motion, the increase should be one of not more than 100%. My point is that if we fix a fee of \$2 for a cow or any other large animal, and \$1 for a sheep or goat, that would certainly be sufficient to cause owners to take due care to see that their animals do not roam about. I can assure Hon. Members that the poor farmers cannot afford to pay \$2 as pound fees for one head of cattle per day or night in Georgetown. I repeat that a fee of \$2 for a cow and \$1 for a sheep or goat would, in my opinion, be a sufficient deterrent to prevent these animals from being allowed to stray.

The Hon. the Sixth Nominated member has stated that this matter should have been raised before the Town Council. I am not a member of that Council, but perhaps I could have written a letter to them. I remember, however, that these fees were increased by this legislative Council and therefore I thought we had to reduce them also. I agree that it was the town Council which reduced the fees previously from \$4 to \$3 and from \$2 to \$1.50. If any Motion is accepted it would simply mean a further reduction from \$3 to \$2 in the case of cattle; and from \$1.50 to \$1 in the case of sheep and goats. These reduced figures would represent an increase of 100% on the fees which existed before 1950 and would be a deterrent to those owners who permit their cattle to stray.

The Hon. the Colonial Secretary has stated that the fixing of pound fees should be left to the discretion of the people affected - the Town Council or the local authorities - but if that is so the Town Council might very well introduce a fee of \$20 per head of cattle because they do not want any animals to be found straying in the city at all. We have been told that these animals should be left tied but, as the Hon. Member for Georgetown Central has stated, it is very difficult for cattle in the vicinity of Bel Air, Sophia, Liliendaal and such places to roam around Georgetown unless they are driven thereto. The point is that with pound fees being as high as they are at present, there is a big incentive to stray-catchers and it is very likely that they would drive cattle into the city, if possible, in order that they should collect the higher fees.

I am not asking for the city fees to be reduced to the same level they were at in 1949 and so increase straying by cattle, but some honourable members seem to feel that the present figures are not equitable with respect to farmers and other people whose interests we are trying to protect. I would be the last person to say that animals should be allowed to roam around the city and destroy cultivation and other things on private premises, but in the same way as we ask owners to protect their cattle, in the same way we should ask others to lock their gates and so on. We must remem-

ber that many of these cattle owners are trying, on their own, to make a living out of dairy farming and particularly in these days when there is growing unemployment - when people are trying to find every possible means of earning a livelihood - we must not penalise them too severely. I am sure farmers would not permit their cattle to roam in the city indiscriminately if they have to pay pound fees of \$2 per head, per day or per night. I hope Hon. Members will appreciate the points I have made and support the Motion.

Local Soap Industry: December 5, 1952

Dr. Jagan: I would like to make an observation in support of the Hon. Member's representation. What he has referred to about Trinidad is that a firm has been set up there by Lever Bros., and we know that Lever Bros. hold an actual monopoly on soap production throughout the world, and particularly in British Empire countries. It would be a great blow to the industry now working up if it is allowed to be faced with uncontrolled competition from such a giant as Lever Bros. I think Government should look into the matter very seriously.

Criminal Law (Procedure) (Amendment) Bill

Dr. Jagan: I would like to make a few observations, but before doing so I must state my agreement with what has been said by the last speaker. As a lawyer he certainly knows what the position is in the courts, and he has put it very bluntly for all of us, who are not legal members practising before the courts, to understand. One fact to which I would like to refer is the one dealing with the income quantification for the ordinary jurors. I notice here that the amount is to be revised upwards to \$720 per annum, which is a 50% increase. While I appreciate the fact that money values have gone up since the time when the limit was fixed, nevertheless one has to keep in mind what the Hon. Member who spoke before me referred to a moment ago. Trial by jury is based on the fact that one must be tried by one's neighbours, by one's peers. Can we honestly say that everyone in British Guiana, one's neighbour or peer, is earning \$60 per month, and we do know that there are others in private employment who receive much less.

In but in a few cases the wages paid in private employment are higher than those paid by Government. At the moment Government's minimum wages do not provide an income of \$60 per month. I remember when the wages were fixed some time ago - in the latter part of 1949 - they were fixed at \$1.52 per day for male workers in Georgetown and \$1.26 for male workers in the country districts. Since then there has been an increase - in the first case an award of 20% - which added together we find that the income of the workers on the whole will not reach the figure of \$60 per month. If we were to take for our consideration what has been said to us by the last speaker, then you must see to it that members of the working class should also be included in the list of jurors. That is all I would like to say in addition to what the Hon. Member has already said.

I am in agreement with what the Hon. Nominated member has said, but I am opposing the increase of the quantification of a juror from \$480 to \$720 per annum. I feel, Sir, that is not necessary. One should try, as the Hon. Members said, to be progressive and not retrogressive. If we are to be progressive we should try to bring more people within the scope of the jurors' list rather than limit it to certain individuals and thereby make the list narrow.

Customs (Consolidation) Bill, 1952

Dr. Jagan: It seems to me that the draughtsman of this Bill was anticipating events of the future. He was hoping that when the new order comes forward the legislative Council would have the power as stated in this clause. I agree with the Hon. Member for Georgetown Central that in the present circumstances this clause is against the idea expressed in the order in Council. If the order in Council says we have not got the power, I do not see how we can pass a clause in this Bill which says that we can assume such powers. I do not know whether the Attorney-General is seeking a short-cut so that when the new Constitution comes into being he would not have to amend this ordinance. To my mind also, this clause is certainly repugnant to what is stated in the order in Council.

I notice that we have departed from the track and are introducing Motions and Bills, and passing them before they should be made law. Now we are to have an order made by the Governor in Council and submitted to the legislative Council for approval, amendment or revocation. I am not fully in agreement with this change because I cannot see any reason for it. I would like the Hon. the Attorney-General to tell us what is the practice at the moment - whether the Government has the power to make interim orders as set out here in this clause, to change duties and so on.

When the order is made in this Council the Bill is brought, and if it is passed then it becomes law. If the Financial Secretary proposes an increased duty on tobacco, for instance, a Bill would have to be brought, and if it is approved it becomes law. Under clause 9 an order is made, and unless someone objects to it, then it automatically becomes law. The procedure, as I see it, however would be changed under this clause 9. If that is passed it would merely mean that you would see something published in *Gazette*, and if we are vigilant we would know it and bring a Motion later asking that it be confirmed, amended or revoked, as the case may be.

I notice here that the Governor in Council will be given very wide powers, similarly as in clauses 41 and 42, to make orders. I notice that under clause 9 there is to be the submission of these orders to the legislative Council, but in respect of this question of the prohibition of imported and exported goods there is no such provision. I feel we should have a similar provision in respect of clauses 41, 42 and 43. I do not know what the Hon. the Attorney-General would say about it, but I feel it is a very important issue and members of the legislative Council must have, as in the case of taxation, something to say on these orders made by the Governor in Council with respect to the prohibition of importation and exportation. I think if

the clause similar to clause 9 is placed here to deal with clauses 41, 42 and 43, it should meet the case in respect of these clauses.

The Hon. the Attorney-General has told us that at the present time the Governor has similar powers, but this is a very important matter. Not long ago we had an Hon. Member moving a resolution relative to the importation of certain items. I think it to do no harm if the practice that is set out in clause 9 is adopted. If the Hon. the Attorney-General agrees I should like to move in a new clause 44 to read as follows:

“Every order made under section 41, 42 and 43 shall after four days and within twenty-one days from the date of its first publication be submitted to the legislative Council, and the legislative Council may by resolution confirm, amend or revoke such order and upon publication of the resolution of the legislative Council in the Gazette, the resolution shall have effect and to order shall then expire. If the order be not submitted within the said period of twenty-one days to the legislative Council for confirmation it shall ipso facto expire.”

It is the same procedure. It is only giving the legislative Council a say in the matter. It is not taking away any right from the Governor in Council. It will be merely a matter of formal approval, but nevertheless the legislative Council will have a say in such an important matter as the prohibition of importation and exportation in this colony. I beg to move the new clause 44 or a new sub-clause to this clause.

All I wanted to do was to insert a new clause. I would have introduced an amendment to each clause, but I feel that if we have one clause to cover all three clauses it would be better. That is why I did not introduce the amendments before. What I want to do is to introduce a new clause 44, reading almost exactly the same as clause 9 with the exception of having instead of the words “section 8” in the first line the words “sections forty-one, forty-two and forty-three.” It is very simple. I would be glad if you take that.

Cinematograph (No.2) Bill: December 17, 1952

Dr. Jagan: I see nothing wrong with this Bill as presented to the Council. However, I would like in the committee stage to move one or two amendments. I think, Sir, the time is long past when we should have a board of sensors in this Colony. At the moment all the powers are in the hands of the Commissioner of Police, and certainly in some instances I, personally, do not agree with decisions which have been made by him. I recall very recently a film called "*The home of the brave*" was banned from public exhibition in this Colony. I have not had an opportunity of seeing it, but I have read the review of it and, from what has been told about it, it is one of the best films made in the USA on the Negro question. I see no reason why that film has not been allowed to be shown in this Colony. Now that the board of censors is to be set up, we hope one would get an opportunity to present a proper case to this board and, if necessary, to the Governor in Council by way of appeal.

I see also that the present practice of having films censored by the Trinidad board and shown here is to be continued. That is provided for in clause 3 of this Bill. I think that in addition to that we should enlarge the provision to include the censorship board in the United Kingdom. The reason for my saying so is that at the moment we have some films coming from the United Kingdom into this Colony which do not pass the censorship board in Trinidad. I have in mind films imported by the British Guiana film Society. Some of them are in foreign languages - Italian, Swedish, French, etc. Easy facilities are available in the United Kingdom to review those films properly. If they are about to be exhibited in the United Kingdom, I think they should be exempted when brought to this Colony, because we have not got the same facilities here as in the United Kingdom. So when the time comes I will move a further amendment to clause 3.

I wish to move an amendment at the end of clause 3 (1) and (2) to read after the word "*Trinidad*" "*or the United Kingdom*". As I have already intimated, films which are passed by the Trinidad board of sensors will be allowed to be shown in this Colony without further examination and, as I have said, there are films coming into this Colony at the moment from the United Kingdom which are shown in the United Kingdom. Some are brought under the aegis of the British Council and some by the British Guiana Film Society. Many of these films are foreign films, and I do not see, since we do not have many linguists here, that we can adequately sensor these foreign films which are being shown here. I feel that, provided these films have been approved in the United Kingdom, we may adopt the same procedure as in the case of Trinidad and have them shown here, as

long as they are allowed to be shown in the United Kingdom.

I appreciate the Hon. Member's point. I do not think he understands exactly what I was saying. Ordinarily a film coming into this Colony will have to be submitted to the film censors who will have to see it and then either approve of it or not, as the case may be. If your film comes from Trinidad and it has the approval of the Trinidad board of sensors, the people who bring these films to the Colony can simply present to the board of censors here the certificate of the Trinidad board of censors, and then the board of censors here and without seeing the film give permission for it to be shown. All I am asking is that the same procedure be adopted so far as films coming from the United Kingdom, which have been approved in the United Kingdom, are concerned. Otherwise every film coming here will have to be submitted to the board of censors for approval.

The point is, the film companies will assume that with this certificate either from Trinidad or the United Kingdom they are more likely to get the film approved without it having been shown to the board, but if there is no certificate then the film would automatically have to be shown. I agree with the Hon. The Attorney-General that possibly the words I seek to insert may not comply with the legal customs, but as long as he agrees with the principle of the thing I feel I can leave it to him to amend it in the proper form acceptable to this Council.

The Hon. the Attorney-General has quoted to us the law from Halsbury. I do not know much about it but I am wondering how he reasons that is so, because I remember when I was in the United Kingdom recently I found that no picture was censored before it was shown. If it is licensed to be shown in the United Kingdom it is almost taken for granted. If you say that there is no board of film censors, the fact that a picture is licensed automatically gives it approval for exhibition. It is almost saying that the film is allowed to be shown by the licensing authority or board of censors. That is all that is said here. I am not saying that it must be done by a board of censors.

The Hon. the Attorney-General says that in England there is no provision for a board of film censors. As long as a picture is licensed it is accepted - let us say - by the B.G Film Society to be shown here, as the film was allowed to be exhibited in the United Kingdom whether by a board of film censors or some other licensing body. The same provision can be made here because, as he rightly pointed out, the fact that it is passed by the board of film censors in Trinidad presupposes that it can be exhibited in this colony. The fact is that once the film censors here have the knowledge that it was allowed to be exhibited in the United Kingdom, then it comes to the same thing. I think that should be instituted here.

I see the Hon. the Attorney-General is not quite clear as to the method adopted in the United Kingdom, and that seems to be the stumbling block at the moment. I do not see any difficulty in adding another sub-clause (2), to read in almost the exact words as in the first proviso:

"...and provided further that the board of film censors may without any examination approve the exhibition of any cinematograph film, if there is in force a certificate issued by the authorities in the United Kingdom for the exhibition of the particular film in the United Kingdom."

That will be on a similar footing to sub-clause (2), except that in sub-clause (2) it is done directly by the board of film censors. As long as it is licensed, I do not see how the Hon. the Attorney-General can say he does not know.

To use the board term I used, that is the caption one sees on many films exhibited in the United Kingdom. One sees this statement: *"this film is licensed to be shown in the United Kingdom."* I think if that sub-clause is put in it would meet the whole case, otherwise I ask: if films are not censored in the United Kingdom, then why bring in censorship in films in this Colony? If the Hon. the Attorney-General is not prepared -

The point I was making is that if there was no board of censorship in the United Kingdom what is the object of introducing in this Colony censorship of films? Most of the films which come into this Colony are generally exhibited in the United Kingdom. If the argument is that there is no film censorship there, then I see no necessity for it here.

If it is not called a board of censors then we can use the general statement - *"one which is licensed to be exhibited in the United Kingdom"* - which would cover whether it is done by a board of censors or by the Lord Chamberlain, or anybody else. I am not concerned with who actually does the censoring. All I am interested in is that the film has been censored and a certificate issued for it to be exhibited.

I do not think there is any disagreement with what the Hon. the Attorney-General has said about the film censorship board having the right to refuse any film, no matter what certificate is attached to it. I agree with that, but the whole point is that if a film is coming here from Trinidad and it has been censored there and a certificate has been given for it, when it comes here the board, having been apprised of the existence of the certificate, may or may not pass it. It is likely that the board may not go to the trouble of examining that film again. What I say is that there are many films coming here from the United Kingdom either directly or passing through Trinidad. Because of that it would be better if in the opinion of the film censors they should be shown here, that all they have to do is not to look at the film but accept the certificate give. If there is no board of film censors in the United Kingdom that qualification would be quite right, but the Hon. the Attorney-General can certainly get around that.

What is worrying us at the moment is not how the film is censored or how the certificate is obtained, or whether it is done by a film censorship board or any other body. That is not the point which is worrying us at the moment. All we are concerned with is that the certificate has been issued. I

feel that if the Hon. the Attorney-General is willing to add another proviso it may be done in two forms. The first proviso to clause 3 (1) can be extended by the addition of the words: "*by the authorities in the United Kingdom*" after the word "*Trinidad*" in the last line. In that case the approval would not be qualified or governed by the "*board of film censors.*"

As I see it, however, the Hon. the Attorney-General is not prepared to do that for a moment. He is suggested that we should pass this Bill and come back subsequently for the insertion of another clause to amend this one. I think that would be a waste of time. To my mind the matter could be dealt with at this moment by simply adding another proviso which I am ready to move at this moment. I move that after the word "*Trinidad*" in the provisos to clause 3 (1) and (2) we add the words:

"...and provided further that the board of film censors may without any examination approve the exhibition of any cinematograph film, if there is enforced a certificate issues by the authorities in the United Kingdom for the exhibition of the particular film in the United Kingdom."

I think that makes the situation clear. It does not make any difference who issues the certificate, so long as it is issued in the United Kingdom. This also agrees with what the Hon. the Attorney-General has said, and I am only now putting it in a form more in sequence with things.

Establishment of B G Rice Development Company: December 19, 1952

Dr. Jagan: I have listened to Hon. Members very carefully on this whole matter relating to the Rice industry, and I would like to deal with this issue of the company from the point of view which has been put into the definition of the Rice Development Company. When I speak about rice Hon. Members will forgive me if at times I take the Rice industry to mean the present, because throughout this Colony the peasantry is particularly based on rice and whatever affects the rice industry affects the peasant. This company is to be styled the "*B.G Rice Development Company*". The word "*development*" seems to be very fashionable word nowadays; even when exploitation is meant, the word "*development*" is used. We have the Colonial Development Corporation and we have other instances of development. This company is to be formed as a private company at the beginning we are told, and later on it is to become a public company.

But whether it is private or public, I would like to look at this thing from the point of view of development - at least what is intended to be done by the company, that is the setting up of two central mills and expansion of rice cultivation at Mahaicony-Abary - and see whether that the same development could not be done otherwise and the money which is to be put into this company - whether it is \$5 million or \$10 million - used very profitably in other ways to develop not only the rice industry but the country as a whole. We can improve peasant agriculture and, indeed, the national income of the Colony. That is, naturally, the whole intention of these development projects.

Take as an example the sugar industry and compare the figures of production and export. I saw only today a circular letter sent by the East Indian Association and it showed that sugar production had increased tremendously from 1929 to the present time. But, those figures disclosed that the same cannot be said for the rice industry. It is agreed on all sides that we must expand the rice industry, but we must also see to it that when the rice is produced the people who produce it should get most of the money coming from it. Let us examine for a moment the development of the sugar industry and see whether the development of the rice industry has followed in the same path.

Sugar is a very important industry, and I think we can learn a great deal from the way in which it is organised and run. First of all, the sugar industry is planned on a big scale over large areas of land and, luckily for the sugar producers, they have vast areas of land which they can tap. That is so far as production is concerned. Research of one kind or another is utilised and taken advantage of for increased production per acre of sugar.

After the sugar crop is reaped it is then transported but how is it done?

We saw from the report of the committee which sat to investigate the Transport and Harbours Department, that a few years ago sugar was being transported by rail but now it is being transported by water and the sugar producers themselves. I bring this up not because I want to show that in any industry there must be integration in order to make much profit. In any industry you can think of there is always that integration, but when it comes to the rice industry I would show that if there is capital to be expended we should expand it in ways which will ultimately bring profits to the people concerned - the growers of the rice industry. While the sugar people are transporting their sugar now by waterways, rice is being transported by the railways and we see an increase in the figures. It does not make any difference whether the farmers or the Rice Marketing Board pay the increased charge because we are told the profits go to the farmers, but if the cost of the transportation is high there would be no profits to go around.

Then we come to another phase of the matter. When the sugar gets to Georgetown it is insured. The big companies such as Bookers, for instance, have their marine insurance and their own fire insurance. Possibly their fire insurance is tied up with the local insurance companies. The sugar is taken away and there we see further development such as bulk loading. In whose boats is the sugar transported? Again it is by Bookers' boats, and again the profits are kept within the company. The sugar is taken to England by Bookers' boats which bring back many other things - food, clothing, the machinery needed for the sugar factories and foundries, etc. And so we have in the one industry a tower of integration from the production end to the end of the complete sale and back again to the other aspect - equipment. But, when we look at the rice industry what do we find? This proposed company is not to invest in, let us say, transport. Right now we see it is going to invest in two rice mills and in the expansion of the Mahaicony-Abary-Onverwagt Scheme.

Let us take, first of all, the Mahaicony-Abary-Onverwagt Scheme. We are told from this agreement that the rice produced by this scheme must be exempted from the control of the Rice Marketing Board for a period of ten years. And what is the explanation given by the Hon. the Financial Secretary and Treasurer? The very nature of the development is that it is something doing experimentation, doing research, and consequently, it is likely to lose money. Therefore, the company will take advantage of other markets where the prices are better for at least 10 years. That is the only explanation which can cover that because there is no other excuse. There can be no excuse why the rice produced by the Mahaicony-Abary scheme should be sold outside the control of the Rice Marketing Board.

Perhaps I used the expression "*outside the Rice Marketing Board*" and the Hon. the Financial Secretary and Treasurer is taking the literal meaning of it. The actual fact is this: whether the rice is sold through the Rice Market-

ing Board or not, the money derived from the sale is not going into the common pool and, therefore, it is an advantage. In actual fact, the Rice Marketing Board was created as a single-selling organisation and all profits were to go to the producers. Whether the rice is sold through the Board or outside the Board and special facilities are given to the Mahaicony-Abary Scheme it does not make any difference. Aside from that, let us deal with the matter at the moment from the point of view of development.

Will the Hon. the Financial Secretary and Treasurer tell us that the method of cultivation of the Mahaicony-Abary Scheme is much more profit-making than the peasants' method of cultivation? It is true he has told us that it is an experimental place, but how long is this experiment to continue and over what areas of land? If the experiment is to continue, that is confined it to 100 acres and to subsidise it with Government funds, but not take thousands of acres. Now an additional estate is to be bought and added to the scheme. Can Government say - I am talking now about development - that the peasants in this country if left to themselves, will not be able to develop that area as satisfactorily as the Mahaicony-Abary Scheme? That is the No.1 question I would like the Hon. the Financial Secretary and Treasurer to reply to.

We were told to a great deal a little while ago by the Hon. the Financial Secretary and Treasurer, of how Sir Frank Stockdale admitted that his opinion proved to be wrong - how the tractors did not stick up in the dams and how the peasant farmers followed the beautiful example of the Mahaicony-Abary Scheme and purchased machinery, etc. But that is one side of the tale. The other side is this: while the farmers and peasants have followed the example of the Mahaicony-Abary Scheme and bought tractors, etc., they did not have the same conditions under which to operate. The Mahaicony-Abary Scheme area is well empoldered, drained and irrigated.

Control of water is very important in the mechanisation of the rice industry. What happened in the 1950 floods? A lot of people with harrows and tractors were seeking out on the road. Only recently, during the last rains, many of the people who had 100 acres in the Abary and Mahaicony areas could not reap their crop because they could not depend any more on the traditional hand method, but the machines could not work because there was no water control. Let us talk about development and let us come to that. If we have \$10 million to spend on the industry, let us spend it in producing the rice. The question is, whether the farmers can produce as efficiently or more so than the Mahaicony-Abary scheme and do so at the present time? Rice can be grown and produced in tremendous quantities in this Colony, and I do not think the Government should adopt the functions of growing rice through a company. If it is an experiment, let us limit it to 500 acres and I would vote the money, because we need to grow an improved variety of rice; we need to experiment also on different types of machines, so as to let the industry expand.

I am one of those who are supposed to have suggested nationalisation.

Members may say: "*why is Jagan taking the other stand?*" I suggested nationalisation and my friend on the left (Mr. Fernandes) suggested just the opposite, but now we are changing sides; he is now coming to the side of nationalisation and I am the one who was saying or otherwise. Under present conditions we, the people of this Colony, do not have any control over Government and do not want nationalisation under the conditions we have in the Colony today. An attack on controls is necessary and until we can get that - until these tin gods are removed from the Rice Marketing Board - we would not be able to establish nationalisation, or state capitalism - that is a better term for it.

Let us deal for moment with the question of production of rice. Can the rice farmers in this Colony produce more rice than they are doing at present? I say yes. They can produce two or three times as much if they are given the lands and the necessary water control. The answer will be that we are embarking upon water control schemes, but let us have a look at them. The one at Boesasirie is proceeding at a snail's pace and is to be concluded in the next five years' time.

This schemes at block III on the Corentyne has been completed, and we are now about to embark on Block I and II. When we went up there a few weeks ago I asked the deputy director of public works who was in charge of the scheme how much land would be available when these three Blocks - you can get some shut eye if you want to - are finished, and I also asked him how many acres are at present being utilised. The answer was that the additional land that would become available for rice and other cultivation would be about one half of what is available at present. At the moment farmers on the Corentyne are cultivating four or five acres per annum, each, and when these three Blocks are completed as regards water control they would get 2 1/2 or 3 times more acres of land. That would make a total of seven or eight acres per farmer, but that would not help very much.

The Hon. the Financial Secretary talks about development, but we should talk about development indeed. Let us talk about money - whatever we can get from the C.D.C. or elsewhere - and put in proper drainage and water control for the people, and lets us forget about getting land for Government because the farmers can do this and, possibly, do it very much more efficiently. That is one aspect of the situation. Another aspect is to remove the virtual land dictatorship which exists in this Colony today. The thing that has held back production in this Colony is the virtual land dictatorship which exists. If government is thinking in terms of development for the rice industry, then the quicker they institute some method of land reform and remove this feudalism - whether on the Essequibo Coast or on the Corentyne - the better it be. That is one of the ways in which the people would be given an incentive to produce.

It has been proven in other parts of the world that when a farmer owns the land and has complete security of tenure, he works it in a much better husbandlike manner. He looks upon it as his personal property and he

cares it in a much better way than if he is renting from feudal landlords. That is another way in which Government can bring about improvements if they are thinking in terms of rice development, and unless this method is adopted they would not be helping the producers very much. I also want to point out that rice is not the only thing the producers need to grow. A lot is being said about rice today, so much so that when I visited the No. 48 village, Corentyne recently and found that rice has now taken over everything. Where there was once cattle there is now rice. The cattle are going to the reefs for pasturage and the people are no longer planting ground provisions because they say, the cattle are going to destroy them.

I repeat, that apart from better water control we need a departure from feudal land ownership in this Colony. We also need to plan our agricultural programme properly. My friend, the Hon. Member for New Amsterdam, has always been crying out for artificial insemination on the Corentyne, and I have just written a letter to the director of agriculture asking him to carry out an artificial insemination service in that particular area. Long-range planning along the lines of generalisation in agriculture is necessary, to my mind, for the establishment of successful peasant industries. The chief place in that respect would probably go to the rice industry, but when I think of development we should think along general terms.

Let us now deal with the question of milling paddy, following its production by the farmers. Government has to introduce central Mills in various parts of the Colony. Why? Firstly, they are more efficient - that is what is claimed anyway - but we have not seen many benefit in that respect. Secondly, according to the Hon. Member for Georgetown Central, these central mills carry artificial dryers and can produce during the wet seasons, whereas the small mills use concrete dryers and can not do so. At the moment the advantage is on that score, but the Mahaicony-Abary Scheme has not been paying. I see, however, that it has just advertised the payment of a small bonus. So far as the second point is concerned, it is a very clever point - I must concede that. Can we say that rice milling would not have been improved and extended in the near future by these private individuals who own the mills at the moment? It is a known fact that as rice production increases the millers who want to get something out of the industry do not hesitate to increase their milling capacity. That happens all the time. In this Colony there is no emphasis on milling capacity at the moment. As the Hon. Member has suggested, we do not get the milling capacity at the right time; that is, in the rainy weather. Therefore, in order to meet the situation, some of these mills should be erected in Demerara and in a period of three or four years. That is to say, if rice production increases during this period those people who have mills at the moment would have to invest their money as capital in expanding the capacity of those mills.

I would go further to say that if artificial drying is paying at the moment, then Government should take steps to give lands to those private millers so that they might make the necessary provision to carry it out. I

am not advocating the cause of the millers, but in the same way as I was attacking them - suggesting that some of them adopt the practices of feudalism as regards milling - I would urge that assistance be given to the honest millers because in the one case it is a retrograde step and in the other it is a progressive step. I should like to point out that because of the land reform, production has increased tremendously in China which was a famine-stricken country for many years. The result has been that not too long local China was able to export grain to famine-stricken India.

The Chinese Government does not differentiate between the small and the big landowner, permitting the peasants to work the land largely for the benefit of the latter. Each peasant is provided with an adequate amount of land because the government has realised that when the people are comfortably settled on the land they can produce more and thus help to solve the industrial problems of the country. On the other hand, the government is encouraging the small industrialists - those who were landlords and whose lands have been taken away from them - by giving them help in a variety of ways. I think we in British Guiana can very well learn something from what is taking place in that country. The answer always is that that is communist China, but we should not seek to dismiss everything because it is communist.

Only recently when I was in Barbados I had the opportunity of reading about the question of industrial development in the backward areas of three communist countries, since mention was made of it in the 1950-51 report of the world economic conference. I think government officials in this Colony should read this report and see what is taking place in the countries concerned. Some members believe that because these countries are communist that is the whole story. At the moment central mills are considered to be vitally necessary, but let us examine that question. If they are necessary, why doesn't Government go in for central milling the sugar industry or the timber industry?

Dr. Benham who came here a few years ago referred to the close proximity of certain sugar factories on the east coast, Demerara, and said that that should not have occurred. Why doesn't the Government introduce central milling for sugar such as we find in Cuba, Puerto Rico and elsewhere? We notice that the C.D.C. is also going into the timber business in this Colony, and I have been told that the milling of timber here is very backward and out of date. I feel that apart from developing in hinterland industries in this Colony we should try to encourage native capital. When I say "*native*" capital I mean that if a man has a small mill - whether it is a rice or a timber mill - he should be helped by Government, because his money and his proceeds would be spent right here in this colony and would not be transported abroad. We do not want foreign individuals coming here today who will take away salaries, pensions and everything else including profits in the long run.

I am for progress but initiating that progress we must be able to get a

full picture of the situation and find out how development should take place. On one occasion in this Council I said that the time had come when Government should introduce a different taxation so far as the people who have invested their money in British Guiana are concerned. I have in mind the fact that every Tom, Dick, and Harry who can accumulate a little capital, or possibly because he cannot make a living and get a job anywhere else, opens a cloth store or a cook shop in this Colony. There are hundreds of them all over the place. I feel that much of that money which is going as commercial capital should be converted into industrial capital. Let such as them be given a differential taxation; that is to say, if we charge him 40% taxation for the cloth store we should charge him 30% for an industrial undertaking - so long as he is a native of this Colony. In such a case we would not have had to go to the C.D.C. and borrow \$5,000,000 at three quarters of one per cent - above the present bank rate. The concern which is being operated by the Mahaicony-Abary Scheme is not making any profit.

As the Hon. Member for Essequibo River said yesterday, if the mills do not make profits eventually, the business would have closed down because the price of paddy would be fixed. Is it not possible for Government to take the money which it is borrowing, and which it intends to use in the setting up of this company, and utilise it in other methods of helping the industry, and leave milling to the millers under proper control? I am not saying that there should be no control so far as the millers are concerned, because some of them are sharks. There must be an ordinance to control them in the same way as there will be a committee to find out how much it costs a central mill to produce a bag of rice, and in the same way as there will be regulations for the control of the central mills in the various districts. That is necessary.

Let us take the question of transport for a moment. As far as I see it, if this money is to be invested in a company which will, eventually, be taken over by the Rice Marketing Board, if the functions of the Board are to democratise or assume democratic control of the rice industry, then the Board will become an integral part of the rice industry. I have heard that there was such a scheme - somebody was thinking about it at any rate - the intention being that Government should buy all the paddy and let the Board be responsible for dealing with the millers. I have had to take up several cases on behalf of farmers who sold the rice to the Board. They complained that they sent a particular grade of paddy to the millers but received price of a different grade. The explanation given by the Rice Marketing Board was that it was probably that the paddy was carelessly handled by the millers during that early period of the Board's activities, and therefore the Board had to buy paddy and farm it out to various millers.

Let us consider particularly the question of transport in the interest of the rice farmers themselves. Can this company make profits if the farmers go in for transport in addition to planting and milling? In looking at the entire situation I have to do so from the point of view of the peasant and

find out what is more profitable to him. At the moment, as I have already stated, a lot of the paddy owned by the Board is being transported exclusively by rail. In fact, I am told that at one-time the Transport and Harbours Department used to take stone by ship to Surinam and to spring lands, and bring rice from those places to Georgetown. The Department also took rice from this Colony to Trinidad and brought back gasoline - a very profitable service, to my mind.

As regards the question of integration, I think the Rice Marketing Board would do well to consider getting its own fleet, whether of schooners or otherwise. I wonder whether Government has thought of that aspect as regards developing the rice industry. I rather think they have left that profitable aspect to private capitalists. There is in existence a schooner pool - I think the Hon. Member for Georgetown Central is connected with it - and its services are used for transporting most of the rice sent from this colony to the Windward and the Leeward Islands. Government should give consideration to all those matters with the idea of developing the industry.

Let us now deal with the question of insurance: Bookers ensure their ships and they are their own agents in that respect. What is wrong with the idea of Government setting up its own insurance scheme? I spoke this morning with Mr. Bayley, manager of the Rice Marketing Board, and I was told that fire insurance comes from the local companies, and marine insurance comes from Lloyds. I think the Hon. Member for Georgetown Central is also the agent for certain insurance companies. All these facts can be gone into by Government and steps taken to improve the situation as regards insurance.

Then there is the question of buying and hiring machinery. If Government wants to develop the industry they should set up a machine and tractor service along the coastlands, and there should also be one or two bulldozers. Such things are necessary at the moment at places like the Mahaicony-Abary and Corentyne districts where farmers sometimes have to break lands with their bare hands. Millers and other private people are not going to invest their money for the benefit of people who have rented these lands. Recently we noticed that Bookers and other firms have been bringing tractors into the Colony.

I think the Rice Marketing Board should assume this function to a large extent, but sometime ago it was asked why should the Board enter this class of business. When I criticized the Board I did not do so from the point of view that it went in for those things, but rather that it carried the wrong things. If Bookers, Sprostons and other firms which declare profits of 14% can import these things, Government should also invest money in them for the benefit of the rice industry and the Colony as a whole. I think the Government would do well to give greater consideration to the various aspects of the industry than they are doing at present. I am not opposed to central milling, but the fear of the farmers is that when this company has been formed it would endeavour to eliminate all its competitors who mo-

nopolise the milling aspect of the industry at present.

We have been given the assurance that that will not be.. The Hon. Member for Georgetown Central (Mr. Fernandes) told us that he would not tolerate any Government action which would force peasants to take their rice to a Government mill. I was glad to hear him say that, but if he looks into the Rice Farmers (Security of Tenure) Ordinance he would see that there is a specified condition that if the loans are made by a landlord to farmer for the purpose of planting or reaping his rice, he has to take the paddy to the mill designated by the landlord. When we remember that this company is to be more or less a Government company and that Government will also be controlling lands and possibly leasing them to people for rice cultivation, sooner or later we may find the leases coming from the same company and all the rice going to the same company. These are all fears, and a ways and means can be found to utilise these open doors.

As I see it, at the moment the rice industry can be developed, but it needs proper planning. At the time the Rice Marketing Board was created, it was intended, in my opinion, to strangle the rice industry. We are told that the Rice Marketing Board was started to eliminate the middlemen and what not, but that same Rice Marketing structure has today become a Frankenstein monster so far as Government is concerned. But when one looks at the laws realistically one finds it is not the Frankenstein monster it appears to be. It is very essential, in the interest of the industry, to control the Board. Government may deny that, and the Hon. the Financial Secretary and Treasurer may deny it also, but they cannot say that. During the war the sugar plantations were not experiencing great difficulty in getting workers to stay on the estates, and but for control rice would have gone up to possibly \$18 or \$20 per bag if sold in the free market. That is why control has been put on. Now the situation is changed and, having created a monster, we must get away from it.

The situation is changed today because rice is appearing to be profitable. Certain people are now going into the industry not from the point of view of the peasant, but from the point of view of agricultural capitalists. Some landlords are certainly doing that now; they have taken away the lands from the farmers because it will pay them to do that and, therefore, the door is left open even in respect of this company. My Hon. Friend has asked for an assurance that the shares will not be handed over to the Colonial Development Corporation or anybody else. We would like to hear what Government's view is about that matter because, as much as I oppose Government's setting up of a private company, I am much more opposed to a capitalist reaping profits from this company with the blessing of the Government. If rice obtains a better price and pays bigger profits we would see that. Bookers are converting Vryheid and Bel Air, where the people are producing milk by the gallon and farm products into the plantation system of rice cultivation. That is why we now see an escape clause from the restrictions of Rice Marketing Board. I would like Government to tell us

whether or not it is going to give the assurance the Hon. Member has asked for.

The Hon. Member is always talking about the next legislative Council under the new Constitution, and also about the changed composition of the Governor in Council under that Constitution. But I have seen how Governor Rance is acting with the elected ministers in Trinidad. This situation is no better or worse than it was under the old Constitution. Therefore, we should not put much hope in the Governor in Council under the new Constitution. I would like to see Government consult the people first and get their wishes. The people have certain demands and Government would do well to look after those demands first. I am not pleading for the millers. It cannot be said that I do not want the central mills to be set up, but that would destroy milling by the small people and they would become enslaved. I am looking at the situation in British Guiana realistically. We can only find limited capital at the moment to develop this Colony. If we have limited capital then let us spend it in the best possible way and leave other avenues which can be developed by private individuals.

The Mahaicony-Abary Scheme should not be handed over to this company. Let the Government have a small concern to continue with the scheme, and even if we can get some money, let us utilise it in water control schemes and proceed with them much more rapidly. The fact that we have them in plans and are hoping to carry them out at sometime in the future, is of no satisfaction to the starving people. While on that point, I would like to make this observation: that with the limited capital at its disposal, if Government were to go to the people and talk to them, it could win their confidence. That would be no miracle. Governments in other parts of the world would consult the people, but this Government sits in its ivory tower and issues declarations through its district commissioners and agricultural instructors. They should go to the people, even if it means working in the evening hours when the farmers are at home, and talk to them and try to win their confidence.

I am sure that with great demand and an urgent need for land at the moment, if the Government tells the people it would embark on these schemes provided it got their corporation, Government would get their voluntary help in labour which could be paid for at some future time when the land is producing wealth. For that matter, they can each be given 15 or 20 acres of land, rental free, for the first few years of the drainage and irrigation programme.

Rice is a seasonal crop, and so is sugar. Vast areas of land are under sugar, and now there is rice displacing cattle and ground provisions. After the planting season the people sit at home doing nothing. I think that if government were to utilise its available capital, take some of that Post Office Savings Bank money - Government does not like to hear about nationalisation and control of banks etc., but that is where we are going to get the capital - and make lands available to the people of this Colony, land-hun-

gry as they are with so much need for proper irrigation and drainage, they would give free labour to Government, or labour which can be rewarded in the future, either in cash or kind. That is the only way we are going to be able to develop this Colony quickly. Government has development schemes and plans, but it takes so very long to put them into action that there is suffering. That is why the people have no confidence in the Government. If the Government is to win the confidence of the people it must embark on those undertakings which would pay, and not only on the ones on which we are losing money. With the profits obtained, Government could embark on financing other schemes.

The Hon. the Financial Secretary and Treasurer in dealing with the agreement referred to the advisory committee which will be set up to regulate the functions of the Board and the company, said that one member of the Rice Producers' Association who will be nominated through the Board will be there and will be a watchdog. He cited his own case as a watchdog for Government on various committees and boards, but what he did not say was that the Hon. the Financial Secretary and Treasurer is not in the same position vis-a-vis a rice farmer who may be sent up to the Rice Marketing Board by the Rice Producers' Association. I am glad he admits that.

The influence and the power which the Hon. the Financial Secretary and Treasurer has are such that when he is announced on any committee due weight and regard is given to that. What will be the position of the poor farmer sitting in on this advisory committee with giants, some of whom he is afraid of? That is nothing to laugh about. We have to understand the psychology of the people. I grew up among them on an estate and I know how they feel and act. One soul member representing the rice producers does not necessarily mean that he will have a big voice in this committee of five. The Hon. the Financial Secretary and Treasurer is sitting on these committees as the watchdog of Government.

The Hon. Member for Eastern Demerara (Mr. Debidin) made the excellent point that the rice farmers should have adequate representation if their interests are to be protected. Even on the Board today there is in direct system of election. Even there we do not have real democracy. The farmer goes to the Board on which there are millers, and in some cases there is a conflict of interests, as not at all times do the interests of all walk along the same road. Let us assume that these three interests are walking together: in that case it would mean one person representing the farmers and the other representing the Government nominees, but Government would also have the two members in the company. Therefore, to all intents and purposes, we may as well not form a company, but enlarge the powers of the Rice Marketing Board.

Let the Board borrow the money from the Colonial Development Corporation and so save us a lot of time, writing and paper. But, what is happening? This advisory committee will be a Government committee. To all intents and purposes it is still a Government advisory committee, and the

Rice Marketing board is also a quasi-Government body. So let this whole thing be under the aegis of the Rice Marketing Board. If they want to set up central mills or to go in for shipping, then it could be discussed with the farmers, rice producers and others on the Board and the people would have a lot to say about what they are doing. I cannot see the necessity for setting up a company from the outset.

The Hon. the Financial Secretary and Treasurer has told us that we cannot borrow money directly from the Colonial Development Corporation which is Government money in the first instance. It is one rigmarole affair, all intended to bleed people because, eventually, the people have to pay three quarters of one per cent extra. And what for? Why is the Colonial Development Corporation losing money in the timber industry? It is the high overhead cost - big salaries and so on. The farmers of this country are to pay this extra three-quarters of one per cent for this money which is still British treasury money.

The Hon. the Financial Secretary and Treasurer has said that we are getting a good bargain, because if we were to borrow from the international bank we would have to pay more. We know that the international bank is another arm of the American government and capitalists. It is only another way of squeezing the people all over the world. The Colonial Development Corporation is not interested in the rice industry, despite all the efforts made to open its gates to the corporation. Why? Obviously it is because rice is too marginal. Does the Government have more brains than the Colonial Development Corporation to go in for rice cultivation? The Colonial Development Corporation, having sent all its top men to British Guiana to investigate the rice industry, has seen it fit not to go into the industry.

My Hon. Friend has given the impression that rice is paying now, and says he would not go into any business and remain in it if it is losing money. That is true, because he's dealing with workers whom he has to pay and at the end of the year has to balance what he has learned with what he has paid out. If no profits are made he would not employ people. That is the basis of his being in business - profits - but the farmer is a different man. He does not employ Mr. Jones or Boodhoo; he is employing himself and if he does not he would starve. That is what the Colonial Development Corporation is looking into. We are growing rice on the basis of being wages. They felt that if they have to pay prevailing rates and wages along without difficulties, then rice growing would not be profitable and, therefore they have stayed out of the industry in gone into the profitable one - gold. Now they are to harness water power. They have gone into the timber industry in which they are going to make much profits though they say not, but all the other timber producers are making profits. The rice industry is too marginal so far as the Colonial Development Corporation is concerned. Why then is Government undertaking this venture of guaranteeing it with the taxpayers' money? It either means that we, the taxpayers in general,

will those, or the rice farmers will those if the company is not to go bust. The price of paddy would be fixed in such a way that the milling cost, harvesting cost etc., would be balanced. If the farmers put up a big fight - and a big fight they will put up if things do not go right - then the other way to finance it is to let the Colony make up the loss.

I would like to ask the Hon. the Financial Secretary and Treasurer by what reasoning has he come to the conclusion that the Government of British Guiana - I am not using the word "*company*" because it is Government - can run a capitalists undertaking more efficiently than the Colonial Development Corporation who have got the best brains in the world? When I say "*the best brains in the world*" I mean the best brains outside of Russia. The Russians do not have capitalists now. Let me tell the Hon. Members some little facts. From 1929 to 1951 the production of Soviet Russia was increased to 12 times what it was, while that of America but twice and in France by four per cent. Let him argue about that. That was not done by brains.

(An Hon. Member: Slave labour!).

Dr. Jagan: If slavery is so much a profitable thing as we are being made to believe, it should not have been abolished. Slavery was abolished because it was an inefficient system compared with capitalism and fatalism. Those of us who have studied social development know that. The same way that slavery led to fatalism and capitalism, so capitalism would follow into socialism which the Hon. Member for Georgetown Central would like to stop. But it does like attempting to stop the tide; one cannot stop it too long. Coming back to the point I am making, I think that the Government should answer the question which I have put. The Colonial Development Corporation, which has to steal Bros. who are the managing directors of B.G timbers in British Guiana and the experts running the timber and rice industry is in Burma before they were kicked out lock stock and barrel, with experience in marketing, international trade and central milling, have seen it fit not to go into the rice industry here - either for the purchasing of rice or the milling of rice - but this Government in all its wisdom is going into this very marginal venture.

Let us take a look at some of our nationalised industries in British Guiana, if we are to take inspiration. I think the Hon. the First Nominated Member (Mr. Raatgever) is forever championing the "*Public Waste Department*" supported by the Hon. Member for Demerara - Essequibo (Dr. Singh). Here we have on the one hand the ability to go out from public ownership into private ownership under existing conditions. I pointed out to the Hon. The Seventh Nominated Member (Mr. Macnie) when we were up the Corentyne on the road programme that the Public Works Department takes a track from near New Amsterdam to No. 17 with a full load of mixture of sand and bitumen. The first thing that occurred to me was, why was a trailer

not attached to that truck. Would it not cost less to do so when the trucks can only make about two or three trips per day? When they make three trips they have to do overtime work and the men are paid at the rate of \$3.20 per day, ordinary time, and time and a half for overtime. The engineer in charge was asked, why not attach a trailer to the truck, and he said it would not be possible to do it conveniently because the truck has to be turned gradually by hydraulic power to unload the mixture into the machines which place the stuff on the road.

But we saw people pushing things around, and I am sure that if the situation is properly handled it would save the taxpayers of this Colony a tremendous amount of money. But it is a Government Department, so why worry? Government is paying for it. When we were coming down the road and saw hundreds of bags of paddy laying on the roadside and waiting to be transported to somewhere. There is no integration with regard to the various activities of the Board and we have public works lorries coming back empty all the way from the Corentyne to New Amsterdam. Nothing would be done in such a matter however, because it might be a question of interfering with private enterprise. Apart from the fact that there are many directions in which expenditure can be curtailed we find that tremendous salaries will be paid to the officers when they come into this company. The salary of a director might be \$10,000 a year or there about.

We have seen what is happening in the Rice Marketing Board; the manager started with a salary of \$200 and now he is getting \$600 a month and still asking for more. It has been said that the producers in the Corentyne District particularly are now buying motor cars, but when I was there recently I saw only a few motor cars. Why should it be thought that we should take the taxpayers' money and give these big salaries to the bureaucrats?

The Financial Secretary is spreading this propaganda about my having three cars, but I do not think I would worry to answer that because that is the way Government gives out its information. This is a classic example. The Financial Secretary mentions the fact that I have three cars, but does not say how I got three cars, or when I got three cars. That is how Government spreads propaganda - following what has been written by Mr. Seal-Coon in the *Daily Argosy* - the idea being to prevent people from supporting me and my colleagues. Anyhow, whether that is the intention or not, I have to refute this is lie. I had a small Standard - an 8 HP which was used during the last elections. A small car was used for running all over the country - on the rotten roads that we have.

The time came when the car could no longer run and I bought a new car which I am now using. The old car was taken over by the insurance company and my brother who is also a dentist has another car which is not mine. When the Financial Secretary can believe lies like these and spread lies like these, then we can see why the people have no confidence in the Government.

I am thoroughly opposed to the setting up of this company because, in the first place, I feel it should be a thorough waste of time and is going to mean additional burden either on the rice farmers or on the general taxpayers of this country. It is also going to mean the introduction of more bureaucrats with fat salaries outside the civil service.

I feel that if the rice industry is to be developed it should be developed by the people in it. We should give these people facilities - proper drainage and irrigation, and more land with proper water control under a land utilisation scheme and reasonable credit, and let them develop the industry. Where is the credit that they get at the moment? Government is always crying that it has no money to enable it to give credit to the rice farmers, but if people have money to invest it could be used to give credit to the producers so that they could produce more rice. The bottleneck in the industry is not as regards milling, but in other respects.

Let us look for a minute at the copra industry. We had one copra mill in this colony and a local capitalist set up a big factory which has resulted in an increase in production. Let us have an increase in the production of copra and coconuts, and let us do the same thing with respect to the rice industry, removing the bottleneck at the bottom. We need more coconuts and more rice, and the people who have the surplus money should assist one way or the other in this greater production. I am not interested at the moment with the question of where they get the money from, but they should take it and invest in things like little butter factories, cheese factories and rice Mills. The director of agriculture feels that we need central rice mills because of the artificial dryers which they would carry, but I think that point can be easily covered by the millers themselves. As a matter of fact, I am sure that if Government approaches the Rice Millers' Association and put the situation clearly to them, we would find that if the loans are made available to these people they would be willing to setup mills with artificial dryers.

There is no one - small capitalists or otherwise - who likes to lose money on his investment, and at the moment the small miller is imbued with fear that he is going to lose everything. He knows that the central mills are coming and that he would not be able to cope with them with his present inefficient methods of production - providing the central milling is done efficiently in spite of its high overhead costs. He would therefore be willing to corporate with others and put more capital into his existing business in order to save himself. Men reason like that and a capitalist would also reason like that. Therefore, I would urge upon Government to reconsider this matter and to withdraw this Motion because no useful purpose would be served at this time in pursuing this course. I think more advantages could be gained by utilising this sum of money for other activities relating to the rice industry, some of which I have already pointed out. If the Motion is withdrawn and the matter reconsidered as I have suggested I know that those connected with the rice industry would be satisfied and would

have confidence in Government in the future.

Spirits (Amendment No 4) Bill : December 22, 1952

Dr. Jagan: I was under the impression that before these various Tax Bills were taken together by the Financial Secretary opportunity would have been given to us to have a debate on the budget statement before they were rushed through. I do not see why it is necessary to go through them at the moment, because even if this Bill is passed later, any tax collected in excess of what is allowed would be remitted. I am opposed to this Bill because, in spite of what is being said by the Financial Secretary in his budget statement, I do not feel that conditions are so rosy as to warrant to the removal of this tax. This is one of the two or three taxes which it is proposed to remove.

The Financial Secretary in his budget statement said - I am sorry I do not have the exact figures here - that the sum of approximately a quarter of \$1 million will be remitted by the abolition of these taxes. I would like to know what is the necessity for the remission of these taxes at the moment. It is true that the Venn Commission recommended that certain taxes should be abolished - the acreage tax, the distillery tax and so on - but has the time come to do so at this particular moment? The sugar producers, from what we have seen, have been making fair returns on their investments within the last few years. We have seen the balance sheets of some of the sugar companies recently, and it is apparent that they are not losing any money, and that conditions have more or less changed since the Venn Commission reported. There are also other factors which have to be taken into consideration.

I know, for instance, the Venn Commission recommended that contributory pension schemes should be set up for sugar estates workers, and the explanation given at the time for not setting them up was that the sugar producers did not have enough money to do so. I have not seen any communication on the subject, and I do not know whether, by the abolition of these taxes, the sugar producers will now be able to introduce the contributory pension schemes which were strongly recommended by the Venn Commission. If that does not so, then I am certainly not going to agree with the passage of this Bill at this moment. The Financial Secretary pointed out and gave us an indication of the fairly rosy picture so far as next year is concerned, but I must point out that there are many other present needs which have not yet been taken care of. I will mention, for instance, overcrowding in schools, and I think Government must give very serious consideration to this question.

To my mind, this quarter of \$1 million which should be remitted by the abolition of these taxes, can go a long way towards the solution of the terri-

ble overcrowding that we have in schools all over this Colony. I do not see that any provision has been made for them. As I have said before, the position of the sugar industry has changed materially since the Venn Commission reported. Therefore, we have to take into consideration the fact that even though this Commission recommended the remission of these duties, conditions have changed in the meanwhile, and because of the need of the people in this Colony it is important that these taxes be maintained. I do hope that Government will not press this matter through, and if it does not I will vote against the Bill.

We have just heard that the amount which would be gained by the sugar producers if this Bill is passed would be only \$12,000 a year, but that is why I was speaking a moment ago about the three different taxes - the acreage tax, the distillery tax and export tax - which the Financial Secretary referred to.

One must realise that \$12,000 in the hands of Government and properly utilised can do a lot of good. At the least, \$12,000 can build a school, and there are many children in need of school accommodation. I would like to hear from Government how they expect to accommodate the schoolchildren even here in the city of Georgetown right now. They are being taught in the open here and have nowhere to go.

I think the Attorney General misconstrued what I said on the last occasion when I spoke about the question of industrial integration. I think that if Hon. Members had been listening to me they would have realised that I was speaking about the way in which the sugar industry was integrated, and that was probably because of that that it was able to make profits. I do not see why there should be any confusion about what I said.

The mere fact that I referred to the integration of the sugar industry shows what can be done so far as computing the costs of profits in the industry. It is not an isolated industry but is tied up with many other activities which are controlled by the same people. So when members refer to \$11,000 is being profits, and 45 per cent has to be taken out of that is income tax, that is only imagination. It is obviously looking at it like a school child, and I must accept it as being simple as that. I know what happens. What about those tremendous buildings we see going up? Where is the money coming from? It is a very simple point. If profits are made in one phase of an integrated industry, they can be pushed into another phase where so much profits are not made.

Customs Duties - Tariffs on Consumer Items Bill: January 1953

Dr. Jagan: I wish to oppose the amendments to this Bill on page 5 of the recommendations of the Committee at items listed under 054-01 down to 054-09.2.

I would like to make general observations before moving the amendments. I notice that the new tariff proposals are listed in the first column. Taking the two categories for the purpose of comparison, we see in respect of the Group Vegetables Preserved and Vegetable Preparations that the new tariff rates are 20%, preferential and 36% general, but these have been reduced by the Committee to 10 and 26%, respectively, and a new item has been inserted "*Tomato paste*", 5% preferential and 10% general. I feel that this whole page 5 should be reverted back to the new tariff proposals which were made originally and as presented in the Bill. That is, instead of the tariff proposals being what they are, as amended by the Select Committee, the new tariff rates should be as suggested and printed in the left-hand corner of the page. My reason for saying so is this while the Hon. the Colonial Secretary has said that the question of protection is not one intended for this Bill, I feel, nevertheless, that one has to keep that matter in mind, especially since Government has to pay a guaranteed minimum price to farmers in this country, and in case of a glut we would lose money through the dumping of their provisions which are thrown overboard. I see here that canned tomatoes, canned peas and beans and other canned vegetables are to be given a very low duty rate. I feel that the original recommendation of 20 and 36%, is more equitable in the interest of the farmers of this country, and I am suggesting that in respect of Group 054 "*Fresh and dry vegetables, etc.*" the original tariff rates be imposed, for the reason that those commodities, especially beans, peas, lentils and pulses, are in short supply in this country, and garlic and onions are not produced in this country but are used mostly by the masses and we should not try to increase the cost of living so far as they are concerned. Those are the reasons which impel me to move as I do.

I was going to refer to some other points in this Report, but I can see that there would be no purpose in doing so and, as the Hon. the Seventh Nominated Member (Mr. Macnie) said a while ago, it would be simply a waste of the time of this Council. Some Hon. Members have asked why I did not attend the Committee and make these suggestions. When I was appointed to this Committee, I would like to make it clear I felt like saying that I was not prepared to serve as I knew it was no good my objecting to any item to be discussed, as it would not have meant anything and the item would simply have been passed. But that does not bother me much. I raise mat-

ters, on the question of principle, but it appears that the question of principle has nothing to do with it. It is a question of convenience, and if that is so I would let it go and so suit the convenience of certain people.

I could not agree with the Hon. Member for Georgetown Central when he spoke a little while ago and referred to salt. He spoke as if I intended to raise the question of salt because he was a manufacturer of salt. When I spoke I did not know he was a producer of salt. The Clerk of Council would tell you that as soon as I saw it I said it was wrong in principle and that I could not agree with it. Therefore, when the Hon. Member for Georgetown Central talks about making a political issue of things that was not my intention. When I submitted a reservation with respect to this Report, the point was made whether I had made those observations in the Committee. I made the observations in the knowledge that even if I had attended all the meetings of the Committee, the Report would have been written in a similar vein.

I would like to refer to one item on page 7 "*Flavouring essences with or without alcohol.*" I notice that the old tariff has various rates dependent on the alcoholic content, and that the new tariff proposals are 25% preferential and 50% general. These have now been increased by the Committee to 40 and 60%, respectively. I am opposed to that. I feel that the new tariff proposals as suggested by Government should stand. That is an amendment I would like to move at the moment. Comparing that with others in this list, I see that while no question of protection was kept in the minds of Members when dealing with this issue, nevertheless protection definitely had something to do with the consideration of some of the various items. I beg to suggest that instead of 40 and 60%, there be substituted 25 and 50%, respectively. In the case of salt, on page 8, I suggest 10 and 20%, be substituted for 35 and 70% in view of the fact that this particular item is consumed by the masses of the Colony and no matter how cheap it is it affects them. If it is not a matter of protection, then there should be a uniform rate of taxation.

Amendment put, and the Committee divided and voted as follows:

For Dr. Jagan and Mr. Roth (2).

Against Messrs. Macnie, Luckhoo, Carter, Smellie, Phang, Peters, Fernandes, Raatgever, Capt. Coghlan, Dr. Nicholson, Dr. Singh, the Financial Secretary and Treasurer, the Attorney-General and the Colonial Secretary. Amendment lost.

There is another item I would like to refer to on page 7 "*Sand, gravel and crushed stone*". Dealing with gravel and crushed stone, I noticed that the original rate was 16 $\frac{2}{3}$ and 33 $\frac{1}{3}$ %, plus 3% Bill of Entry Tax. The new tariff proposal is 10 and 26 %, and the Committee has reduced that to 5 and 10%, I beg to move that the new tariff proposals be substituted instead

of the amendment of the Committee so that instead of 5 and 10%, we would have 10 and 26%; and the same thing applies to group 243 dealing with lumber.

The Hon. Member spoke very well and said why they are maintaining the old rate of duty with respect to lumber. I would like him to give us the reason for reducing the rate of duty on stone and gravel from the old rate of 20 and 36%, to 5 and 10%.

There is another item on page 11 relating to soap. I feel that a uniform rate of duty should be charged with respect to all soap products. I observe here variations in the recommendations of the Select Committee 15 and 30%, in one case and 6 and 12%, in another, whereas in the original Tariff Proposals the rates were 10 and 20%. We have a soap industry in this Colony which, I am told, is producing a very good soap, and I feel that some protection should be given to it. I would suggest that the rates of duty for all categories of soap should be 15 and 30%.

The Hon. Member is not quite right in saying that this article is not being produced in this Colony. It may not be produced in the form stated here, but what is the difference between soap powders and a cake of soap which is used for the same purpose? I am not interested in the form but in the material. The Hon. Member referred to the fact that I agreed with the new tariff proposals *in toto*. I stated very clearly that I did not agree entirely but generally, and that the new tariff proposals, taken as a whole, were much better than those recommended by the Select Committee. The Hon. Member misunderstood me and has drawn wrong conclusions. I do not see why soap powders should be allowed to come into the Colony at such a low rate of duty as 6 and 12 %, and on the next page I observe similar rates of duty in respect of cleaning preparations containing soap. If the local manufacturers can produce crude soap, even if in a different form, I do not see why these rates of duty should not be higher in order to give protection to the local industry.

Aside from the question of protection I notice that the duty proposed in the new Tariff was 10 and 20%, but it has been reduced to 6 and 12%. Apart from protection, one has to think in terms of revenue also. In this case revenue will also be affected. I therefore move that wherever the duty is 6 and 12%, we should substitute 15 and 30%.

There are three items at the bottom of page 11 (552-02.7) and two at the top of page 12 (552-02.08 and 552-02.09).

The Committee divided on Dr. Jagan's amendment and voted.

I observed that the rates of duty on fencing wire in the amended proposals are 8% Preferential and 16% General. I am appealing to this Committee to reduce the rates and consider the reduction as an aid to agriculture. At the moment we are experiencing a shortage of cattle in this Colony. Throughout the country rice cultivation is pushing cattle off the land. In some districts there are no cattle pastures, with the result that cattle are invading provision farms and other cultivated areas. Many land owners

cannot afford to fence their lands properly, because of the high cost of fencing wire. If we could reduce the rates of duty it would not only aid the farmers considerably in their agricultural production but enable them to keep their cattle confined to certain areas. I am asking Hon. Members to accept my suggestion and remove the duty entirely from fencing wire as an incentive to agricultural production. There are items such as poultry incubators, on which no duty is levied, and I think that in the case of wire fencing we should make this concession to the farmers of the Colony. I formally move the deletion of the rates of 8% and 16% so that fencing wire may be imported duty free.

Appropriation Bill – Salaries, Appointments and the State Council

Dr. Jagan: I do not disagree with all the functions the individual will have to carry out, but who can say that we cannot get an individual to do this job for \$400 per month? I do not like to throw bouquets in this Council, but we have in this Council a very competent individual who can fill this position and who, I am sure, is not getting \$400 per month but who, I think, can nevertheless fill the position admirably. I feel that while we want the work to be done efficiently, at the same time not because a man is paid \$600 per month that he is going to do it more efficiently than if he is paid \$400. I do not see that that argument holds at all. There are many Civil Servants who are working for \$200 or \$150 per month and are doing quite efficient jobs. I do not think salary alone is the whole consideration in this matter. It is true we want a responsible individual, but I do not see why we cannot get that responsible individual to carry out the duties for \$400 per month. Let us take men from the Civil Service; let us shape them for Ministers of the New Constitution. With regard to the remarks about the Governor, I am not suggesting that the Governor should do the routine work of a Clerk, but I do suggest that the post in question can be usefully carried out at a salary of \$400 per month.

I beg to move that this Head be reduced by the sum of \$8,640. This is in connection with Item (f) where provision is made for the remuneration of a Speaker and a number of Ministers and Members of the Legislature. Sir, we will recall that there was great controversy whether we should have a single House or two Houses in the New Constitution. One of the objections to a second House or two Houses in the Legislature was that a second House was going to cost the Colony more money. We know the famous statement which has been made, that the Upper House which agrees with the Lower House is superfluous and of which object it is quite obnoxious. That is the famous dictum of the Upper House which has been quoted over and over. But leaving that aside, the statement has been definitely made that as long as we provide for a second Chamber, it will mean an additional amount of money to be spent for the carrying out of the duties of that second House.

In view of that, I take it this matter was in the minds of the Constitution Commissioners when they recommended that the Members of the State Council should not be paid. They must have felt that a second Chamber is not necessary at this stage of our development; and having come to that conclusion they recommended that the Members of the State Council should not be paid. Sir, I agree with that suggestion. However, it may be said that some of the individuals may be performing useful services to society. In my view, I do not think it is necessary to have a State Council or Upper

House. In any case, I am willing to concede that the Members of the State Council be remunerated at 50 % of the rate that Members of the House of Assembly will receive.

According to the Constitution proposals we find that Members of the House of Assembly will be remunerated at the rate of \$160 per month. Taking 50% of that, we will have a salary of \$80 per month and for nine members at \$80 we will have \$720 per month which will amount to \$8,640 per annum. In my opinion, I feel that is being very generous. I feel that while we have to spend \$8,640 per annum, if we are to give them the 50% of the rate which Members of the House of Assembly will receive, we will also have to have additional Clerks, Stenographers; we will need more Official Reporters and we will have to have more expenses generally in the printing of *Hansard* and Minutes of the State Council - expenses which, I think, are totally unnecessary at this stage of our Constitutional history.

I do not think I have any more to say but that I feel strongly that the Members of the State Council should not be remunerated to the same extent as Members of the House of Assembly. It is very likely that the State Council will not meet as often as the House of Assembly. This Body will have 27 Members, and we do know that many of the elected Members will have to speak on behalf of the constituencies they represent. Sir, I anticipate that the State Council will not have to do that, because the Members who comprise it will have been nominated by Government and will not have to do any gallery playing, nor will there be as many as 27 Members speaking there, but only nine. So that when we take that aspect of the matter into consideration, we will find that Members of the State Council will actually be sitting for a much shorter period of time in comparison with those of the House of Assembly, possibly about 50% of the time. Even if we take that as a basis, we find that the rate of 50% payment is equitable. I therefore move that this Head be reduced by \$8,640.

I did not say that.

The Hon. the Financial Secretary and Treasurer suggested that we had complete discussion on the matter in this Council. It is a pity we did not deal with the Constitution Report and Recommendations point by point and take a division on each point, because I recall that when the matter was discussed we did so on a separate Bill which had to do with Adult Suffrage. An opportunity was not given in this Council for Members to discuss the subsequent dispatch from the Secretary of State for the Colonies. Everything seems to have been accepted and handed down to us; we voted without any division and I can see the difficulty now. I shall, however, agree that so far as salaries are concerned, \$160 per month is adequate. I feel this sum is more than enough for any Minister. If anything at all, the others should be brought down in line and not because Official Members are paid \$800 and \$700 per month that the Ministers must be taken up to those figures. I think \$600 a very big salary, \$300 to \$400 should be the highest salary, taking into consideration the standard of the people and the

environment in which we live.

When the matter was considered, I discussed the Constitution Report on the broad principles of the Upper House and its relation to the Lower House and to this Colony. I did not discuss the details, and that is why I said that up to this moment I was not given an opportunity to debate it. It is true I rejected the Report on the Constitution on the ground that something was being forced down our throats, I should like to make some points on the basis of the requirements. In discussing the whole Report one has to make general observations, and in that way I say I was against the Report. That does not mean that the various points in the recommendations were not to be discussed fully.

I will take the Hon. the Financial Secretary and Treasurer's advice and withdraw the amendment.

Head put, and passed as printed.

Aspects of Agriculture

Dr. Jagan: Sir, when we were discussing the question of paddy yesterday, I made a very broad and sweeping statement that the Colony had gone mad so far as rice was concerned. I said that, because I saw a very great danger ahead of our agricultural economy becoming lopsided. Rice is pushing out cattle and cattle are pushing out ground provisions. The Hon. Member for Central Georgetown referred to rice cultivation in the Rupununi, along the coast lands and in the interior. I would say that Government should give very serious consideration to the setting up of some Committee call it what you will Land Settlement or Land Utilisation Committee so that we can take a given area, especially those areas which are now being converted into proper agricultural lands at Blocks I, II and III Corentyne, and decide how the land must be used and what should be reserved for pasture and for ground provision and so on. We have got on the Estimates under another Head, provision for a Land Settlement Officer. I think that he should in conjunction with others, form a Committee to go into this matter in very great detail so that we do not lead our agriculture in a wrong way so far as the future is concerned.

While we are making those lands available, I feel that we should also carry out extensive soil surveys in those areas, because I do not think it is good enough simply to make the lands available and let them out to the people to plant whatever they like. There must be a proper soil survey so that the planting would be of the best. In the same way that Government is giving training to surveyors, a separate scheme should be got out for the training of soil chemists under the supervision of the Soil Chemist, and these trainees can eventually go out and be available to give advice to the farmers as to soil content, the sufficiency of minerals in the soil, etc. I feel that is very important, and Government should make provision in the Estimates for that. There is one matter which I do not think it is necessary to mention here, but I see that we are making provision for a new post of Plant Pathologist. It is proposed to provide for the establishment of a permanent research organisation to study sugar cane disease. I feel sure that will be a very useful thing. We have seen what great havoc the last pest incidence we had did in the sugar cane industry, and I feel we should make provision for some such research. However, there is one point, I would like to refer to in respect of this Estimate, and that is with respect to Marketing. I do not know that Marketing and a Marketing Officer should come within the provisions of the Agricultural Department. I think we should put that under Control of Supplies. Let it be a separate Department. We have at the moment trained agriculturalists doing such jobs as Marketing Officer for

instance. These people have been to College and acquired useful technical knowledge which should be at the disposal of the people, and I do not think their knowledge which has been gained by hard work and the expenditure of much money should be wasted in commercial activities. There are enough commercial persons in the Colony who should be doing those duties.

I feel also that Provision should be made in the Estimates for some research to be done in respect of rice breeding improved varieties, better strain of grain, etc. I remember that the mission which came here from the U.S.A. some time ago suggested that, especially as we were embarking upon mechanisation, we should try to get species of rice which would stand up to that type of cultivation and harvesting. I think more should be done in that field. I think it would not be bad if we import some people who are efficient in that field of plant biology and who can grow things which were not grown before and can improve the yield to three times what it was before. I remember discussing this matter with the acting Deputy Director of Agriculture while on a tour of the country with the Rice Farmers Security of Tenure Committee, and he told us that in one part of the world they are now growing three and four crops of rice per year by using new methods of production. I think we should be able to get help from those experts, whether they are from the United Nations Organisation or otherwise, and in that way help to raise the economic standard and yield from these lands. One crop per year and in some cases two will not give a remunerative return to the Colony.

I did not mention the name of the country because it is not nice to mention Russia in this Council. That is information given by the Deputy Director of Agriculture. The Michurin School of Biology is growing wheat where wheat was never grown before. They are doing tremendous things so far as growing crops is concerned, and growing more things on the same area of land. I do not care what method is adopted as long as we get results. There is one matter which I would like to refer to; I omitted to do so when I spoke. It is the question of the Rupununi Cattle Trail. Every year we have this item on the Estimates, but I think the time has come when we must delete the item Maintenance of Rupununi Cattle Trail, \$11,000. It is on page 6 of these Estimates. If we take into consideration the price which beef cattle is now fetching, we would find that the companies in the interior which are bringing cattle to the coast land can very well make a handsome profit from their undertaking. If we take the Balance Sheet of the Rupununi Development Company, we would also see that they are doing very well. At one time they were not doing well, but they are not faced with that problem any longer. We have also the efficient service of the B. G. Airways which is transporting beef by air and, I feel that this item for \$11,000 should be deleted from this Head. Therefore I accordingly move that the Head be reduced by \$11,000.

I think Government should give some information as to when last this

matter was investigated, and whether any Government Official went over this trail. Every year we have this item and so far as my information is concerned, I am told this trail is almost self-maintaining. The cattle, in passing through, make their own trail. It only takes enough of them to move along that trail in the first instance. This \$11,000, I feel, is a waste of taxpayers' money and is really a subsidy to the Rupununi Development Company which does not need a subsidy.

I notice that an area in Georgetown has now been declared a slum area and that the houses within that area are to be taken down after the Central Housing and Planning Authority has conferred with the owners as to the question of compensation, etc. I would like to know from Government what plans they have made for the development of that area, and whether or not that area falls within the industrial zone of the city of Georgetown. If that area falls within the industrial zone of Georgetown, I can see a great deal of hardship being created, because individuals will not be allowed to build houses for residence there and when the houses there are removed we know the tendency today when houses are reconditioned they will not be rebuilt for the accommodation of the poor people but of the middle and upper classes. You find all over Georgetown that tenement houses are being broken down and comfortable flats or bungalows which can bring larger rentals from people who can afford to pay there are being erected. So the working people who cannot afford to pay a large rent are being pushed around. I would like to know what is going to happen to these people, whether Government has any plans to rehouse them somewhere else where lands are available. At one time we were told that about 30 or 32 acres of land at La Penitence would have been purchased and made available for building houses there. I do not know what has happened to that Scheme.

I would like to know what provision will be made for the housing of the working class people the people who pay \$4, \$5 and \$6 per month as rent. Many of them live in that area. I feel sure that while we are trying our best to eradicate the slums, we should not do so in such a way as to make those people homeless. The Hon. Member for Georgetown Central mentioned the case of Campbellville yesterday, and that a reply had been given to his questions. I feel, Sir that it is really a disgrace that after nearly two years or more Campbellville has been allowed to remain in a parlous state. It is a pity. But Government is now saying, Sir, that as we get revenue we will take care of it.

I do not think that is a satisfactory way to develop this area, because, obviously, in any undeveloped area, at the beginning of its development one cannot look only at revenue to spend for the purpose of development. If that were to be the case, let it be strictly a business venture on any development associated with it. As far as I am aware, the revenue of that place is in the vicinity of \$10,000 to \$12,000 and I do not know whether that would be enough to do all the work that is necessary there.

In addition to that, Sir, I must bring to Government's attention the very

serious state of affairs in that area. I have pointed out this matter before the pumping of water from Bookers' Housing Scheme in the Bel Air Area into the canal, thus causing flooding of the area. This Housing Scheme is now empoldered, but there is another area east of it where the people are growing cassava and rice. As these areas are being empoldered a lot of water is being pumped into the Cummings canal causing a great deal of flooding in that area. I do not think that is fair. I have already urged that before permission is given for the pumping of water on the southwestern side of the Housing Scheme, Government should insist that a pump be put on the western side of the boundary of the Cummings canal so that there would not be flooding of the adjacent areas. It is not fair and Christian like. I would like the Christian Members to talk about this because, after all, if I am living in a rural community I do not think I should protect myself at the expense of other people simply because I have money. I do hope that this will be stopped quickly and not be allowed to continue. That is why there are campaigns such as you have in Kenya, encouraging people to be lawless.

If the rich are allowed to take advantage of the poor and Government does not come to the protection of the poor these poor people will take the law into their own hands. I do not think Government would like to encourage lawlessness like that.

That is why I am asking Government to do something about it. Now, Bookers are preparing these lands for planting ground provisions, cassava, and rice. If this is to be done, the interest of the public should be protected; therefore Government should immediately empolder the area and put down their own pumps in order to relieve the inhabitants of the excess water. I hope something will be done very quickly. I mentioned this nearly two years ago and even the Member for Central Georgetown supported me on that occasion, when I stated as a fact that the area at Subryanville immediately adjacent to the Housing Scheme was flooded to a depth of two or three feet while the other area was completely dry. But nothing has as yet been done.

With respect to the Campbellville Housing Settlement itself, I feel that the matter should be gone into immediately and the land sold to the people, but I hope the price will not be too high. When I asked what the price was no one was in a position to tell me yesterday exactly what it was. The Hon. Member for Georgetown Central said it was 71/2 cents per square foot. I do not know how much that is going to work out to. I remember pointing out that when Government was paying the exorbitant figure of \$480,000 for the whole area near Bel Air, only a small rental was paid formerly by the people and they had to pay such high prices for a house lot that many of them who did not have the ready money had to go to the moneylenders or to the Building Society and pay 6% interest on the money borrowed. Now let us work it out 6 or 5 or 3% on \$480,000 and see how much in interest charges they will have to pay for the house lots. Due to the fact that Government paid this exorbitant price for the land, the burden

will be handed over to the people in that area, I hope this matter will be gone into very quickly so that we may know very definitely what is the position of the people and whether they would be able to buy their house lots or not.

There is one thing Government should be very careful about, and that is not to allow the people to get into debt with some Building Society or anyone else, and eventually find themselves in the position of having to sell their land through not being able to repay the money borrowed. We know that the people who reside in that area are mostly those who migrate from Georgetown. Some are rearing poultry, others a few head of cattle and some sheep, in order to make a livelihood. In view of the fact that these poor people are striving their utmost to eke out an existence, Government must be very careful to see to it that after these lands are sold to the people they do not go back to those who had them before as a result of the people, who may have had to borrow various sums of money to cultivate it and for other purposes, not finding it possible to pay up their dues. The idea of buying those lands is to protect the people, and therefore the lands should not be allowed to go back to those who owned them before.

The Hon. Member (Dr. Nicholson) said that Campbellville was never meant to be a developmental Scheme. If he had read any of the Reports submitted by the Hon. the Financial Secretary and Treasurer about this matter he would have seen the word "*development*" appearing everywhere. He also speaks of my being an executive of this company that was to be formed to purchase Campbellville. I do not know who the executives of the company are.

The Hon. Member for Georgetown North, (Dr. Nicholson) said that these people in that areas were to be protected no matter whom that purchased the land. The point not to be lost sight of is that the land is within the jurisdiction of the Rent Restriction Ordinance and, therefore, no individual there can be thrown out or charged any exorbitant rent. The Hon. Member mentioned that the land would have been sold out. That is only pulling a red herring across the trail to fool some of the people who do not know the facts. The real facts are that some of the people wanted to own the land, but could not do so as it was suggested that it must be taken over by Government and I supported it. I was looking at the proposition as an economic one so far as the people were concerned. If we are to give benefits to the people in Georgetown, as he is saying our paternal Government is giving, there Government must provide for these people in Campbellville as well. I am not against providing benefits for people, but do not let us say that the Government is not making a penny out of this sale. Government is not supposed to, and I do not think Government is an agent. I think that Government is going to develop this area. Proposals are before this Committee as to how much money is to be spent for the development of this area. Let him say that is not true.

To a point of correction! I said the Company made a profit of \$10,000

per annum in running the whole estate, and when Government purchased for \$480,000 the interest charges amounted to about \$6,000 for half of the area.

On a Ministerial System

Dr. Jagan: I am glad the Hon. the Financial Secretary and Treasurer has replied to the point made by the Hon. Member for Eastern Demerara, but in doing so he has merely confirmed what I was arguing at the very start. This Committee, more or less, is going to be an unofficial Committee of Ministers as against the official Committee which is going to be the Executive Council. Let us take the Boerasirie Scheme. The Executive Council decides the broad question of policy. Mr. Hutchinson's Scheme has been accepted and is to be implemented. It is a question of the development of that area. Let us say we bring the Minister for Agriculture, the Director of Medical Services, and the Minister for Education together to sit in a Committee with the Development Secretary. They will then discuss how the area is to be developed I am following the argument which has been advanced by the Hon. the Financial Secretary and Treasurer. Their proposal will be subsequently taken to the Executive Council who will either accept or reject or modify it; it will then be taken by the Ministers of their Departments to be executed by the Heads of those Departments.

That is why I say it seems to me that the Governor's Secretary and Clerk to the Executive Council will be the best man to sit with the Ministers as an official body and coordinate the activities of the Ministries and make decisions. For that matter, he ought to be Chairman of the official body of Ministers. When the suggestion goes to the Executive Council he is there as Clerk to the Council and the Governor will be there as Chairman, and we know that as Governor's Secretary he can always confer with the Governor at His Excellency's convenience. That is why I do not see the necessity for having a separate post of Development Secretary, especially following the argument adduced by the Hon. the Financial Secretary and Treasurer. It is that the Governor's Secretary and Clerk to the Executive Council would be the best man to carry out and coordinate those duties, because he will have to be in Executive Council. The Development Commissioner will not be in the Executive Council.

Another point which must not be lost sight of is this: each Minister will have a Principal Assistant Secretary and also Clerks. If three or four Ministers are sitting informally together discussing a matter of development, they will have their clerks or Assistant Secretaries with them, and those clerks or Assistant Secretaries can help to formulate plans to be taken up to the Executive Council for approval, rejection or modification. If that is to be the line of argument by the Hon. the Financial Secretary and Treasurer, it all the more proves my point that this Sub-Head is not necessary as the job can be done by the Governor's Secretary because he will be with the

Ministers at all time. In addition to that, each Minister will have his own Principal Assistant Secretary who will be at his elbow at all times and who will have to take the decisions to the Governor's Secretary and the Government Departments. That is not necessary. The Executive Council should be the real Committee to handle things collectively. If the Ministers want to discuss a matter of planning which will have to be approved later by the Executive Council, I see no difficulty in their meeting with their Principal Assistant Secretaries.

I do feel that while we appreciate the system of retaining the permanent Civil Service as officers go, a great deal of danger will arise out of it through these Officers having to work with the Ministers. Is it true that the Civil Servants are not supposed to take part in politics, but are they merely to carry out the wishes of the Ministers? I feel that so far as these particular officers are concerned, the Principal Assistant Secretaries should be chosen by the Ministers themselves. I have read Harold Laskey's book on this issue, and there it is pointed out the difficulty of a permanent Civil Service working with the Ministers, It is my opinion that while the system perhaps has operated successfully and efficiently in America, it is not likely to do so here. I feel that the Ministers are going to be very busy men, particularly since we are not making provision for Under-Secretaries as we have in the English system.

Let us take, for instance, the Minister for Agriculture. If he is a worthwhile officer, he will go out and see that what he has planned is carried out or implemented. If he has someone in whom he can really trust, somebody in the nature of a right-hand man, then the work under the Ministerial system will be carried out more smoothly and efficiently than is proposed at the moment. This is a slight digression from the original line of argument, but nevertheless it is very important. The Ministries should have a staff that would work very closely together, not only to carry out their own duties but in some cases even to advise the Ministers. I therefore feel that Sub-Heads "E", "F" and "G" can be deleted from the Estimates.

On Voting Procedures (1953)

Dr. Jagan: I do not see the need for the production of films. If there was, we should have seen them produced already. We have an election to come off on the 27th April and, as far as I am aware, the people in most parts of the country do not know that whatever procedure it is going to be. It is all well and good to speak over the radio a few times per week and to write a few things in the newspapers. But, it must be understood that there are thousands of people who do not own radio sets. It had been suggested some time in the past that loud speakers be set up by Station ZFY in various parts of the Colony, but I do not know whether that has been done as yet. I do feel that this Department should do much more to publicise this whole question of elections and the revision of the Voters' List. That matter, I believe, has not yet been finalised.

Only a few days ago I spoke to Mr. Harewood, and he told me that so far as the people in Georgetown are concerned they can take their names to him, but those far away will have to go to the Revision Courts. I feel that whatever procedure is adopted, full publicity must be given to it. I think we must go to the people. The B.P.I. must go to the people on this important issue. I have always been one of those opposed to this office, but within the past few months it has been doing a very useful job; perhaps it is giving its officers something to do. But I feel that enough has not been done. In Trinidad, and I believe in Jamaica also, at their last election, films were made and shown all over the country. The people were shown films as to the method of voting, and the whole thing was explained very thoroughly to them. I feel that while the time is short and it may not be possible to do all these things, Government should make every effort to get at the people by using not only the facilities of the radio and the newspaper, but by having the procedure filmed and exhibited. I hope that will be done very urgently.

I would like to find out from Government what time is allocated to the Government on the radio, because I do not feel that Government is making full use of the time allocated to it. I think that every day some time should be utilised for the purpose of giving this matter of the election the greatest amount of publicity. On the question of the revision of the Voters' List, I think Government should adopt some simple method. I do not know if the Hon. the Attorney General is in a position to tell us whether a decision has been made in the matter. I think that if we can adopt the practice of former occasions when someone went around with the form on which the voter made his declaration before some person authorised, it would simplify the whole issue, otherwise we would have the Revision Courts being held in

several places in the same Constituency, costing a great deal of money and waste of time.

I feel, Sir, that if certain persons are authorised to swear-in persons whose names have been left out, all that would have to be done is that the person whose name is left out of the List could go to one of those individuals who might be the schoolmaster, or postmaster, or police sergeant, or some other responsible person in his district, and swear before him that he had been a resident in the particular district for three months prior to the 31st December, 1952, that his name had been left out of the Voters List, and therefore he was making application to be registered as a voter of the district. The person so authorised would then satisfy himself that the applicant is speaking the truth and, if necessary, examine the facts and sign the declaration which would be handed over to the Information Officer or the Revising Officer. In that way we would be able to get every individual whose name has been left out or who has removed from one district to another during that interval, to have his name on the Voters' List. I do hope that practice or some other simpler practice will be adopted and that very shortly, because the one proposed is very cumbersome. As the Hon. Member for Eastern Demerara has said, many people have not heard of the revision much less to know that they will have to go to the Revision Court three or four miles away to have their names placed on the Voters' List. I do not know if the Hon. Attorney General has anything to say about that.

Building, School, Dual Control

Dr. Jagan: There is one item I would like to refer to. I hope what I have heard is not true, but it seems very strange. I have just come back from the Corentyne Coast. I was told in one area, Port Mourant, where a new settlement is being established with a child population of about 300 or over, a small Government school is to be built there, but the Lutheran Mission had agreed to erect a very much larger school building to accommodate the school population there and also the growing school population in the immediate vicinity. I have not yet spoken to the Director of Education about it but it does seem that something is wrong. I do not know what the position is whether the Mission will be allowed to put up their own school or the Government will erect the school and give it to the Lutheran Mission, as has been done in some cases, for the purpose of management. I do not know if there is any restriction at the moment on erecting schools where these religious denominations undertake to erect them and receive a grant in due course from Government.

Certainly I have not changed my position so far as the control of schools is concerned. I have always been a strong advocate of Government control of all schools and not of dual control. I do not agree with the procedure and practice of Government constructing school buildings and then turning them over to the religious denominations to be run. But this is a new point. Government at the moment is faced with the terrific problem of providing schools to accommodate the children of this Colony who are a growing population. If schools cannot be built by Government I would have no objection to a religious denomination or a group of private individuals getting together to build them. I think that is an admirable effort, and I would be the last to oppose it. Certainly it is not a change of heart. I am in the same position that I held before. I do not agree with the Hon. Member's statement.

I do not know if the Hon. Member is correct when he says that all new schools which have been erected within the last few years were merely replacements of old buildings, and Government having replaced the old buildings, they were given over to the same Church authorities. I am not sure, but I take that to be true. This is a very important point: simply because the land belongs to the Church authorities and the old school building was broken down, the new school erected by Government must be turned over to the Church authorities instead of paying a little bit of rent for the land.

I remember one of the excuses given for dual control was that if Government were to take over all the schools they would have to recompense the

Church authorities who owned the buildings. That was a big undertaking which Government could not carry out in a very short period, and consequently the dual control of the schools was left where it was. But this is an entirely new situation arising from day to day. The schools of the Church authorities are falling down and are being reconstructed fully at the expense of Government. I do not see why at this stage they should not become Government schools entirely. The question of land rent can easily be met, as in most cases it is an infinitesimal amount in relation to the whole cost.

It is not that I am in favour of religious denominational schools as against Government schools, but if the religious authorities are prepared to erect a large school and Government can only erect a small school because of lack of funds, Government might very well take that little money at its disposal, and with a little more erect a school somewhere else where the need is great. I am not saying that Government should erect a small school where the needs of the population demand a large school building, and where the people are willing to erect a large school, to accommodate their growing population. We have read the Report of the Committee which sat a few months ago, in which it is stated that one sees the alarming situation which this Colony faces that in a few years, if we are to give the children adequate school accommodation, we have not only to erect more school buildings but to provide for the training of more teachers, etc. I will not object at this moment or for that matter at any time, if private individuals are willing, either singly or collectively, to put up school buildings to help Government and the people of this Colony in the matter of education.

I said Government proposed to erect a small school in relation to a big school, by the Lutheran Body, but if Government wants to build big ones well then.

The Hon. Member must leave his sermonising to his Sunday broadcasts. We hear of schools being wiped out. I would like to refer to that and to state that there is no Government-owned church or school in the United States, nor are there any church owned Primary schools in the U. S. A., or in France. The Hon. Member does not know this, but only likes to put out propaganda against certain countries which he hates and detests.

With reference to the Secondary Schools I notice that the Estimates make provision for the Berbice High School in the sum of \$16,700 and \$10,000 extraordinary. That is a very good thing. The Hon. Member for Georgetown Central also succeeded some time ago in getting a grant for St. Stanislaus College. I want to make a plea for grants to be given to Secondary Schools in the rural areas. Many such schools in the rural areas are suffering greatly, for one thing or another. I have just come back from the Corentyne where there is a school at Rose Hall - the Corentyne High School - where for two days the children could not go to school because the dam leading to the school was in a very bad condition. Maybe that is the responsibility of the Local Authority, but some help should be given not only to this school but

also to the one at Skeldon and the one in the Mahaicony district. It is very difficult and expensive for children to travel from one area to another to go to school. The area around Port Mourant has a much larger school population than New Amsterdam, and I feel Government should continue that admirable step in subsidising Queen's College, Bishops High School and now St. Stanislaus College and the Berbice High School. I make a special plea for the rural areas where children are having great difficulty in attending properly equipped Secondary Schools.

It is quite true that any religious denomination can open a primary school, but the Universities are run by certain denominations. Education has been non-secular in the United States from the very beginning.

Under this Head I would like to make an observation about overstaffing again, I notice in these Estimates that one Department has now been subdivided into five Heads. I am concerned about this because I mentioned this fact once before. No matter how we subdivide the Head, the work of the Department will not increase. Under the new Constitution the Financial Secretary and Treasurer will be the Finance Minister. The Financial Secretary and Treasurer presently carries out the duties as a Member of the Executive Council and a Member of the Legislative Council. As Financial Secretary he will hold similar positions in the Executive Council and the new House of Assembly.

I cannot understand why it will be necessary to have additional staff when, taken as a whole, the work of this Department will not be increased. In the case of the Secretariat my view was there was overstaffing, but we were told that would not be so. But in that case it was not very apparent, because the former Colonial Secretary was carrying out several duties which will now be shared by a Minister and others. In the case of this Department, which embraces the Treasury, Income Tax, Currency Control, those functions will remain the same under the new Constitution.

I do not see any enlargement of those functions, and consequently I cannot see that any enlargement of staff or any further expenditure in that respect is necessary. I am at a loss to decide what to reduce because of this re-arrangement, but I definitely do know that provision has been made here for overstaffing. For instance we have now a Financial Secretary and we are to have a Principal Assistant Secretary, a Treasurer and also a Deputy Treasurer. In the first instance we had a Financial Secretary and Treasurer at the same salary, \$8,160 per annum, but now we are to have three posts carrying more or less the same salary. I do not think it is necessary.

I think we are overburdening the taxpayers of this Colony by adding to the expenditure on administration. The cost of administration is adding up to too great a percentage of our revenue. I feel that every effort should be made to reduce these two Heads. I said I am at a loss what to reduce, but I am going to move the deletion of this Head by a sum of \$3,600, which is the salary of one Assistant Secretary. I feel, Sir, that under this Head we can do with one Assistant Secretary. I therefore move that this Head be

reduced by the sum of \$3,600.

I do not see how the Hon. the Financial Secretary and Treasurer can see any contradiction in what I said. What I said was that, taking the Estimates as a whole, we were estimating for too much staff. He confused that with another idea of mine to substitute for the Chief Secretary a Minister as a private individual, which is an entirely different matter altogether, and has a different relationship to the question of staff as such. Let me illustrate by saying this: suppose we provide for an additional staff of 20, I feel that five are unnecessary and 15 are enough, but with regard to the 15, what I am saying is that instead of having 3 or 5 out of the 15 to be civil servants, in the case of the Ministries each Minister should have a private individual in whom he may have complete confidence. That is why I suggest a sort of go between the Spoil system and the Permanent, and not the complete Spoil system that the Hon. Member wants me to advocate. I was very careful not to fall into that trap. I do not see any contradiction in the two thoughts, the one is a reduction of staff because of overstaffing, and the other one is that each Minister should be provided with someone in whom he has confidence, and who is competent.

I have no objection to this Head in principle, but I would like to ask the Hon. the Financial Secretary and Treasurer how much work is being done under this Head, because it seems to me that we should try to curtail expenditure as much as possible in view of all the pressing matters we have at the moment. To what great extent is Currency Control carried on at the moment, and how long is it likely to be with us? These are matters the Hon. the Financial Secretary and Treasurer can tell us a little about.

Fire Protection

Dr. Jagan: I note that the expenditure under this Head is increasing year by year. I am not opposed to the expenditure particularly, because I feel the inhabitants of Georgetown and New Amsterdam, and wherever fire protection is provided, should be given adequate protection, but there is one feature that I think Government should look into, and that is the question of the Insurance Companies. I think when we are spending the taxpayers' money to protect their buildings from destruction by fire; we should see that the Insurance Companies do not get, indirectly, any advantage from that expenditure. I feel that some attempt should be made to recover some of this expenditure from the Insurance Companies which are dealing in fire insurance in this country.

I know this matter was raised some years ago, and I think the Georgetown Town Council also had approached some of these Insurance Companies in the matter, but as far as I am told the Insurance Companies are not willing to contribute one cent. In fairness to the taxpayers of this Colony, if the Insurance Companies are to gain an indirect advantage as the result of public expenditure for the protection of buildings which are insured with these Companies, then I feel the Insurance Companies should be made to contribute a small amount towards the maintenance of this Department. I do not know if any approach has been made by Government in the matter lately and whether any success was achieved.

The Hon. Member has made a very good point, but it leads me to a next point that the Insurance Companies should be nationalised. If Government is paying for all these services and as he mentioned, certain amenities should be provided by the State, the State should continue to provide those amenities and would have to get the money from somewhere. It is no wonder that in some countries they have nationalised insurance. As we provide more Fire Protection and Police Protection and as the Hon. Member on my left (Mr. Fernandes) has said, the time has come for all buildings to be insured including Government buildings, once we have arrived at that decision there is no difficulty in nationalising the Insurance Companies.

Aspects of Logging- The Timber Industry

Dr. Jagan: I intended to move a Motion in this Council with respect to the fixing of the price for logs, but owing to the length of time it takes a Motion to be brought forward for discussion in this Council, I thought it best to wait for this opportunity to refer to it. In this Colony there are many small timber operators who go in for logging but at the moment, if my information is correct, while there is control of prices for sawn timber, for some time now there has been no provision made for a fixed price for the timber which is supplied in logs to the millers. As a result, we find that a great deal of exploitation is taking place. I remember once going up to Mara, which is about 25 miles up the Berbice River, I had a similar experience in the Essequibo and the situation was put to me that these small timber-cutters or loggers have to cut their logs in the forest and transport them down to the sawmills which are, in a good many instances, quite a distance away from the original source where the timber is extracted. In many instances there is a gentleman's agreement between them and the buyers, with the result that these loggers do not get the very best price for their logs. We can appreciate the point that timber is not a thing which one can readily walk about with seeking a sale. So these poor individuals are placed in the unfortunate position of having to accept eventually the prices offered by the timber companies.

These small operators have come to me and asked me to introduce a Motion here asking Government to control the price of logs. We know at the moment what are the local selling price of sawn timber, and sawn lumber and we also know in many cases what price is obtained abroad for sawn lumber and timber sawn in the form of logs. Taking those as a basis, I feel sure Government can arrive at same method of controlling and fixing the price of logs supplied by small loggers to the millers.

Another matter which I would like to refer to at this moment is the question of a timber pool.

When individuals interested in timber come to this Colony from abroad, they sometimes put through orders for large quantities with the big companies, and the small dealers in the timber industry, in many instances, suffer greatly since their protection is very limited and they are at the mercy of those companies obtaining the contracts exclusively. It is therefore felt by these small dealers that in the same way as there is the Rice Marketing Board controlling the sale of rice and meeting the big and small millers alike, Government should create a timber pool to control the sale of all timber abroad particularly and also in the local market, in order that the small man should be more protected. As it stands now, the big firms get

the benefits of better prices in the bigger contracts. But when the whole industry is pooled together under a central body like the Rice Marketing Board, everyone will benefit equally. I feel such an establishment will prove just and equitable, and fair to all concerned. I do hope Government will give serious consideration to the two points raised (1) the question of controlling and fixing the prices of logs and (2) the setting up of a pool or guaranteed central marketing body for the control and sale of lumber inside and outside of the Colony.

Under this Head, I would like to mention something which was brought to my attention only a few days ago - it is with respect to the hours of work by certain employees. To this day, February 12, 1953, we find individuals in this country still working 20 and 24 hours per day. It sounds like nonsense, but a man often has to be on the job for those hours though he might be able to take a nap now and again. This matter was brought to my attention on my return from Port Mourant where there was a strike recently among what is known as the Mule Boys. In many instances, these boys said, they had to work for this long period and they were asking for a 12-hour day instead.

I went and met them on Monday or Tuesday. I do not know if the Hon. the Attorney-General is inferring . . .

I am wondering why he asked the question. Anyway, the position is this: I am told that it takes an average of about 12 hours a day to remove but one load of cane from aback to the factory. If you examine how these boys' wages are calculated you would possibly see the reason why they have to work for nearly 20 hours per day. One mule draws a load of cane of about 5 tons on the average. For the first shift load of 5 tons, an individual is paid 13 to 17 cents per ton, if we take the average price of 17 cents per ton.

I am sorry 13 to 20 cents. If we take the average, as 17 cents, we find that an individual bringing these 5 tons, will be paid about 85 cents. These mule boys are paid an additional 15 cents per ton for performing the duties of what is known as a leading boy, and therefore are doing two men's work for \$1.00 for the whole operation, whereas the leading boy used to receive 40 cents for doing the job of leading. In all he gets an average total of \$1.00 for doing 10 to 12 hours work. He is paid a bonus of about 75%, so that his wage is in the vicinity of \$1.75. However, he is told he cannot work more than one shift in 12 hours, yet he has to lead 4 punts so that on the second leading his wages will be reduced by about 20% of what I have given. I think Government should introduce some legislation to include the operation of punts conveying canes as being part of the Factory Operation Ordinance and so bring it within the regulation hours of the Factory Ordinance. I do not feel it is right that individuals must be made to work more than 12 hours per day. The work these mule boys do, men rather, for they are really men is a dangerous occupation and, in fact, when talking to those individuals they pointed to the loss of some of their fingers as a result of

their work. The Hon. the Seventh Nominated Member (Mr. Macnie) will be able to tell us how difficult a task it is. I know what working on a sugar estate is, I remember riding on some of these punts and have myself been cut many times.

The job is a very responsible and difficult one, and in this case it is combined, the individuals having to look after the mule and the punts plus other jobs. When we look at the fact that one man is doing two individuals' work on the basis of 10 to 12 hours per day and is only getting about \$2.18 which is a small sum, and in addition to that he has to do other jobs over a period of another 10-12 hours, I feel that the Factories Ordinance should be made applicable to this field of operation the transportation of canes. Thus we would have not only the hours of working regulated, but the rate of wages prescribed so as to ensure a decent living wage to these workers.

Trade Unions Collective Bargaining

Dr. Jagan: There is another point which I would like to raise, and that is with respect to the recommendation for Trade Unions for collective bargaining. This is indeed a sore point in this country. Apparently the Government of this country and the Labour Department are not willing to accept this practice which is common in the United States of America and in Canada. I am told that it has been adopted for some time by the Jamaican Government in the case of disputes. If two or more unions are involved in the question of collective bargaining, the one whose recommendations should be recognised is the one with the majority membership. That is an established practice in the U.S.A. and Canada and although not by law, in Jamaica. We are told here not to worry with that, that all one has to do is to be a member of a union and so long as we do not remove the leaders, nothing will be wrong. That is all well and good and sounds democratic and fair, but we saw in one instance recently where this democratic practice was not being adhered to. I refer to the election of Office bearers of the Man Power Citizens Association. It is specifically stated in the Rules of the organisation that the Annual Conference shall decide the place and time of the next year's Conference. Sir, I have it on good authority that at the last Conference of that organisation, it was decided that Port Mourant was to be the venue of this year's Conference, but because of some strike that was not done. I must remind the Hon. the Attorney General that I was not there.

You would never understand it at all. Anyway, the election of a member who was contesting the Presidency of the Union was, in my opinion null and void because, he was not a member, as the Secretary of his Union to whom he had paid the money for his membership forwarded it to the Secretary of the Union's general branch at Skeldon, and it could not be found. That is an alarming state of affairs. The parties concerned would not worry with the question of a majority membership, but accepted the democratic practice of changing the leaders. But when we go and take different leaders, we find that the big stick method is used.

I use the term in a general sense meaning the people. In this case, the Party does not run a Union. It is true the People's Progressive Party is interested in strong trade unionism, but it does not like Company Unions and will not support them. The point I am making is that Government, does not accept the principle which is recognised in democratic countries. I would like my friend, the Hon. Member for Georgetown Central, to tell us why Government should not see that the machinery for democratic procedure in Trade Unionism is carried out in this country. I hope that the Registrar and the Labour Department will declare the last election null and

void, and that a fresh election in keeping with the rules will be held.

Representing the “Mule/Leading Boys”

Dr. Jagan: The Hon. Member has not yet defended the position. I would have liked to hear his view on the whole matter. The mule boys took on the job yes, but obviously they did so because their own rates were too low, as they got 81 cents per day for 12 hours working. All people like to earn money and more money that is why the mule boys combined their duties of mule boy and that of leading boy. It was not that they took away the leading boys' jobs.

The difference is that the leading boys have to look after the leading of punts while the mule boys have to do with the mules. Especially when the dams over which the animals have to traverse become impassable, it takes some considerable time and the animals have to be led in the correct direction.

Again Sir, it is very difficult for one person to do both jobs mule leading and punt leading especially since these men (that is what they are really) have to work at nights, and when it is quite dark, their occupation becomes all the more dangerous. Like miners in the coal mines, I think these men should be provided with certain amenities by the sugar producers. The Factory Ordinance was made, I believe, to limit the hours of working to a reasonable period, and it should apply also to these workers.

The next point I wish to raise is the question of job-work which is very little different from that of day work. The most important thing is the final wage received, though in many instances, it varies. In job-work one is paid so much per day, but if it is found at the end of a certain period that the earnings are too high, it could be changed to a daily wage. It is a simple matter which is being juggled not only by the sugar estates, but also by other employers. In this case, it takes 10 to 12 hours for an individual to complete a load, and that is of the greatest importance. Whether that constitutes a day's job or not is immaterial at the moment. The point is that the wage rate is very low.

I have given figures to show that the mule boys get a basic wage of 85 cents per day which, with the addition of bonus etc. amounts to \$1.75 per day. The point is that the men must not be forced to work more than 12 hours per day and they must be paid a living wage. Those are the points. They are quite clear and distinct. The point the Hon. Member makes is that these people may not be working all the time, as in the case of watchmen who are sitting down while watching; they may not be working very hard but that is their job. If a man is paid for the transportation of canes, he should not do anything else during the hours he is at work.

I agree that this is not the place to ventilate a wage dispute, but the

matter which I have referred to comes under the Factories Ordinance and is very important. This Government has shelved that Ordinance for a long time and up to now there is no provision to protect these people. Therefore, I have ample reason for bringing it up under this Head, as I will have no further opportunity to do so. I want the Hon. Member to defend it because he is always defending and I would like, in this instance, to hear what he has to say. It is his job to defend the sugar interests.

When I said that is his job, I was not referring to this Council. His job is to protect the interests of the sugar industry, and I am sure if anything is said here about that industry which is wrong or untrue he would get up and defend it. I would like to support the Hon. Member in what he has said. I, too, am pleased to see the rapidity with which these houses are going up, but I must say that in passing through some of these places one gets the impression that a shanty town is being built. We all know what unpleasantness occurs when houses are built closely together and what appearance that gives. I think it is not necessary, as the Hon. Member has said, to build these houses so closely, and I am sure that land space is not the greatest problem at the moment. If that were so, then most assuredly we could have arranged for the building of flats, or composite houses or something else. In this instance I cannot say that land is the most important and urgent problem in regard to the size of the house lots. I remember adding up the total number of house lots that were to be provided for these extranuclear houses. Dr. Giglioli's 9,000 house plots come up to 126 acres. Certainly 126 acres, in relationship to the holdings of the sugar estates which are nearly 170,000 acres is nothing at all, and if these areas are to be extended, as the last speaker has said, to one-fifth or one-fourth of an acre, it would mean so much more to the people living there and to the economics and the appearance of the plots.

I do not know if the Sugar Producers' Association has removed the restriction about growing fruit trees. I think it is a crime to prevent people from growing fruit trees on their holdings. If anything, they should be encouraged to add to the economics of the country and to the appearance of the area. Some of these plots look horrible at the moment, and that is why I support the Hon. Member in his comment. I do hope that in the new areas being planned Government would try in some way to correct this mistake which was made in the past.

We do know that the Sugar Welfare Fund is being used to implement this Housing Scheme by preparing the lands and by giving loans for the building of houses, but time and again we hear the cry "*I have made application to proper authorities, but months have passed and I have not yet got the loan.*" The people in the villages, who are sugar workers and not farmers, are told that the sugar workers who live in the ranges have to be given priority. That reasoning appears to be quite sound, but it is based on the fact that Sugar Welfare Fund is limited. I do not know what it is at the moment. I feel that Government should make some effort to augment this fund. I be-

lieve the present figure which is put aside for this Fund is \$2.40 per ton. This figure was fixed some years ago when the price of sugar was not what it is today. Since then the price of sugar has increased to a great extent, and I know as a fact that in Barbados in addition to this \$2.40 per ton an additional amount is placed to the Fund if and when a certain target of production is reached or exceeded. I do hope, now that the price of sugar has increased and in view of the fact that production is increasing in the Colony, we would adopt what is being done in Barbados. I do hope that Government will make an effort to augment the Fund.

I would like to supplement what the Hon. Member has said about the houses in the rural areas. I think that comparison with the Georgetown house lots is very bad. Georgetown, as we know, is an urban area where the people do not have to depend for a living on agriculture. The Town Planner, in re-planning the city, did not want to have slum dwellings uncontrolled and jammed together. If this plan is tied up with the sugar estates, then there would be land hunger in respect of the houses built for nonessential part-time workers. It is essential to remember that. In other words, those people do not have steady employment on the sugar estates, as there may not be enough work to give them all the year round and they have to supplement their livelihood by farming.

From 1948 to 1951 there was given to the workers 3,000 acres for rice cultivation and 2,000 acres for ground provisions. In the adjoining areas around the estates there is no land available and the population is increasing rapidly. What is to happen to these nuclear workers who are not in the same relationship with the workers in Georgetown who have regular jobs and weekly wages? The people who will have to build these houses have to depend on the land for a certain portion of their income. That is why it is all important. We are planning a fresh area. Let us not make a comparison with the villages and the towns where no farming is done. If we are planning for the rural areas it must be in relation to two things - size as to the nearness of the houses and as to the type of economy practised in the particular area and the type of individual who is going to live in that settlement. That is very important. I do hope that the Planning Department will also look into this matter.

Local Government Re-Organisation

Dr. Jagan: I move the deletion of the Sub-Head Commissioner of Local Government.

I move the reduction of this Head by \$5,760, which is the salary attached to the new post of Deputy Commissioner of Local Government. I do not think it is necessary at this moment to create a new post such as this, especially because it is my view that the Department will have to be reorganized under the new Constitution. I feel that the time has come when we have to redistribute the work of local government by setting up Area or County Councils, or whatever we may decide to call them, and when that is done we may need a Senior District Commissioner for each group or Area or County Councils, instead of having these officers centred in Georgetown, as no doubt is intended by the creation of this new post. I do not think it is necessary. We should try to cut down expenditure instead of creating new posts. We have already in this Department many officers who are advisers of the Commissioner of Local Government. We have a Land Settlement Officer, and I remember that at one time we placed on the Estimate an executive Officer and Secretary to the Local Government Board at a fairly good salary. On the eve of a possible reorganisation of the Department it is unnecessary to create this new post.

We have an Executive Officer for the Local Government Board, and in view of the fact that we are going to have a Minister of Local Government, who will probably take over many of the duties of that Board, that officer could very well be the adviser or a clerk to the Minister, and it would be through him that all matters affecting Local Government from the various districts will pass to the Minister. That is why I do not see any necessity for a Deputy Commissioner of Local Government.

Anyway I would like to hear from the Hon. the Financial Secretary in what way the Local Government Department will be reorganised. We would then be in a better position to decide whether it is necessary, for instance, to have a Deputy Commissioner of Local Government. Obviously we are going to have a great deal of trouble in having a Minister of Local Government and a Statutory Board operating at the same time. At the moment the Executive Officer is there as Secretary to the Local Government Board, and I am sure he could do the same job he is doing now in relation to the Minister.

Service at the Public Hospital

Dr. Jagan: I would like to make an observation under this Head in respect of the practice at the moment at the Public Hospital. We find that for one reason or another, patients who cannot pay complain that they do not get satisfactory service. Not only that, but we have people complaining that they are afraid to go to the Government medical institutions for treatment. That is indeed a very alarming state of affairs, when the general public expresses fear to go to a public institution such as the Georgetown Public Hospital where medical services are supposed to be provided and provided adequately. We have at the moment a very vicious practice, in my opinion, where the system of fees-paying is applicable. Those who can afford to pay usually pay, but those who cannot pay have to be pushed around with either a pauper or a poverty certificate.

I know from personal experience that many persons with pauper certificates are usually pushed around for the reason that the specialist officers get 50% of the fees from paying patients. Since the system is such, those who can afford to pay are given priority. I think Government would do well to reconsider this whole matter of paying specialist officers adequate salaries so that they will give attention to all patients at all times, those who can afford to pay and those who cannot. It is not good enough that those who can afford to pay should be given priority of treatment over those who cannot afford to pay, especially since at the moment even at the fees charged, those who can afford to pay are highly subsidised.

If we compare, for instance, the fees charged at the Public Hospital, Georgetown in relation to the fees charged at the Mercy Hospital we would find that at the latter institution the fees are very much higher, and such things as drugs and other articles used in the treatment of the patients are usually added to the bill. Therefore, if the doctors at the Government medical institutions are to adopt the practice of giving priority of treatment to patients who can afford to pay, then it means that those who go there as pauper cases do not receive proper treatment. In many cases they are definitely of the opinion that one in their position should not go there for treatment.

I hope that in the very near future Government will look into the system which is operating at the moment in respect of fees collection, and of the salaries paid to all Medical Officers. Relative to this issue of fees, we find that many doctors who are attached to the institutions - I refer those who are not specialists usually - do not want to remain there for very long, because when they are put in the rural districts they are allowed a certain amount of private practice in which they collect fees. Consequently there

is always dissatisfaction among the junior medical officers attached to these institutions, their desire being to migrate to the districts where, in addition to receiving a salary from Government, they have the facility of collecting private fees. I do hope that this matter will be considered very seriously by Government so that in due course there may be some standardised system which would be satisfactory not only to the public but to the doctors as well.

Government Printing & Other Expenditure

Dr. Jagan: I would like to make an observation I am sorry to do so on "*Public Printing*". From time to time this Council has been complaining about the tardiness of Government printing. From time to time we have been told when the contract was to be renewed and when additional sums were to be paid, that all efforts would be made to bring the printing up to date of Government Departmental Reports. At this moment I do not know if it is the fault of the printers or of the Government Departments that Reports are being tabled in this Council months after they should be and, therefore, serve no purpose when given to Members of this Council, because whatever comparative statement or information is embodied in them is really valueless and really do not mean anything to Members. In fact most Members do not read these Reports. I do hope that efforts will be made to see that the printing of these Reports is brought up to date.

In connection with the question of additional printing not under contract, I remember on one occasion I mentioned that as the result of the fact that much of the work that was supposed to be done by the contractors was being cyclostyled by the Government, the printing not under contract was becoming more and more costly year by year. If we look at these figures in the Estimates we would see that there is the actual expenditure of \$6,352 and for this year the expenditure is estimated at \$11,000. I feel that if Government is doing some of the work which is supposed to be done by the contractors, then a reduction should be made in this expenditure under the vote to the extent of the sum expended by Government.

I see that there is an item for a subsidy to the Canadian National Steamship Service. Now that the "*Lady Boats*" have been taken off the service I wonder what the position is. Are we still bound by the original agreement to pay the same figure as before?

I notice that the annual contribution to the University College of the West Indies has jumped from \$92,880 for 1952 to \$222,708 for this year, an increase of \$129,828. This is really an alarming increase. While we should have a University College in the West Indies to take care of the secondary education of the youths in this area, I do feel that this sum which is being spent as a contribution by this Government for a University College is really an alarming one. If we think of how many young people we can train with this amount of money we would find that we can give several scholarships each year with it.

What seems to be our greatest need at the moment is the training of officers in specialised work. It seems to me that the money to be spent for higher education, instead of being used to subsidise a University College,

should be utilised for scholarships from which we would get greater benefit in the immediate future. I do not know if there is any possibility of reducing this amount, and whether in future this sum will be reduced, for it is certainly a large amount of money for a Colony such as British Guiana to give as an annual contribution to the University College of the West Indies.

I accept the statement made by the Hon. the Financial Secretary and Treasurer. The fact that this is to be the budget for a five-year period does not indicate that there will be any reduction of this sum. What is alarming is the fact that in the future, in the next five-year period, there may be a double increase. I believe what is responsible for this jump of over 300% is possibly the additional functions which are being undertaken by the University. As explained, they are taking care of more faculties, and in the next five years they may have a dental faculty and an engineering faculty. This thing is going to become a terrible burden on this Colony. I do hope that some way will be found to reduce this very expensive proposition. Government should certainly give very serious consideration to all these extraordinary projects we have here. We have the Regional Economic Committee and Trade Commissioner Services in the U.K. and Canada, \$24,336 and this one is \$222,708. I am wondering whether there is any great benefit to be derived from organisations such as these.

I did not mention this item on this occasion because every year consistently, I have been moving its deletion. Since I have always failed to get support I did not worry on this occasion. I am therefore glad to hear from the Hon. Member that there are some recruits to my side on this occasion. I am certainly going to support him in the deletion of this item. I have said on many occasions here that while we have certain natural wonders here, the people who usually travel to these parts as tourists are North Americans who want blue water, beautiful hotels and somewhere to swim. That we do not have in British Guiana. I think I know a little bit of the North American's mentality, and I am sure that we are not going to achieve a great deal by encouraging tourists to come here- The Hon. Member was quite correct in what he said. If we have such people coming here they do so possibly through curiosity more than anything else, and when they do come, their stay only lasts for a couple of days.

It will be a very good thing if we can start getting our own people more interested in visiting the interior. Under the Head "*Miscellaneous*", there is the sum of \$85,000 listed for Leave Passages, an increase of \$40,000 over the previous year which was \$45,000, owing to the fact that Officers' wives are now being taken into consideration in this respect. This Council should give very serious thought first of all to Officers of this country being afforded the opportunity of seeing as much of British Guiana and the interior as possible, so that if and when they go abroad, they would be able to advertise B.G. as a wonder country.

At present, we are allowing our officers and their wives free passages to

go out of the Colony when perhaps they may never have been to the interior. The time has come when we must definitely stop wasting taxpayers' money in this way.

The Broadcasting Company

Dr. Jagan: Before the Head is put with that reduction I would like to refer to another item the contribution to British Guiana Broadcasting Company of \$15,000. I refer to this because I feel that as Government is subsidising this Company this Council should have something to say about its activities. Very recently an attempt was made by a Political Party to have an advertisement put on the air with respect to an excursion. It was strictly a business venture which had nothing to do with the aims or objects of any Political Party, but the Manager of the Broadcasting Station refused to accept the advertisement. I brought the matter to the attention of the Hon. the Financial Secretary.

It was the People's Progressive Party. I feel that in a matter such as that, especially as Government is subsidising this Company, there should be no discrimination whatsoever. If certain individuals are allowed to use the broadcasting facilities, then others should be afforded the same opportunities. I know that it has been said that the Broadcasting Station must not be used for political purposes, but some members of the public and of this Legislature are allowed to do so. Aside from that, there is this other aspect that it was a simple commercial advertisement. Today we are inundated with all kinds of advertisements on the air, some of which make false claims, and I feel that if anything should be done at all those advertisements which make false claims should be banned from the air.

For instance, there are advertisements of certain types of tooth paste which are supposed to cure dental caries; certain types of mouthwash which are supposed to cure pyorrhea. Those things are within my knowledge, and I know that those claims are not true. The point is that those advertisements are allowed to go on the air. Of course, they are paid for, but I feel that the same facility which is given to organisations which advertise those products should be given to others who are willing to use the radio station simply for the purpose of advertising.

As I pointed out to the Manager of the Broadcasting Station when I took the matter up with him, I cannot see how an advertisement announcing an excursion by train from Georgetown to a point on the East Coast could be considered as part of political activities. We all know that political activity is usually regarded as something which would further the aims and objects of a Political Party. Clearly, in this case the idea was that the excursion must not be advertised and should not be a success. I feel very strongly about this issue. In view of the Government subsidy, the Broadcasting Station is in effect a public organisation, and everyone should be given equal opportunities to use its facilities. I cannot agree to any discrimination as is

being practised at the moment.

Another point to which I would like to refer is the question of free time which Government is supposed to have on the air. Only this morning I took the matter up with the Public Information Officer, suggesting to him that more radio time should be utilised to give details of the voting procedure and the revision of the voters' List, so that members of the public may be properly informed. I do not think Government is fully utilising free time at the moment. I intended to refer to that matter today, but after discussing it with the Hon. the Attorney-General he suggested that we should meet him and iron it out, and that when the Council meets tomorrow afternoon an announcement would be made. I feel that some opportunity should be taken by the Public Information Officer to use the free time allotted to Government to advertise the procedure to be adopted for the revision of the voters' Lists.

The Hon. the Financial Secretary said a moment ago that it was clearly the policy of the Broadcasting Company not to allow political broadcasts, but what has happened within recent times? The Hon. Member on my left (Mr. Fernandes) has a Sunday Goodwill Programme in which everything under the sun is discussed from morality and religion to politics. There was recently a Programme called "*My Credo*" on which the Hon. the Sixth Nominated Member (Mr. Luckhoo) was allowed to say on the air what he believed in, and not only was he allowed the disseminating of propaganda but there was a re-broadcast of his views on a subsequent occasion. The Hon. Member for Georgetown South (Mr. Carter) was also allowed to express his views on the same programme.

The Hon. Attorney-General is trying to be funny, because it is obvious that people, who are in politics, if they have any brains at all, must certainly believe in something. Anyway, I will not worry to go any further into that. The point is that I say definitely that the Broadcasting Company is discriminating and taking sides. It has not allowed any member of the People's Progressive Party to go on a programme such as that, but has allowed anti-communism, which is in effect anti-socialism, in the interest of big business and vested interests.

Perhaps the Hon. Member did not listen to the other broadcast which was repeated, and which was a crusade against communism. In any case there is surely some distinction between an advertisement whether it comes from a political party or not and a broadcast of a political discussion or a political topic, and I am surprised that the Hon. the Sixth Nominated Member (Mr.-Luckhoo), who is a lawyer, cannot see the distinction. We do not want to invade the radio station by means of advertisements; obviously we could not do that in order to put forward our ideas, because the management would stop us very quickly. It was a plain advertisement, merely announcing that an excursion was leaving one place for another point and returning to the starting point at certain times, and it was to be paid for. It was not a speech on what the Party believes in, or the Party's programme

and policy. Surely there is some distinction there. That is the reason why I said that there was discrimination.

I would compare that advertisement with any other advertisement which is allowed to be put on the air. In this case, apparently, the Management of the radio station took it upon itself to say that an announcement of an excursion sponsored by the People's Progressive Party was inimical to the interests of the people of this country. The point was made by the Hon. the Financial Secretary that it should have been sponsored by someone, but if that were done it would not have been right, because no one person was giving the excursion. It therefore could not have been announced on the air as being sponsored by any individual. I hope that in future this organisation which is being subsidised from public funds will be allowed to be used by all and sundry, and that no discrimination will be practised.

I do not know why the Hon. Member has gone to so much trouble to defend his broadcast talk and to try to show how successful it was. That is not the point I was making. I was making the point that others are given freedom to use the broadcasting service - a point which has been overlooked by those Hon. Members who have spoken. I was not attacking their right to use the radio station to make whatever announcements they wished. Whether they attack communism or otherwise that is none of my business, but I say that if they are to be given that facility it should also be given to others. On the point as to whether the last speaker's broadcast talk was successful or not, or whether his crusade against communism was a success, I can tell him that the General Election will tell us how successful that crusade was - anyway, I am not interested in that at the moment.

As regards the suggestion that one cannot be a Guianese and be a communist, I would say that it could also be said that one cannot be a socialist and be a Guianese. Any student of economics and politics knows that communism, capitalism and socialism are only economic theories. Economics teaches us that capitalism, communism and Nazism are all phases of politics and economics. To write nonsense and rubbish may be good enough for the Editor of the *Guiana Graphic*, but nobody who has been to school takes nonsense like that very seriously, and I am surprised to hear the Hon. Member uttering such nonsense in this Council.

I am not afraid to answer that there is no doubt that quite a lot of propaganda and nonsense has been put out about communism by the *Guiana Graphic*, and the Hon. the Sixth Nominated Member (Mr. Luckhoo) has referred to it. There have been crusades in this Colony and elsewhere against communism without giving the people an opportunity to understand what communism really is. All that has happened so far in this Colony is that hysterical nonsense has been dished out as anti-communist propaganda. The issue will not be whether the people want communism or not, but whether those who proclaim intelligence are as intelligent as they would like the people to believe.

The issue at the Election will be fought not on communism, but on

whether those who are carrying on a crusade against it are really fighting for the people of this Colony or not.

On this question of granting licenses to motor vehicles, I cannot see why Government is taking up the attitude that there should be restrictions. If an individual wants to run a hire car in Georgetown, I think the granting of the license should be automatic. As long as he has a good car and it passes the examination, I cannot see why a Police Officer or whoever is the Licensing Authority should take it upon himself to decide how many hire cars should have licenses. That is assuming too much power.

There is a variation in licensing fees at the moment, and I think that is enough to prevent people from abusing the system of hire car service or whatever service one wants to inaugurate at the moment. One knows that a man who wants to set up a hire car service has to have a greater sum of money for license fee, than one who wants to operate a private car. That being so, I see no reason why the authorities should refuse to grant such a license. It has been said that there are already too many cars on the road. To stretch that argument further, one may say there are too many shops and why license more of them. People who want to operate hire cars have to face competition, and that in the long run will be the thing to deter them from taking out the license. I do not think such extraordinary power should be given to the Licensing Authority to withhold licenses from applicants. I join the Hon. Member for Georgetown Central in pointing out that Government is following a very dangerous precedent.

Revision of Voters Lists - 1953

Dr. Jagan: Sir, I thought the Hon. the Attorney-General was going to make an announcement regarding the revision of the Voters List. I wonder if you would permit him to do so now, and whether he is willing to do so now. It is very important. When I met him this morning I understood that an announcement will be made.

As a result of the several opinions expressed in this matter, Members met the Hon. the Attorney-General to iron out some of the points raised. I agree that the first of those points is that the people have not been given enough time within which to register their claims. Quite a number of them have, possibly not seen the List, especially since publicity has not been given by way of the newspapers or by radio announcements. I feel that a week's extension would have been adequate in the circumstance, but it is the consensus of opinion that a week's delay would throw the whole election machinery out of gear and so, finally, four days' extension was accepted.

On this other point, having the last date, January 1st, for any new claimants, that would deny certain individuals the right which has been given them in the forthcoming election. Anyone who will be 21 years of age will be permitted to vote but, according to the Law passed before, the 21-year age limit will be stopped on December 31, 1952, with the result that any person born between the 1st of January and the 22nd of April and who will be 21 years of age during that period, will certainly not be permitted to take part in the elections. I feel that that is not right at all.

I am told that in Jamaica, while the date is fixed for enumeration, nevertheless when the Voters List is being revised any individual who would become 21 years of age after that date was permitted to enter that List. I can see no difficulty, because at the time when an individual makes a claim a form is given him, and all he has to do is to say that his name was left out of the preliminary List; that he is now 21 years old, and is applying that his name be included in the List. Such a procedure would entail no new house-to-house enumeration as was done on the first occasion. If that was done in Jamaica, I can see no difficulty why it cannot be done in British Guiana.

I would like to take the opportunity of discussing this matter very fully when the Bill which has been introduced is being discussed. But, unfortunately, as far as I am aware, it will not be discussed in this Council which, within a short time, will be going out of session.

The difficulty about that is that while the Bill might be very short, revision will have been over in the next two weeks, and so to all intents and purposes, any discussion will be useless.

I can appreciate that point, but Government is not to deny the right to

anyone who will become 21 by the last date of revision so long as the resident qualification is maintained. If February 15 is fixed as the last date on which a claim can be made, or on which a person has become 21 years, he obviously has to satisfy the resident qualification in the particular district three months before February 15, if it were in fact accepted as the date instead of December 31st. I hope Government will accept that, and in so doing it will give many persons who would otherwise be denied the privilege, the right they have been given in this new Constitution.

Appropriation Bill on Drainage and Irrigation Schemes: 1953

Dr. Jagan: It is a great pity that our last Consulting Engineer, Mr. Frank Hutchinson, had to leave this Colony, and it is also a greater pity that we have not had an opportunity to debate the Schemes, and particularly the Reports which that eminent engineer has submitted to Government. The Hon. Member who has just taken his seat has referred to the case of a company, which, in order to keep its lands well drained, has had to resort to the use of pumps which discharge the water on its neighbours. That is a very alarming state of affairs. With regard to the Blocks I and II Schemes we were told that Mr. Hutchinson advised against those two schemes, because he felt that if that area was empoldered and pumps used to keep the water out it would cause greater flooding of the areas east of that area. As long as Government adopts the piecemeal method of providing benefits for a company, or a small block, it will only create conditions elsewhere which, by the disturbance of the natural forces, will mean ruin and starvation to many others.

It is a strange thing with this Government that on important issues we never seem to have any debate. I remember that at one time we were supposed to have a debate on the Evans Commission Report, but up to the present we have not had that debate. The Hutchinson Schemes, in my opinion the most important and significant in this country, have not yet been debated in this Council. It seems to me that we are always going ahead with schemes and debating them afterwards. I have been reading the Report on the Boerasirie Scheme, and I would like to know from Government whether Mr. Hutchinson's recommendations with respect to that Scheme will be carried out.

There are many other points in that Report on which I do not think any decision has been taken the question of centralised administrative rates when the Scheme is finished, and the question whether with special tools and equipment, the Scheme would be completed in three years, or whether Government would be contented to do it in five years. Those are matters on which this Council should have some say. The Mahaica-Mahaicony Bridge is also a very important project which has been submitted to Government. Why is it that we have not been given an opportunity to debate that project?

If Mr. Hutchinson's Schemes were to be carried out in the Mahaica-Mahaicony area, thousands of acres of land would be made available, and there is certainly a crying need for more land at the moment. I trust that we will get a Consulting Engineer who is as capable and efficient as Mr. Hutchinson. If possible, I feel that Government should endeavour to re-employ Mr. Hutchinson. Every effort should be made to induce him to return to this country. Of course, I know that a clash of interests was re-

sponsible in a large measure for his leaving the Colony.

When one reads the Report on the Boerasirie Scheme one finds that there has been inefficiency and lack of proper planning. We have been told that we have people here with a lot of local knowledge and experience, yet we find that dams have been constructed in the wrong places without proper surveys having been made. The result is that they are hopelessly out of place and have been totally condemned by Mr. Hutchinson. Here was an engineer who was for the first time applying a scientific basis to the planning of drainage and irrigation in this Colony, but for some reason or another he has cleared out of the country. I do hope that now that these Schemes are being put through, and now that surveys are being made in respect of other schemes on which he started investigations, we are going to get someone as Consulting Engineer who possesses the wide knowledge of drainage and irrigation which Mr. Hutchinson has. I hope that in the implementation of these schemes we will not find ourselves in the hopeless position in which we found ourselves when we were carrying out the original Benasika and Torani Schemes.

Item put, and agreed to.

Head passed at \$270,444.

Public Works Annually Recurrent Expenditure (Specifically Housing)

Dr. Jagan: Under this Head I would like to make some remarks on the extraordinarily high cost of erection of Government buildings. I tabled a Motion some time ago with respect to the erection of Government buildings in the compound of the Department of Agriculture for the accommodation of public officers. Again I must draw Government's attention to this serious state of affairs in which tax payer's money is being thrown down the drain. If houses are to be built for public officers, they should be made to pay an equitable rental for them, taking into consideration the cost of construction. At the moment civil servants are made to pay 10% of their salaries for the rental of an unfurnished Government house up to a limit of \$30, and I believe 12% or 12 1/2% for a furnished house up to a limit of \$60 per month. But if a house costs \$24,000 to build we will find that when interest and maintenance charges are taken into account, assuming that the building has a life of 20 years, the rent ought to be about \$100 per month.

I do not think it is right to build houses at a high cost and let them at low rentals to Government officers who receive high salaries of \$400, \$500 and \$600 per month. If Government cannot build cheap houses it should cease to build houses for its officers, and make provision for the purchase of land in the immediate vicinity of Georgetown to be made available to persons who desire to build their own houses. Such a scheme would relieve the housing shortage. We were told a few days ago that there were several hundred applications for a few house lots which are not yet allocated in Campbellville. Many persons are interested in building their own homes, but they cannot do so because there is no available land. Instead of wasting money in building houses for Government officers at exorbitant cost, Government should purchase land and make it available to people who desire to build their own houses. Government officers would then be able to obtain houses at cheap rentals.

Head passed at \$1,613,991.

Social Assistance

Dr., Jagan: I would like to make one remark with respect to the Contributory Pension Scheme which was recommended for sugar estate workers by the Venn Commission. When the Report on the recommendations of the Venn Commission was tabled in this Council, the information was given to us that at the moment Government's share of Social Assistance amounted to 30% of the total figure. That is indeed a very high figure. Thirty per cent of this Social Assistance goes towards the upkeep of the indigent poor and those who cannot find work on sugar plantations. Government has just abolished the tax on sugar producers, which will afford the sugar companies relief to the extent of about a quarter of a million dollars per annum. Now that Government has to take over the responsibility of providing medical facilities and a portion of the housing, I feel that it should not be called upon to bear this very high percentage of the cost of Social Assistance.

The Venn Commission recommended a Contributory Pension for sugar estate workers, and I feel sure that if it were established many persons who are now receiving poor relief and social assistance from the Government would not have to do so. In that way the burden which now falls on Government would be relieved. Such relief would be very welcome, especially since Government has assumed many other burdens formerly borne by the sugar companies.

Magistrates' Salaries

Dr. Jagan: I have no objection to the Magistrates being paid a higher salary, but I think the time has come when we must have some law reform in this Colony. We have all kinds of small insignificant cases going before the Magistrates' Courts, and in many instances people have to go to the trouble of getting a lawyer to appear for them. I think that what is known as the System should be adopted in this country, whereby small or trifling matters are not brought to the attention of the Magistrates to waste their valuable time. I agree that Magistrates should be paid a good salary, but their time and skill should not be wasted on small trifling matters, such as cases of abusive language, disorderly behaviour, etc. Such cases can certainly be settled once we have reform in our law system of local Government in some similar fashion to India and other countries. I am sure such reorganisation would save the Magistrates a lot of time and also help the poor people to save their earnings which have to be spent in paying lawyers' fees.

Forests Bill, 1953

Dr. Jagan: The Hon. the Attorney-General said it is done to avoid confusion, but as far as I see it is going to cause greater confusion, because one Department will be administering land on which forests grow, while the other Department - the Dept. of Lands and Mines - will be administering land on which there are bauxite, gold, minerals, etc. I cannot see the reason for bringing such a confusion before the public at the moment. I think the way it has been done all along is fairly good. Many persons will have to decide to which Department they should go. Instead of making Crown lands and Crown forests and having them being administered by a Conservator of Forests and another set of lands administered by the Lands and Mines, I think Government would be much better off for revenue if the two Departments were together, calling them Crown Lands and Mines and Forests, and so simplify this matter of administration a great deal. At the moment we have a great deal of overlapping in the functions of Departments. We sometimes have the Local Government Board functioning through the Department of Agriculture and sometimes the Agriculture Department functioning through some other Department.

That is not going to prevent it. As far as I can see it is going to mean further misunderstanding with the Forest Department having its own staff and officers working separately from another Department dealing with lands and mines. That is what is going to happen under this Bill. We will eventually find ourselves spending more money administering the Government Departments. Apart from confusion, I do not see the necessity of putting what we may consider forest under the Conservator of Forests. I think a better idea would be to join the two Departments together under the Ordinance.

The Hon. Member obviously did not follow me. I said that at the moment we have two Departments which are functioning in one area which is divided into compartments, and as a result of these functions, in many cases they are overlapping each other. If we have this Bill going through we will have the Department of Land and Mines supervising one area and next to it another area being supervised by the Forest Department; each one having its own officers to carry out examinations, etc. Let the Hon. Member speak of the tremendous amount of travelling allowances charged against this Colony as a result of these overlapping functions. I say again, if the Hon. Member followed me he would have seen what I am speaking about, and he would have realised that there is nothing incongruous in what I said. I am not against the Forest Department being run in a proper manner.

I would like to have an assurance that the Conservator of Forests will not use his powers in any way to deprive any small logger or worker of any of his rights. I think the Hon. Member for Georgetown Central (Mr. Fernandes) made a very good point in dealing with the question of the collection of royalty. We must not lose sight of the fact that many of these small traders live a very hand-to-mouth existence and do not have any money in their pockets until they have sold their produce. On one occasion I mentioned in this Council how advantage was being taken of those small people who had to fell the timber and transport it to the sawmills which paid them whatever prices they were disposed to pay in the absence of any Government control of the prices of these products. I can see that this clause would work admirably if Government had set up a timber pool or an organisation similar to the Rice Marketing Board, which could purchase timber on the spot and collect royalty. In the absence of such an organisation I cannot see how those small people are going to be in a position to pay royalty. The Hon. the Attorney General has said that the Conservator of Forests will use his discretion, but I do not think that is good enough when we are making legislation it should be more specific when we are making a law.

I do not say that the Conservator would not follow the same procedure adopted by the Commissioner of Lands and Mines, but I would like to know whether the law as it now stands is the same as stated in clause 12 of this Bill. If the law is to be the same and the same procedure is going to be adopted, there can be no objection, but if the law is changed and we are only to assume that the same procedure will be adopted, I do not think that is good enough. A Magistrate once said he was not interested in what was said in this Council; he had to deal with the law as he found it. Therefore, if the law is being changed I will move an amendment to make the procedure for the collection of royalty specific.

Comparing Penalties

Dr. Jagan: I quite appreciate the advantage of a clause such as this; but how is one to know whether a person negligently lit a match or other material? That is going to be a difficult proposition, and I am wondering whether the Hon. the Attorney-General can tell us in what way it would be determined whether someone negligently lit or threw a match or other lighted or inflammable material which caused a forest fire.

In view of what has been said I am quite prepared to accept the amendment and the clause. I said it is a serious matter. We all know how much trouble and loss to a country a forest fire can cause. I am wondering- what is the basis for assessing the fines and the damages? In this case, we have a fine not exceeding \$100. It was told to us a moment ago that it is very difficult to detect a person who may have started a forest fire. Therefore if any prosecution is to take place successfully, it means that the finger of guilt must be pointed to a person definitely and specifically. In such a case I think the fine should be increased and not placed only at \$100. If one reads the Subversive Literature Bill which is before the Council, he would see that simply for importing or publishing something which is prohibited, a fine not exceeding \$500 and imprisonment not exceeding twelve months or both fine and imprisonment may be imposed.

In the opinion of some people that may be a very heavy penalty to impose on one merely because he imports or sells something which Government thinks is harmful, but which other people do not think is harmful. But here in this case, a man negligently causes a forest fire which may cause thousands of dollars in damage not only to the Colony but to individuals also, and we find that a fine not exceeding \$100 is to be imposed. I would like to know from the Hon. the Attorney-General what basis has been used to calculate the fine before I vote for this \$100. Otherwise, I will vote for the deletion of the penalty.

The Hon. the Attorney-General referred to causing fire in both cases. I do not think his statement *is* quite correct, because in the case of banning books and literature, gramophone records and pictures, we are bringing a fire which is going to burn out British imperialism and the system of exploitation in this Colony.

Will the Hon. Member say what point he was making when he got up?

I asked the Hon. the Attorney-General what was the basis or yardstick used in assessing the fine. That is what I asked him.

Compensation

Dr. Jagan: We are having too many undertakings this afternoon, and therefore I am going to propose a new amendment. There is no doubt that all Members have apparently agreed that should a person be injured in the performance of a duty which he is forced to do, he should be paid compensation amounting at least to what is provided under the Workmen's Compensation Ordinance. Members have also expressed approval of the simplicity of the procedure in getting this compensation. That is very good, and I also agreed with that. We do know that in the Workmen's Compensation Ordinance that is one of the difficulties. I remember that the Committee which sat before the last Bill was placed before the Council recommended that a special Board be set up, but, unfortunately, Government did not accept that recommendation. When the Bill was eventually brought before this Council it was in such a form as to allow the old procedure to continue, and that is, the injured person had to go before the Court to get his compensation claim settled. We all know what a waste of time and money is involved when people go to the Court. I see there is to be a simplification of the procedure in not having to go to the Court as set out in the Workmen's Compensation Ordinance.

I will therefore move an amendment to the original clause 16 (3) and that is, to delete the words in the last line from the word "approval" to the word "Council" and to substitute therefore the words:

"to the rates as set out in the provisions of the Workmen's Compensation Ordinance of 1947 or any subsequent Ordinance replacing the same."

A similar thing has to be done in the case of sub-clause (4) deleting the last five words and substituting the same words as is done in sub-clause (3). I think that would meet both points which have been made. The procedure will be simplified as the Governor-in-Council will deal with it and the rules will be the same as those set out in the Workmen's Compensation Ordinance.

After listening to Hon. Members who have spoken, I think my amendment would certainly limit the scope of the amount which such persons would be entitled to receive. It may provide for certain people who will not be covered by the Workmen's Compensation Ordinance, a minimum I believe of \$100 per month, or something like that, I only hope that the Governor-in-Council will use his goodwill towards all in a like manner I know of several instances where people who were really entitled to gratuity or pension did not get it because of some little nonsense. I won't like the matter to

be made specific and would therefore revise my amendment to this effect that in the case of persons who are permanently disabled either totally or partially as specified in this clause, the Governor-in-Council may grant a pension or gratuity the amount of which shall be subject to the approval of the Legislative Council. That takes care of the point that the Governor-in-Council will be empowered to give the person injured gratuity or pension which is to be nothing less than that set out under the Workmen's Compensation Ordinance. If the person is not covered by the ordinance, then he should be given something which would be reasonable in the opinion of the Governor-in-Council. I see no difficulty in that amendment.

The Hon. Member for Georgetown Central (Mr. Fernandes) spoke a moment ago as if I had intentionally robbed him of his idea in amending my original amendment. I am here in the interest of the Colony. If he could make a suggestion which is good, certainly I would be the last person not to incorporate and accept it in any way. And if he should speak nonsense I will say so. There is nothing wrong with my incorporating an idea which is good and which simply came out of his mouth. In fact, he should have praised me for being so broad-minded as to accept his idea in preference to mine. That only shows other Hon. Members how he is thinking. I would like to point out that it is not my intention to do anything that would take away the rights of those who need help.

The Hon. the Attorney-General, in his reply to the amendment I moved last, referred to the percentages of total income and the amount of gratuity given plus medical examination etc., in the Workmen's Compensation Ordinance. That is only a red herring, because medical examination has nothing to do with the limited sum to be paid, as the cost may be deducted from the lump sum. We are not talking about that now - we are talking about that which is set out in the Ordinance, and all I am saying is that it should not be reduced by the Governor-in-Council even with the approval of the Legislative Council. I do know that in the majority of cases which will fall within this clause, the persons concerned will be poor workmen, and not so much the people who are outside the Workmen's Compensation Ordinance.

Looking after the interests of those people who will be covered by the Workmen's Compensation Ordinance? From my personal experience there have been many instances in which poor people's interest were not preserved. That is why I am saying that it is a wrong procedure for the Hon. the Attorney-General to go the Governor-in-Council. All I am saying is that the Governor-in-Council should not give any gratuity which is less than those that are set out in the Workmen's Compensation Ordinance. That idea is not being discussed in this Council now, simply because of my amendment.

Yes, the Hon. the Attorney-General has said that anything fixed becomes the standard and that the Governor-in-Council will have to protect the interests of the people. As I have said before, the minimum or standard do

not necessarily mean that that will be the sum which will be given. I know the argument is always used by Government. I know as a fact also that in certain countries where minimum wages are established this is not accepted at all. For example, that applies in the United States where there are a lot of industries and Trade Unions established and people are getting wages above the minimum.

All the Hon. Members who have spoken have said they do not want Government to give any less than what the Workmen's Compensation Ordinance provides, so that has been ruled out. My amendment will give the worker at least what he would get under the Workmen's Compensation Ordinance. I rather like to put the amendment in black and white.

I think Government should give due time to people in the remote areas of the Colony to be aware of the provisions of this Bill. This clause deals with Regulations to be made under the Ordinance when it is passed, and there is a severe penalty not exceeding \$100 attached. I know from personal experience that laws made in this Council are generally not within the knowledge of persons. Such persons may contravene the Regulations and be liable to a very heavy penalty.

The Hon. Member for Essequibo River (Mr. Lee) and other members of the Rice Farmers (Security of Tenure) Committee including myself, who have been going around the country, discovered that there were hundreds of persons who did not know of the existence of the Rice Farmers (Security of Tenure) Ordinance even though it was affording them protection. In this case it is not a question of protection but of a penalty, and I hope Government will make every effort to bring the Ordinance and the Regulations to be made under it to the attention of those people who may be living in remote parts of the Colony. I do not know how it is going to be done. Posting the Bill up or a copy of the Official Gazette would not be enough. I think Government should use the facilities of the District Commissioners in the interior and of the radio.

I am always willing to work late when necessary, but I am sorry I will not be able to remain after 5 o'clock tomorrow because I have some previous engagements.

I am always willing to attend meetings at night; but notice to that effect was not given for this week.

Cooperative Credit – Banks' Jurisdiction

Dr. Jagan: Sir, I crave your indulgence to refer to a matter of very grave importance and urgency. Yesterday I attended a meeting of the Cooperative Credit Banks Board at which the matter I wish to refer to was discussed, and as the Cooperative Credit Banks Board is unable to do anything about it I think Government should see what can be done in this very urgent matter.

In May last year I received a letter from Mr. Vernon Kurtz, of Adventure, Demerara River, complaining very bitterly that he had made an effort to secure a loan from the Cooperative Credit Banks, but wherever he went he was blocked and obstructed. He therefore appealed to me, as a member of the Cooperative Credit Banks Board; I see whether I can do anything for him. I forwarded the letter to the Director of Agriculture, who is the Chairman of the Board, and in a telephone conversation the Director told me he was writing to Mr. Kurtz to explain the situation and advise him to apply to the Cooperative Credit Bank in Georgetown for the loan. Subsequently Mr. Kurtz received a letter from the Director advising him to come to the Board in Georgetown and make his application. This letter was addressed to Mr. Kurtz somewhere around June last year and, as I have said, he had been trying to secure a loan since the beginning of last year, if not earlier.

Mr. Kurtz travelled to Georgetown at great expense and put his case before the officers of the Board. At a subsequent meeting of the Committee of the Georgetown Cooperative Credit Bank it was decided that a loan of \$1,500 would be granted to Mr. Kurtz, pending an investigation of the site on the Demerara River and the securities offered by Mr. Kurtz, but a bottleneck arose on the question of travelling expenses. I understand that Mr. Kurtz lives several miles up the Demerara River, and he was informed by the officers of the Bank that the difficulty was the examination of the site prior to the granting of the loan.

I had a serious quarrel with the Supervisor of Cooperative Credit Banks in which I pointed out that it was Government's intention to encourage people to remain in the rural districts and become farmers, especially in river areas, and I suggested that Government should do everything possible to help those persons by way of loans. I also suggested that as there was an officer of the Department of Agriculture operating on the East Bank, he could proceed to the Demerara River to examine the site, with funds from the Contingency vote of the Department of Agriculture. Subsequently that officer of the Department travelled up to Adventure and made a comprehensive examination of the site, and a report was finally submitted to the Committee of the Georgetown- Cooperative Credit Bank.

Mr. Kurtz had to travel to Georgetown again to meet the Committee of the Bank, bringing with him his transport and other documents which he was told to produce. The Committee of the Bank considered his application for a loan in the light of the information supplied by him and the Report of the officer who examined the site. The Committee decided to grant the loan subject to the approval of the Cooperative Credit Banks Board. Mr. Kurtz received a letter stating that his application for a loan was approved, subject to the Board's approval, but the Board did not meet for four months, perhaps due to the fact that the Director of Agriculture, the Chairman, was on holiday. On previous occasions when the Director of Agriculture was absent from the Colony the Board appointed someone to act as Chairman, but that was not done on this occasion.

I see no reason why the officers concerned with the Cooperative Credit Banks Board neglected on this occasion to hold meetings of the Board for such a long period, in spite of the fact that I wrote them almost every other week concerning Mr. Kurtz's application for a loan which had been held up for nearly a year and a half. I need not mention the number of times Mr. Kurtz and his wife came to me about this matter, and how many precious minutes I spent on the telephone trying to find out from officers of the Board what was happening in the matter, and when the Board would meet.

The Board eventually met yesterday, but before it met Mr. Kurtz received a letter from the Secretary of the Georgetown Cooperative Credit Bank stating *"We are sorry we have to turn down your application for this loan. In fact the decision which we had made that you would be granted this loan pending the approval of the Board is null and void because we have no jurisdiction to operate within the area."*

I say that the officers involved in this matter should be fired. The mills of the gods grind very slowly while suffering continues. It is no wonder that a former Colonial Office official remarked that the pace of movement and development in British Colonies is beyond the wildest dreams of snails. I took the matter up yesterday at the meeting of the Board, because I felt that it was a case of an individual who was trying to be industrious and not to be a charge on public funds, and that such a person should be encouraged.

I am moving a Motion.

I merely wanted to outline the facts before I moved the suspension of the Standing Rules to discuss the matter.

The Rule says:

"Before the Council proceeds to the Order of the Day a Member may, with the permission of the President, make a statement to the Council (a) drawing attention to any alleged, breach of Privilege or (b) explaining any matter affecting his personal conduct as a Member of the Council."

This matter affects me as a Member of this Council and as a member of

the Cooperative Credit Banks Board to which I have been appointed by His Excellency the Governor. Consequently I feel that this is a matter of grave importance. I was about to finish.

I have had to cancel my other engagements in view of the decision yesterday to sit late today. It is most unfortunate that I have had to do that. I appreciate that we have important matters on the Order Paper, but when we look at items such as the Bill for the registration of midwives, and the Undesirable Publications (Prohibition of Importation) Bill I do not think those matters should take precedence over the matter to which I am referring.

The Hon. the Fourth Nominated Member (Mr. Farnum) is also a member of the Cooperative Credit Banks Board and can certainly verify what I have been saying. I mentioned to the Board that the matter was urgent, and that I would appeal to this Council to recommend to Government the granting of the loan to this individual. As things stand now the Cooperative Credit Banks Ordinance would have to be amended in order to extend the jurisdiction of the Georgetown Cooperative Credit Bank to include the area in question, or it may be necessary to set up a new Cooperative Credit Bank there, but I am sure that those things would take so long that the individual concerned would suffer considerable hardship. He has invested a great deal of money on the site and has installed machinery for the grinding of corn and other things. If he is unable to develop his cultivation properly he is likely to suffer great loss. In view of what I have said I would like to move the suspension of the Standing Rules and Orders to enable me to move the following Motion:

“Be it resolved that this Council recommend to Government the granting of a loan of \$1,500 to Vernon Kurtz, of Adventure, Demerara River.”

I would not have decided to move this Motion if I had not heard at yesterday's meeting of the Cooperative Credit Banks Board that in order to grant the loan it would be necessary to amend the Cooperative Credit Banks Ordinance, and knowing how long it takes Government to move in such matters I felt sure that an amendment of the Ordinance would take a very long time.

I beg to move the suspension of the Standing Rules and Orders in order that the Motion which I have read be taken at this time.

Special Revised Bill: 1953

Dr. Jagan: To a point of order!

I am rising to a point of order. This Bill which has been read for the first time is the first item on the Order Paper today, and if the Attorney-General intends to take it later on today, then I submit this is not the correct procedure, and the ruling should be that this Bill be proceeded with now. He cannot jump over the Order Paper as he likes; that cannot be done.

The Attorney General made the observation before he came to item 2 on the Order Paper, that he would ask leave to go back to the first item.

He indicated his intention to do so later on, and as long as that is his intention the Bill should be taken right now through all its stages.

I beg to move that the Standing Rules and Orders be suspended in order that the first item on the Order Paper, in view of its grave importance to the public of this Colony, be taken through all its stages now.

I would like to ask the President of this Council whether it is correct parliamentary procedure to move from one item on the Order Paper to another or other items, and subsequently come back the same day to the first item.

If such is the ruling I would ask the Attorney-General to consider this Bill first. We understood that Council was going to consider it today and I urge that in view of what is taking place generally in the Colony, that the Bill be taken today. It is a lengthy Bill and I am sure it is going to lead to a lot of discussion. As soon as it has been disposed of Council can go on to the second item on the Order Paper.

The Attorney-General is quite correct in what he has said; he promised to take this Bill today. I agree with him, but let us look at the intention of the Attorney-General as regards item 2. As I said before the Order of the Day, this matter of the revision of the Voters' List is very important, and while we are playing "*ducks and drakes*" as it pleases the Attorney General and the drafting Department of the Government, people in this Colony will be dissatisfied if the Lists are not put forward to them very clearly and distinctly. On two previous occasions I asked leave of the Chair to allow me to make my observation, and on one of those occasions I had to postpone an important appointment in order to meet the Attorney-General. While waiting on him I had discussions with the Hon. Member for North West District, and the Hon. Member for Georgetown Central on certain aspects relating to the revision of the Voters' Lists.

The Hon. Member cannot move that the question be put while I am speaking.

I challenge the ruling of the Chair and ask that this matter be referred to

Her Majesty's Secretary of State for the Colonies.

Undesirable Publications Bill

Dr. Jagan: I would like to read from the Standing Rules and Orders of this Council, and to point out that the Hon. Member who moved that the question put was out of order, and that the Chair was also out of order in having the question put. If you look at Rule 20 (a) of the Standing Rules and Orders, page 7, you will read that:

“Every Member shall speak standing and shall address himself to the President.”

That is what I am talking about. Then the Rule goes on to say:

(b) “No Member shall interrupt another when speaking, except by rising to order . . .”

If the Hon. Member felt I was out of order and was speaking irrelevantly I suggest he would have been quite correct in rising to a point of order, but he did not do that. He should have known better than it was disrespectful to attempt to move a Motion when another Member was speaking on another Motion.

I would like to mention that the Hon. the Sixth Nominated Member was not in his seat when I spoke.

The Hon. the Attorney-General in moving this Bill said that eternal vigilance is the price of liberty. Sir, that is a very good slogan, and one which needs to be considered very carefully and, in fact, one which should be looked at from the point of view of the meaning that is placed on it. Eternal vigilance is the price of liberty! What liberty? Whose liberty? The Hon. the Attorney General did not go into that phase of the question. Is it the liberty of the rich, the exploiters, and those who want to continue to rob? Or is it the liberty of the workers, the farmers, the exploited people, he is talking about? I do not know, Sir. But I know that at one time when he was in his own home surroundings appealing to the voters, the liberty he was fighting for then was the liberty of the poor. Now that he is in the Government I wonder which liberty he wants us to be eternally vigilant about. Is it the liberty of the oppressed, or are the oppressors to continue to rob and squeeze the poor people of this Colony? That is the question that is to be asked. I, Sir, am the last person who would like to take away liberty from anyone.

If you look around you would see it is the liberty of people like me that

is being taken away, and not that of the people of the other class to whom the Government seems to be very wedded today, the class which is robbing and taking away freedom and liberty.

I have referred on many occasions to my own case. In my own constituency I cannot enter certain places to speak to my own constituents. Where is the right of freedom and liberty, the right of assembly and the right of free speech? I cannot go to Trinidad; I cannot go to Tobago. A few days ago we saw that I cannot go to St. Lucia, St. Kitts and a few other small Colonies I know it is not the desire of the people of those Colonies or of the people on the sugar plantations that I should be debarred from entering those places, but it is the desire of those who have been squeezing the life blood of the poor people in those territories for the last 150 years, and who are today afraid - if I may use the word "damned" afraid that the day of reckoning is at hand. That is why they do not want the voice of truth to open its mouth. A short while ago a Reverend gentleman was delivering a sermon in St. Paul's Cathedral and this is what he said. I read from the *Daily Chronicle* of 23rd September, 1952 :

"Coloured Jamaican preacher, Reverend Marcus James, was today reported suffering from laryngitis after preaching in Saint Paul's Cathedral yesterday. James, Overseas Secretary of the Student's Christian Movement, devoted his sermon to Christianity in underdeveloped regions of the world, and said: 'You, who are steeped in Western European traditions, should be reluctant to give hasty judgment on your fellow Christians in those lands, for action which you may not understand, there is not the slightest theological justification for the theoretical belief that Christian faith is by divine ordinance identified with the Capitalistic economic system'..."

What is the Government trying to do by bringing a measure like this Bill at this moment? It is true that a Motion was passed by this Council some time ago, but can we say that this Council of today, or indeed yesterday, really mirrors the view and aspirations of the people of this Colony? It is true we were elected for five years, but some of us, like the Hon. the Sixth Nominated Member (Mr. Luckhoo) lost at the election and were appointed by Government to this Council for good reasons, no doubt, of which the Government only can bear witness. Do such people represent the wishes of the people today in this Council? Sir, I remember when Lord Munster came here I was told he wanted to see me, and so I went to him. He said to me "Jagan, what will be your platform? What is your programme at the next election?" I said to him "We have one platform and programme and that is to bring back liberty to British Guiana; on that the issue will be fought."

That is the greatest thing today, the liberty to which the Hon. the Attorney-General referred some moments ago. As I said, Sir, whose liberty, and who is to decide what undesirable literature is, etc.? Does the Government dare to go to the people now and find out whether they will support such

a measure as this?

Why the mad rush at this moment to pass this legislation when but two months from now we are going to have a new House of Assembly? Why? No matter what the Government does it cannot prevent the dissemination of ideas which it does not like either the Government or some Hon. Members of this Council do not like the fact that capitalism, the capitalist system or capitalist organisation of society has not always been with us. There was once slavery, but slavery was abolished. Even though the slave-owners and the clergymen who owned slaves and the Lords and the Ladies who owned slaves and plantations were opposed to it, nevertheless we saw that slavery came to an end. It is a good thing it did. And so did feudalism which replaced slavery. Those forms of society came to an end because the time came when conditions were such as to force them to accept a higher and more advanced state of society. In the same way, slavery gave way to feudalism, so today the capitalist citadel is crumbling in the face of the recent movement towards socialism and communism.

But what is the hue and cry about this matter at the moment? What is Government's intention? Does it intend to ban capitalist literature coming to this Colony? Apparently not; it would allow that freedom. It is true that the Governor-in-Council has power and can use its discretionary powers to allow everything that is good to come into the Colony and to keep out everything that is bad, but if we take a look at what the Governor-in-Council has been doing lately we would see that, so far as I am concerned, the Governor-in-Council is nothing more than an organisation which is seeking to take away the rights of the poor people of this Colony, to trample the rights of those who are prepared to fight for the poor people of this Colony. We saw the other day the banning of West Indians. First of all, two Jamaica-born British subjects, Ferdinand Smith and Billy Strachan, and only recently we saw Quentin O'Connor, John La Rose, John Rojas and Richard Hart have been prohibited entry into this Colony.

This Bill not only refers to literature but to recordings of the human voice. You have stopped those persons from coming into the country, and so you must stop them sending their recordings; you must stop any publications they might want to have published in this Colony. Who are those individuals? John Rojas is the president of the Trinidad Oilfield Workers Union, one of the largest unions in Trinidad; he is also the president of the Trades Union Council. John La Rose is the secretary of the West Indies Independent Political Party. Quentin O'Connor is now and has been for a very long time, the secretary of the Federated Workers Trade Union and also secretary of the Trades Union Council. Richard Hart for a long time has been associated with the Labour Movement in Jamaica, and has been fighting for the poor people of that Colony, as the result of which he has suffered many hardships and privations. Our Government has banned those individuals and under this Bill our Government can ban any publication, if it so desires, which those individuals may have printed in their respective

countries. Our Government can ban any recording made any of those individuals. Is it going to ban a recording or publication by Mr. Seaford (now Sir Frederick Seaford) who now resides in London? Is it going to ban a publication or recording by Mr. Naylor, or Sir Edward Dawson? It does not appear so, because those individuals have been allowed to come to British Guiana and to roam about freely.

I say the "*Robber Barons*," whether of the nobility or otherwise, can be allowed to come and parade in this country, confiscate lands and take away profits out of the sweat and toil of the people, and their human voices can be heard and their publications can be read everywhere in all corners of the country but West Indians, such as those I have named, are to be denied that. In Africa today Nkrumah, who was gaoled only a few years ago for fighting for the freedom of the people, is now Prime Minister of West Africa. Nehru was a big communist and everything else, but today he is Prime Minister of India. I think the Government in bringing this Bill at this moment, is striking it the fundamental principle, the freedom of speech, which is set out very clearly and is so much espoused by Her Majesty's Government. With your permission, Sir, I would like to read from the Universal Declaration of Human Rights the relevant clauses dealing with this matter. Article 13 says:

"(1) everyone has the right to freedom of movement and residence within the borders of each state."

"(2) Everyone has the right to leave any country, including his own, and to return to his country."

No one has got that right in British Guiana at the moment. What is the Hon. the Attorney-General doing about that matter? He is talking about vigilance to preserve liberty. Right now eight or ten of us (the number increases from day to day) have been given notices prohibiting our entry into sugar plantations. In view of the coming General Election why hasn't the Attorney-General introduced legislation to force the owners of the sugar plantations to permit candidates who are members of political parties to go on their estates and enjoy liberty, freedom of speech, and freedom of assembly?

Everyone has the right to leave a country, including his own, and return to it. That is a right which is being denied day after day by this Government and the Governments of other Colonies in the West Indies. This is a British Colony. We are a Crown Colony of Her Majesty's Government, but when representation is made, either directly to the Secretary of State or indirectly through the House of Commons, for the preservation of those liberties we get the hypocritical reply that the Governments of these Colonies can do anything they wish; that they are free to do anything they wish. Not very long ago you, Sir, told us that the Governor does not take orders

from the Secretary of State for the Colonies. Very strange! Government has taken upon itself to bring forward such a Bill at this time without knowing anything at all about the wishes of the people, or what is taking place in the Colony today, although it has its spies and police in all parts of the country. No wonder we are spending so much money on our ever-growing Police Department. Government should be aware of public opinion in the Colony, but it is not, for if it were I feel sure it would not have introduced this Bill at this time.

I am appealing to Hon. Members not to allow themselves to be influenced by the hysteria which has now overtaken certain people. At one time a great scientist said that the world was round, but the so-called learned men of his day said it was flat and they crucified him at the stake. At one time the Romans were hunting down the Christians and burning them at the stake. In those days it was considered subversive to distribute Christian literature and to preach according to the teachings of Christ. Today the so-called Christians think that Christianity means going to church on Sunday and being permitted to rob others from Monday to Saturday.

That was the description which the Dean of Canterbury gave to some of our so-called Christians, that they preach parade and sermonise about Christianity on one day of the week and on the other days they squeeze their brethren to whom they now and then give a little charity, like my Hon. Friend, the Member for Georgetown Central (Mr. Fernandes). We who are socialists know that there cannot be any justice or equality, or indeed any real freedom until the freedom to exploit is taken away from the hands of those who have it at the moment.

Let us consider for a moment what would happen in this country if this Bill is passed. Apparently it is the intention of Government to ban only one type of literature, one type of gramophone records, and one type of films, despite the wide ambit that is given in the relevant clause of the Bill. I know, and it has been said here quite openly, that what is aimed at is socialism and communism. Of course the word "*socialism*" is not used, because even the capitalists are today parading under the respectable title of socialism.

There are degrees of societies. There are some socialists, like D. N. Pritt, who was kicked out of the British Labour Party, which is a so-called socialist party. We see D. N. Pritt today going to the rescue of the African leader Kenyatta, President of the Kenya African Union. We saw the other day what kind of justice was being meted out to that African leader for whom Pritt fought so strenuously, as a result of which he was about to be sent to prison for contempt of Court. Yes there are degrees of socialists. D. N. Pritt and a few others were expelled from the British Socialist Party for sending a telegram to another Socialist Party in Italy expressing the hope that it would win the last election there. At the same time the Pope issued a decree that anyone who voted for a communist would be excommunicated from the Church. We must therefore look at this question of liberty and freedom from a very broad point of view.

What is this socialism which Hon. Members are so much afraid of? As I have said, they are not calling it socialism now but communism, but there are two types of socialism. One type is that which is prepared to reform the capitalist system so very gradually that the capitalists would continue to live well at the expense of the poor. The other group of socialists is those who are determined to make socialism a reality by seeing that production, distribution, exchange and communication are in the hands of the State. That is socialism, as recognised by the late Bernard Shaw, Beatrice Webb and others, and I am sure that anyone who has read anything about socialism would know that its true definition is public ownership of the means of production distribution, exchange and communication.

There are now some socialists in England who are millionaires. I remember that when I was in England on the last occasion a socialist was pointed out as being a millionaire by the rival Conservative Party during the election campaign. Today there are certain people who call themselves socialists and are prepared to stand by the original definition of socialism. There are others who also call themselves socialists but are millionaires, owning factories and mines, while others are out to get jobs as contractors with capitalists concerns, or pensions, titles and honours. Such people are hiding behind the respectability of the word "*socialism*."

There was a time when people of that type who are today carrying on a crusade against communism, were also carrying on a crusade against socialism. In an Encyclical, *Rerum Novarum*, Pope Leo XIII stated emphatically that no Catholic should be a socialist, but today socialism has become respectable and even capitalists and reformers of capitalism are prepared to tolerate the evils of that system! Others today are joining the hysteria mongers in waving the flag against communism. What is going to be the position? The Rev. Worlledge wrote a pamphlet some time ago while he was in England, entitled "*Christians and the Soviet Union*," in which he placed the issues very squarely before the public. That pamphlet was published in England and many copies were sold in this Colony, with the result that it was eventually out of print, but I have the Rev. Worlledge's permission to reprint it. In a letter to the *Daily Argosy* on the question of banning books, literature and communism the Rev. Worlledge pointed out that such action would not prevent the dissemination of ideas. He said it was a wrong thing, as people should be allowed to read and to act freely.

The Hon. Sixth Nominated Member (Mr. Luckhoo) has said that the people in this country are not as well informed or as experienced as the people in England, and when I asked him why should books which were circulated and read freely in England not to be allowed to be read by British subjects in British Guiana, his reply was that the people in England had long experience of the issues of trade unionism and such matters. But we do know that even in England, even within the Labour Party, there is not 100% agreement as to the ideological path which should be followed. There is movement to the Right and to the Left, the movement to the Right being

championed by people like Mr. Benn, Mr. Attlee, Mr. Morrison and Mr. Deakin, and the Trades Union Congress, while the movement to the Left is championed by men like Mr. Pritt, who was expelled from the Labour Party, and Mr. Bevan and his colleagues.

The people in England are not permitted to read only one side. They can read the *Labour Party Journal*, which is circulated in this country, and also the *Tribune*, both weekly publications, and if they want to get the other side they can read the *Daily Worker* or other communist publications. But in this country apparently in the Hon. Member's view, the people are not yet ripe. That is the argument which has been used all these years to prevent adult suffrage being introduced in this Colony, and the argument which is being used by the British Government to deny self-government to the Colonies. The Hon. Member did not tell us when the people of this country would be ripe but, apparently, the Constitution Commission has decided that, although illiterate, the people of this country are quite ripe for adult suffrage. My point is that if a man is given the right to vote, or even to stand for election to the House of Assembly, he should have the right to read all types of literature so as to be able to assess the various candidates properly.

The press in this country and the radio too, has been carrying on a witch-hunting campaign against communism, but the real aim is against socialism, which means public ownership of production, distribution, exchange and communication. Those who own the newspapers and the radio station, and those who are allowed to use those facilities are the ones who control production, the means of exchange and transportation. Although there is a Government Transport Service we are running those services which are losing money, while those which are profitable are left in private hands. Bookers have now established a shipping fleet.

My point is that if an individual is to exercise his vote properly he must not only be able to imbibe the propaganda of one class - the capitalist class. I mentioned on a recent occasion in this Council how the radio station was being used by certain individuals and its facilities denied to others. If I am a socialist, or for that matter a communist, I and anybody else should be free to propagate our views and ideas, and the people should be allowed freedom to accept or reject those ideas. When there is so much hysteria in the air against some of us the minds of people are likely to be biased, unless they are permitted to read or to hear what we have to say.

As far as I am concerned, when the Government puts its ban on communist publications I will import books which are written and printed by non-communist organisations - books which propagate the same ideas. Government would probably then move to stop that and I would then try to bring the Dean of Canterbury's book into the Colony. Government would then say "No, no banned". I would then turn to the Rev. Michael Scott. We have one of his books here now "*Shadow over South Africa*". He went to the United Nations Assembly and exposed the South African Government. Where is the Government going to stop when this Bill is made law?

What is an “*undesirable publication*”? I do not feel that it is right to give Government this tremendous weapon, because if we put a bar on communist publications we would have to ban socialist publications too, for the simple reason that those we know anything about economic theory know that communism according to the definitions of Marx, Engel, Lenin and Stalin, is only the advanced stage of socialism. Fools who do not know better and the ignoramuses are trying to tell people that socialism is a respectable thing, but that communism is the thing which would take away as their liberties and freedom. For the information of those individuals let me point out, as Lenin, Stalin and others have pointed out, that the communism which we are so much afraid of in these days is a higher form of society.

I am very sorry I was not give enough time to prepare my case, because this Bill was only printed on Monday, and in the terrible rush during the last few days with preparations for the elections I was not able to gather up all my material. I cannot find the document from which I would like to quote, but I would like to refer to the force, the violence which the hysteria fear mongers are trying to associate with communism. When communists refer to force they refer to what is known as the repressive force of society. What is that force? It is not the shooting of somebody or the murdering of people in cold blood. No, the force they refer to is the force of the State which makes the law the Police Force, the Army and the Navy which see to it that people obey the laws of the country.

In our society in fact in any capitalist society we talk glibly about freedom and liberty which we must exercise eternal vigilance to preserve, but we know that in a capitalist society the State machinery is in the hands of the capitalist class, and in those hands force is reposted. They are the ones who are using force against the people. In a socialist society on the other hand, the table has been turned upside down. Laws are not made by the chosen few and by those who were defeated at the elections. The Laws are made by the people’s representatives. The State machinery is in the hands of the people’s representatives who own the means of the production, distribution, exchange and communication. That is the socialist society.

Let us take a trip to Czechoslovakia where the capitalists were told that they could not own factories employing more than 50 persons. Those who had been making a comfortable living by exploiting and sweating their labourers resorted to sabotage, and did everything possible to prevent the interests of the State from coming into full fruition. That was where the former capitalists tried to obstruct the people’s will, and where the State force, which was controlled by the people, was used against those individuals. Let us make no mistake about it. The theorists have argued, and from experience, that to set up socialism one has to maintain an Army, a Police Force, and the law to see that the former exploiters behave themselves, and if they do not they are apprehended and tried in the People’s Courts. It is the same State force, but the emphasis has been changed. In

one instance the machinery of the State is used by the capitalist class against the working class and the oppressed, while on the other hand, in the socialist society, the State machinery is used by the working class to see to it that the former capitalists behave themselves.

It is from that stage that communism comes in a higher form of society, in which we have People's Council, People's Police, People's Militia and People's Courts, and under which we take the children of the former capitalists and big landlords, and the children of the workers and farmers and send them to school where they are educated, not according to the methods in the sectarian schools which are mostly interested in preserving the old order. "*The old order changeth, giving place to the new*", as Tennyson says. Just as how in the schools of our country an attempt is made to have certain influences moulding the minds of the youth in order to preserve the *status quo* in the capitalist system, in the socialist society the children of the exploiters and the exploited are sent to the same school where their minds are moulded differently.

I was dealing with the point as to what literature would be deemed undesirable, and I was drawing a distinction between socialism and communism. I appeal to the Hon. Nominated Member not to interrupt, because these interruptions only prolong a debate, and I have no desire to do that. Let me have my say and I will sit down.

As I was saying, in the socialist society the children of the exploiters and the exploited are sent to schools controlled by the socialist State where they are taught the true Christian philosophy to live and let live, and to behave like brothers one to another, the ultimate aim of communism being "*To each according to his needs; from each according to his ability.*" I am sure that those who are opposed to communism today some without any knowledge of what it is will not object to that definition of communism.

In the Soviet Union, for example, from 1918 to 1952 those who were former exploiters and robbers went abroad after the Revolution and joined the army of the counter-revolution, but they were unsuccessful. Some remained in the country and became saboteurs, wreckers and terrorists, and the Government had to use the State machinery against those. Others who remained behaved like decent people. The fundamental difference between socialism and communism is that under socialism it is "*To each according to his labour; from each according to his ability*". But in the higher state of communism it is "*From each according to his ability to each according to his needs.*"

It is felt that as the former exploiters and robbers die from old age and what not, it is no longer necessary to use force against them. Why should it be necessary to use force against someone who is not there? With a small number of robbers remaining, the money spent on the State force is reduced, and all that is necessary is to regulate production. You push a button and get as much as you want. That is a state of society to which I think all of us are aspiring that man should work and not labour and sweat. I know it has been said that "*By the sweat of thy brow thou shall eat bread*", but

that does not mean that one should sweat for 20 or 24 hours a day in order to eat bread. Technologists say that in present day society, with the knowledge at its disposal, scientific and otherwise, a man should work two or three hours per day and be able to enjoy four times his present standard of living if the brake was removed from the present advanced methods of production.

I am not going to pursue this point any longer. My idea was to show Members of this Council that, in theory, socialism and communism are the same. According to the people who wrote the textbooks, communism is merely a higher state of society than socialism. They are the people who wrote the books, and I am not here to dispute what they have written. What Hon. Members are confusing is the method of achieving socialism - whether by peaceful means or by blood and violence. Government has within its present powers full scope to deal with any individual who attempts to preach violence and revolution in this country and I am sure Government would make short shrift of such an individual. But no matter what Government does it cannot prevent the dissemination of ideas in this country - Provision is made in the Bill that certain books must not be reproduced in this country, but that provision can easily be got around. All one has to do is to write to those individuals who write certain articles, and it would be quite easy for a person like me in British Guiana to publish in my newspaper a fresh article. Then Government would have to impose a ban to prevent persons from writing those articles.

If Government's aim, I say again, is to avoid discussion of socialism and communist literature in this country, I submit Government will not succeed because I and others who have studied socialism will write the books ourselves. Then, of course, the next step will be for Government to ban us and, like South Africa, introduce the Suppression of Communism Act in which wide scope is given such as any person who criticises the Government's racial policies is not only called a communist, but is prohibited from addressing any public meeting and prohibited from being a member of any Trade Union, or holding any post or sitting in Parliament; he may also be banished to any part of the country. Sir, I ask Hon. Members of this Council to view this matter very carefully. We must not be bigoted not to keep our minds open regardless of our interests. The Attorney-General said everything must be done in the interests of the people and the good of the country. Yet it is rather queer that only one type of literature must be disseminated in this country to the exclusion of others. If we examine, for instance, the press and the radio, we will see that through their medium more harmful ideas are disseminated, hence this call for more serious investigation than the importation of what is called subversive literature.

Now let us consider the *Daily Chronicle* - the Directors of that Company are: R.G. Humphrey, R. M. Wight and R. A. Humphrey. Among other interests in whom he has share capital investments, R. G. Humphrey is also a director of Humphrey and Son and a director of Pln. La Bonne Intention.

Then R. M. Wight, is a son of Percy C. Wight, who is a director of Pln. Enmore, and has also capital investment in the Rupununi Development Company, etc. Some time ago there were some shareholders in this Council and one of these was Sir Frederick Seaford who left this colony a couple of years ago. If we take stock of them we will see what terrible capital interests these people have in local business: R. G. Humphrey has 340 shares in the *Daily Chronicle* Percy Wight 4,165, Royden nominees, Ltd. (Royal Bank of Canada) 3,400; James Sanderson and Herbert Nash Bankers, 4,000; and again Sanderson and A. Bates 4,000; R. M. Wight 150; R. G. Humphrey and Son Ltd. 1,745; Reginald A. Humphrey 50, Joyce E. Riden (Royal Bank of 100; Bookers Properties Holdings and Service Ltd. 250. Examination of the list shows that the shareholders' comprise a combination of big business owning the *Daily Chronicle* and representing sugar.

Then let us take the *Daily Argosy*. The Directors are: Percy C. Wight, Henry deLisle Wight, John Cleland McNaught. As we all know this company is more or less run by one family who are assisted by Government which has given the company loans of large sums of money to set up a printing press. The Shareholders of this Company are practically, with the exception of a few others, restricted to the members of the Wight family.

Now let us go on to the *Guiana Graphic* which has a moron as an editor, in which are employed persons who perhaps have never been to school or, if at all, received nothing much for their schooling. We see today in this newspaper a change in their regular publication of "You cannot be a communist and be a Guianese" to "You cannot be a loyal Guianese and be a member of the PPP" or some such nonsense. When you look at the Directorate of this company you will see why this fight is being carried out against the PPP. The Directors are: Dudley Howard (Attorney of Sandbach Parker & Co. Ltd.), R. R. Follet-Smith (Booker Bros. McConnell.)

Article 18 of the Universal Declaration of Human Rights states:

"Everyone has the right of freedom of thought, conscience and religion; this right includes freedom of change of his religion or belief, and freedom either alone or in unity with others, or in public or private, to manifest his religion or belief in teaching practice, worship and observation."

Then Article 19 says:

"Everyone has the right of freedom of opinion or expression; this right includes freedom to hold his opinion without interference and to seek, receive and import information and ideas through any medium and regardless of..."

Mr. James Griffiths, a former Secretary of State for the Colonies, said he supported the Declaration of Human Rights Bill. Some time ago Mr. Fenner-Brockway - some may say he is a crank but he has been championing the cause of oppressed peoples for many years and he is today fighting for the

rights of the Kenyan people - when he was moving in the House of Commons for a uniform type of legislation dealing with this matter, said there should be one standard of human rights and it should be applicable to all British subjects without colour, class and religion. We have been directly represented by H.M. Government at the United Nations where this Universal Declaration of Human Rights was drafted and adopted. There, it is clearly stated that no hindrance must be put to the freedom of thought. One must think as one likes, and one must be able to get ideas freely even if it comes from outside.

Sir, this Bill is so wide that not only will it prevent ideas from coming from Russia, I have not seen anything said there about controlling the radio station, and one can listen nightly and daily to broadcasts from the Soviet Union, China and other satellite countries, if one likes to use that term but it will empower the Governor to prohibit the entry into this Colony of even things which have been printed and circulated in England. Here is the British Government indirectly saying there should be no obstruction to the freedom of thought, no obstruction to the holding of opinion, and yet we are today passing legislation which is contrary to the decisions made by H.M. Government on our behalf and on behalf of British citizens in the United Nations. That is why I objected yesterday when the first reading was being taken, on the ground that this matter, in my opinion, is unconstitutional, because a few years ago a law was passed in the United Kingdom called the British Nationality Act giving common rights to people throughout the Commonwealth.

Today, Sir, as a result of the decision to ban West Indians, British subjects, from certain countries, the matter is being investigated in London by learned counsel to determine whether or not the action of the local governments in these Colonies was unconstitutional. I feel that pending such a decision, we should not prohibit or deny individuals the right of reading things published in Britain, or of hearing gramophone records made and sold in Britain, also engravings, dies and what not. I think we are violating the principle which surrounds that principle of the British Commonwealth of Nations. The various Dominions and the Colonies being represented through the Secretary of State for the Colonies have come together and given certain citizenship rights and other rights to the people within the Commonwealth. That is why I would have liked this Bill to be postponed so as to give me an opportunity to do some research of my own, to read that Act and bring it to this Council to use in argument against this Bill. That opportunity has not been given to us, and indeed this matter is being rushed quickly through this Council, but I do feel that even though that opportunity has not been given me to bring before this Council that Act, which in my opinion will declare this Bill to be unconstitutional, nevertheless this Bill is repugnant to the whole idea of common citizenship and rights to members of the Commonwealth.

I appeal to Hon. Members of this Council not to be carried away by

hysteria, but to allow free and clear thinking on this matter. We do not want violence in this country. My Party, the Peoples' Progressive Party is wedded to socialism as it is and has never, at any time, told the people that they must get their rights by adopting violent means. We have never done that, and it has never been our intention to do so. I do not think it is right for this Council and this Government, at least at this late day on the eve of a new Government in this Colony through a new election to tread on the road to fascism. Once we start it is not difficult to trample on the rights of other people. When we come to the Committee stage I shall refer to the very severe penalties which will be inflicted by this Bill on people who may be very innocent of propagating any ideas or beliefs being sentenced to imprisonment for six months or being fined a sum not exceeding \$500 or both such fine and imprisonment. I do know that Members would like to hide under the saving clause of this Universal Declaration of Human Rights, Article 30 of which says:

"Nothing in this Declaration may be interpreted as implying for any state, group, or person, any right to engage in any activity or to perform any act aimed at destruction of any of the rights and freedoms set forth herein."

I know that certain Members may say that under this clause, although all the other rights have been set out, the Government must take it upon its own shoulders to determine what is right in the interest of the people of this Colony. I submit that it is not in the interest of the people of this Colony to make legislation which will suit only one class and that class, as we know it, is the minority today in this Colony. In fact, in any country of the world the capitalist class is the minority class. The working class is by far the larger of the two classes, and the Government, in thinking of the freedoms of the people which are set out in the Universal Declaration of Human Rights, must take into consideration what is the greatest good for the greatest number.

That is the classic definition which has been given to us by a late President of the U.S.A. Mr. Abraham Lincoln, of Democracy "*Government of the people, by the people and for the people*". Let us not construe that to mean that Government should be a government of the minority by the minority for the minority. There can be no doubt about it, that that has been somewhat the manner in which our democratic Government has been running for some time. On the eve of an election when large masses of people - workers and farmers will be given the opportunity to vote and to vote for the first time - Government should take into consideration what are the views of those people also.

I have dealt so far with the political and economic aspects of this Bill. But we must not forget that there is also the religious aspect which we have to be very careful about. Yesterday, I was informed that persons who may be Christians or who are Christians cannot be joined in holy wedlock to

any other persons under the Hindu rites or the Muslim rites. I hope that is not true I was told and I am glad to hear that it is not true but I was told that a Hindu priest made an application to Government for a marriage license in respect of which one of the contracting parties was a Christian to be married under Hindu rites, and he was told he could not get it. The explanation given him was that there is some rule or regulation which prevents that procedure to be adopted a non-Christian to be married to a Christian by a non-Christian priest.

The question of freedom of religion is a very important aspect of this matter. Before I go into that, there is one point I have overlooked and that is this: the Government is presently allowing students in this Colony to take the higher education examinations for Inter Science and Inter Arts, and I have been told that on the syllabus of one of these examination papers are prescribed the communist manifesto of Karl Marx "*Das Kapital*." What is Government going to do about that? This is the father of socialism and communism. I am sure that is the first book that is going to be banned by the Government. What is going to happen to students who are told that this is a prescribed book they have to study for the purpose of their examination? I submit we are treading on very dangerous ground when we adopt this Bill.

Coming to the freedom of religion in this country today, there are various denominations for instance we do not know that there is a war between the Christian Coptic Church and the Roman Catholic Church, but I do not think it would be right to allow only certain individuals the freedom of religion. I know this is a Christian country and the definition of Christianity differs in certain denominations. Christianity is divided into several denominations but in this country we know the Church of England is the official religion and we do know the Roman Church also has a lot of voice in this Colony and also has the ear of Government. But there are other denominations such as the Christian Coptic Church, the Lutheran Church and others. I was speaking the other day to the Director of Education, using the phone in the Colonial Secretary's Office, about this matter of building a school at Port Mourant, which I referred to sometime previously in this Council, and the Hon. the Acting Colonial Secretary who overheard me, said he knew a great deal of this matter and could give me some information on it He then informed me that apparently there is some rule that within three miles of the boundary of any particular denomination no other denomination can invade that particular territory.

I am only mentioning this as fact to show that at the moment we have restrictions in the freedom of religion. If the Lutherans want to build a church or a school at their expense it must be allowed. I do not think it is fair such a regulation exists under the Education Code, to have that on the Statute Books because there are other smaller denominations also trying to comfort the flock. The Christian Coptic Church is today opposed to the Catholic Church. There is the Jehovah Witnesses whose books were banned some

time ago in this Colony and, I am afraid, if it does suit the ruling interests, the people who may be the future Ministers, or the present advisors of Government, or their religious persuasion; we may also find the banning of religious books such as those of the Coptic Church and the Jehovah Witnesses. On the question of gramophone records the Head of the Coptic Church would not be able to send recordings to his church here if the Government feels that such records should be prohibited.

Another point in this Bill we have to be very careful about is that the Government can tonight declare as prohibited anything that is coming into the Colony tomorrow whether they be books, literature or what not. Under this Bill the Comptroller of Customs, the Postmaster General and indeed other members of the Government will be permitted to hold up people's things. In fact, if we read the last clause of the Bill it would be seen that anything which was illegally held up by the Comptroller of Customs since the 1st February, 1952, would be validated if that is declared prohibited now. What does it mean? It means that an individual can order anything but the people he orders it from will be reluctant to send it to him unless they get the money, because it may be confiscated. I am not talking about anything coming in surreptitiously. I do not believe in that. Apparently Government wants to encourage that. If one orders anything and pays for it in advance, when it comes into the Colony Government can hold it up and confiscate it before it is prohibited, and the person who orders it can be sent to goal. That is serious state of affairs, and I am asking where it is going to stop. The Hon. the Attorney-General said a moment ago that the Governor-in-Council will use this power.

I remember when this matter was discussed, the Hon. the Sixth Nominated Member (Mr. Luckhoo) brought reams of literature here and he quoted extensively from them. I have not done that. I brought a lot of literature here but I only made one or two references to some quotations. I had intended to quote from those books to support my argument, but I did not want to waste the time of this Council and that is why I did not do that. But, Sir, I submit that if the Government proceeds with this Bill we are not only going to affect communists and socialists but also the person who is a liberal and who is progressive.

There is the case of Mr. Solly Sachs who was described by a newspaper as a "*concealed communist*" and he sued the newspaper for £5,000 damages. He got an award from the Supreme Court of £5,000 damages but with the publication of the Government Bill: The Suppression of Communism Act - the South African Government was able to name him a communist, although the Supreme Court had decided that he was not a communist, and as he was named a communist he was not allowed to speak in public. As Secretary of the Workers' Union he spoke at a public meeting and was charged by the Police. He was taken before the Court and was sentenced to six months imprisonment and fined I cannot remember how many pounds. That is what I am afraid about with this Bill. If Hon. Members allow this

Bill to go through they are opening the gate to things like what has happened to Mr. Solly Sachs. If I am prevented from importing or reproducing literature, then either of two things would happen. Either I or others like myself would be forced to do what the Hon. Member has said, obtain it surreptitiously which we do not want to do, or write the books ourselves. That can easily be done. I can assure Hon. Members that many of us who are socialists have friends abroad and since many books are now banned - the "*Caribbean News*" which has been banned by the Trinidad Government is edited by the London Branch of the C.L.C. Our friends there can write us a paraphrase or make a precis of any publication which Government deems a prohibited publication, and then all we have to do is to reproduce that here. Therefore all the objects of the Government will be thwarted by those of us who want to spread communist ideas. We can disseminate them underground and defeat the purpose of this Bill.

The Hon. Member for Georgetown South (Mr. Carter) who spoke on this matter when the Motion was being discussed some months ago said "*I am not a communist, I am a socialist*", but he did not define the type of socialist he is. Nevertheless he went on to state, I forget the quotation he used, but it is a very famous quotation which in effect says "*I disagree entirely with your opinion, the view you express, but I will fight like the devil to permit you the right to express your opinion.*" I think that is the attitude which Hon. Members of this Council must adopt in looking at this very important measure at this time.

It is no use, Sir, feeling that Government is going to achieve the purpose which is intended by this Bill. I can definitely say Government is not going to achieve that purpose. The purpose, as far as I see it, is to prevent the dissemination of socialist and communist ideas and, possibly also to prevent certain religious beliefs getting hold of the people of this Colony. I feel that instead of doing that Government should adopt the other practice of allowing the people freedom to choose whatever political ideology they would like to adhere to. The South African Government has tried to ban communism, but the South African Government will not succeed because despite all that they have done today the Indians and the Africans in South Africa, who were at each other's throats up to a few years ago, have joined hands to fight against the common enemy. Dr., Dadoo, the President of the South African Indian National Congress, has defied the South African Government's laws. Dr. Mandela, the President of the African National Congress, has joined hands with Dr. Dadoo in opposing the fascist measures of Malan's Government. They have defied those laws. They have been tried, but I do not know if they have been committed to prison. Thousands upon thousands of Indians and Africans in South Africa today are breaking the laws deliberately and going to goal.

If this Bill is passed, as I have said before, innocent people who may have certain books, certain pamphlets, in their possession today will be in danger of being prosecuted and sent to prison. One individual yesterday

came to my office and dumped all the books he had. I am sure not all that the people in this Colony who have those books will dump them, as some of them treasure those books very dearly I can assure Government they are not going to dump them while some of them would not know of this Bill. I have already pointed out in this Council how the rice farmers did not know, after seven years that there was a law protecting their interests. The Hon. Member for Essequibo River (Mr. Lee) is here and he can tell this Council about that. We went throughout the Corentyne and he can corroborate what I say. Every now and again people said they did not know anything about that law until a few months ago, because of the result of the publicity given to my Motion and as the result of the fact that the Committee was set up and we were going about the country. On that issue the people did not know of their rights, and in this issue people are going to be penalised for something which they know nothing about. If this Bill is passed, tomorrow the Governor-in-Council can issue an Order, and all the Police would have to do is to march in without even giving anyone time to know of the Order. In that way innocent people will be punished, but I do not think it is the intention of the Government to make innocent people suffer. At the moment Government's aim is to prevent people like myself from importing those books, but the Bill as it stands will give the Government too much power and anyone can be arrested willy-nilly as Government decides. The Government would strike fear into the hearts of the people who are supporting our Party today.

If Government passes this Bill there may be electioneering use of it by the enemies of the People's Progressive Party. I do not think the Government at this time, in view of the expressions of neutrality which we hear on all sides, should give any semblance of partiality for one party as against another. But, Sir, if this Bill is passed, knowing the people for what they are at the moment, many of them would never see the Bill and would not know what the clauses of the Bill are. Rumours would go around that if persons read anything the P.P.P sends out - "*Thunder*" and anything else they would be prosecuted, and we would soon find our Party losing all its followers. At this serious time and with the election being only a few days off I think Government should not take such a step as this which might be read in such a way as to frighten the supporters of the P.P.P. Our Party is not a rich party having a big bank roll. (We are told the gold is coming from Moscow).

The Hon. Member can move a Motion that we sit at night. I am prepared to sit at night. I want this Bill to go through and to be defeated. That is why I am trying to convince Members to vote against it.

I have no objection to that. I am hungry too.

I do appreciate the fact that the time is limited, but I must appeal to you, Sir. On many occasions in this Council, when important matters such as Federation, the Constitution or Adult Suffrage, were discussed, latitude was given. I spoke on two occasions for two hours each, but on this occa-

sion I feel this Bill is more important than anything that has been done in this Council so far, because it is taking away the fundamental rights of the people which we should not do.

I was referring to the fact that we have to be very careful, in this hysteria which has been started against socialism and communism, not to be led away by emotions, but to use our intelligence and our reasoning to guide us as to what is good and in the best interests of this country. I know that today many people who are Christians, who attend Church and espouse the principles of Christianity from their house tops, are very much afraid of the monster which they seem to think communism or socialism is. I remember reading a statement in the Press by the Rev. T. H. Hughes, Vicar of Castle Domington, Notts, in which he said:

"Don't let us condemn communism out of hand. If we do, we shall be condemning our own Church. Communism knows no colour bar. Can we say that of western civilization? In spite of its nationalist philosophy communism has already achieved much which the Christian Church has been preaching for 2,000 years but has been unable to achieve."

That is the advice of a high churchman in England, and there are others in the same category, like the Rev. Worlledge, whose name I mentioned earlier, and the Rev. Woodland who was in British Guiana some years ago and is now working with the National Council for Civil Liberties in the United Kingdom. Those people have not fallen prey to the communist hysteria, the anti-socialist hysteria which has been started by a few people.

I feel that we should not be carried away by emotions or allow the sentiments of a few people to lead us astray. It was Christ himself who said *"Many false prophets shall arise in my name and shall deceive many."* Some people are shouting about Christianity and how they are prepared to fight for Christianity against communism, as if to say that socialist principles or communist principles are opposed to Christian principles. Those people, I submit, are wolves in sheep's clothing. They cry *"I am a Christian"* and get away with the goods all the time. The Dean of Canterbury has said that what is happening today in the so-called communist countries is much nearer to Christianity and the Christian principles laid down by all the millions, and I think he should know. He is a qualified engineer and has been behind the *"Iron Curtain"* on many occasions, He has written about what he has seen there, and because he dares to tell the truth the same people who are crying *"Christ"* and *"Christian"* today want to crucify him. They are asking for his blood right now in the United Kingdom, and not very long ago they were asking that treason charges be laid against him.

I submit that people like the Dean of Canterbury and others in British Guiana are trying to sow the seeds of socialism and fighting to establish a standard of morality and the good things that all men respect, no matter in what age they are living. Christianity was not always with us. There was a

time in history when the Romans persecuted the Christians and burned them at the stake because they were preaching equality of men. It was felt then that Christian principles were trying to upset the *status quo* of the Roman exploitation of the people whom they regarded as lower than human beings and existing only for their pleasure to fight lions and other wild animals.

Today it is the Rev. Hewlett Johnson, the Dean of Canterbury, who has put forward the challenge in the name of true Christianity, that we must do unto others as we would like to have done unto ourselves; that we must live and let others live, and permit the true Christian principles to be put into operation and not restricted. The Dean made a very caustic remark about the so-called Christians who are today, in the name of religion and in the name of God, trying to preserve the system of wage slavery the capitalist system of society. This is what he has to say in his book "*Soviet Power*," about religion and Christianity in the capitalist countries:

"The gap between Sunday and its sermons on brotherhood, cooperation, seeking of others' goods, and Monday, with its competitive rivalries, its veiled warfare, its concentration upon acquisition, its determination to build up one's own security, becomes so wide that many of the better men and women of today remain outside of the churches altogether. Hypocrites they will not be. The young especially, with their modern passion for sincerity, are in open revolt."

Yes, sir, the young are in revolt because they want to be told the truth, and I submit that in order to be able to arrive at the truth one has to read and listen to all expressions of opinion. It is not good enough merely to try to protect the few. Some time ago the Rev. Errol Pilgrim, Chairman of the Methodist Churches in this Colony, had this to say:

"Communist agitators are also busy endeavouring to undermine our social structure and to produce a society in which there will be no place for the man or woman who is loyal to God, to truth and to freedom, and there is evidence that their efforts are meeting with a certain measure of success."

If the Rev. Mr. Pilgrim would like to use his talents to preach to his flock that there should be no change in society as it is, I submit that he is quite free to do so, and one should not deny him the right to propagate his ideas. But this Bill, if passed, will definitely prevent the propagation of certain ideas which other churchmen, like the Dean of Canterbury, the Revs. Michael Scott, Woodland and Worledge, and indeed other ministers are fighting with the true principles of Christianity to establish.

I have just quoted the statement by the Rev. Mr. Pilgrim that we must not do anything to undermine our social structure and to produce a society in which there would be no place for men and women who are loyal to God. If we do not do anything to undermine our present social structure

what would that mean? It would mean that we must accept everything as it is at the moment. I submit that the working classes, the farmers, are not content with the social and economic fabric which has been laid down, and which we have with us at the moment. We all know the appalling situation that exists in this country. The incidence of crime is on the increase and the prisons are full to capacity. There are people who are sick in mind and body as a result of unemployment or underemployment. Members should visit the Mental Hospital and see the type of human beings our society is producing.

I was about to refer to the situation at the Best Sanatorium this afternoon but was not allowed an opportunity to do so. An individual came to me from the country and asked me to do what I could to get him into that institution. He was in an advanced stage of tubercular infection walking around the streets and probably infecting others. When I approached the Director of Medical Services on the matter this morning he told me he was sorry, and that Government was doing everything in its power to relieve the situation. He pointed out that while the Hospital was built to accommodate 100 beds there was a waiting list of between 400 and 500 for admission to the institution. That is the situation we have in our country today.

One Hon. Member expressed the opinion a while ago that if the P.P.P. (and no doubt he meant the agitators) got into power this country would not be developed, the chimneys of the sugar factories would be taken down, and the World Bank would not lend any money to irresponsible agitators such as we are. That does not frighten me or the people in this country. This is not the first time we have had visions of fabulous sums of money pouring into British Guiana, and indeed it will not be the last. What I do know is that these visits have always imposed an additional burden on the taxpayers of this Colony. I have in mind the Venn Commission, the Interior Commission and the World Bank mission we have with us now. I believe that \$15,000 has been voted for the expenses of the World Bank mission. I can tell the Hon. Member that there are other countries in the world which do not get aid or grants from either the British or the American Governments, or from the World Bank, and that if he would look at the United Nations Economic Report for 1952 he would see that those countries which do not get any so-called aid or loans have made tremendous strides, four-fold and fivefold those of other countries which are supposed to be getting these aid and loans.

I would like the Government of this Colony to adopt methods, means and plans to provide the people of this country with a higher standard of living and an opportunity to enjoy the freedoms they are supposed to have and the right to travel. How many people of the working classes in British Guiana have any opportunity to go anywhere? Some of them have not even travelled from one county to another. How many people can afford even to read the newspapers? I say we must make changes in the social structure in order to improve the living conditions of the people of this country. We

must have social, economic and cultural improvements. The only culture the people have today is the culture of the rum shop. That is the sad state into which the people of this country have been delivered the culture of the rum shop, the T.B. Sanatorium, the Mental Hospital, the Alms House and the bread line.

With your permission, Sir, I would like to quote the opinion of one of the most famous criminal lawyers in the world. I am sure the Hon. the Sixth Nominated Member (Mr. Luckhoo), who is himself a very learned and esteemed criminal lawyer, will admit the brilliance of Mr. Clarence Darrow the famous American criminal lawyer, who has said this:

“Before any progress can be made in dealing with crime the world must fully realize that crime is only a part of conduct; that each act, criminal or otherwise, follows a cause; that given the same conditions the same results follow for ever and ever. Anyone can reason from cause to effect and know that crimes of children are really the crimes of the State and society, which by neglect and active participation have made the individual what he is.”

That is the conclusion of a brilliant criminal lawyer who has devoted much of his life to giving free service to the underprivileged. We cannot stop social development and social progress any more than we can stop the tides. Social change is inevitable; it must come. No form of society was organised to stay forever. The history of the world tells of development from one state of society to another, and we cannot allow our opinions to be influenced by the desire or the interests of a particular class. I am appealing to Government to withdraw this Bill so that it may not be said that it has taken the side of big business or the capitalist class in order to hold back the social progress or social change that we need. Some time ago Prof. Arthur Lewis, in his booklet *“Labour in the West Indies”* wrote:

“The impression is more widespread among the people that the Governor and officials are little more than the tools of a white oligarchy of planters, merchants and bankers, in whose society they spend most of their time, and whose will it is that really governs the island; indeed that the policy of the Government as the policy of the local club, decided on, perhaps over a round of golf or a whisky and soda.”

That booklet was written, I believe, in 1937. Let it not be said now, at this late stage, that what Prof. Lewis wrote is true, however much some of us may believe it is. Government should not come to the rescue of the capitalist class in holding back social progress by bringing forward a Bill of this kind. I have suggested that we must not only listen to some of the priests and parsons and those who would like to be parsons. In England when the working classes were battling to have the working day shortened from 16 to 20 hours per day to 10 hours per day, when mothers and children from 6

to 8 years were working side by side in the cotton mills, the parsons and the so-called Christians of that day were giving the people very comforting words. The Reformers were fighting for a 10-hour day but the parsons were telling the people to work harder. Around 1793 Archdeacon Paley gave some very comforting words to the miserable poor. He said:

“The necessities which poverty imposes are hardships, not pleasures. Frugality itself is a pleasure. All the provisions which a poor man’s child requires are industry and innocence.”

Again, in 1793, Paley wrote to the agitating workers that

“The only change to be desired is that of gradual and progressing movements. To covet the fortunes and station of the rich is folly”.

Sir, for a time, the workers were fooled and felt grateful for free advice for more gradual progress. I am sure, however, that those of us who don’t want to move so gradually should not be put on the altar. You may shoot some of us, jail some of us, murder some of us; you may even put some of us in concentration camps. But sir, that would not succeed in achieving the aim. In India, Kenya and Malaya, jailing and repression did not solve the problem, and eventually freedom was wrested from the hands of the British. Had it not been given then there would have been a revolution.

In Malaya, the British ran away when the Japanese came on the scene. On their departure, it was the Malayans, heroes in the fight for deliverance from Japanese fascism, who were taken in a victory parade in London near to Lord Mountbatten. But when they returned to their own country to fight for their own freedom, which they demanded, they were in many respects banned. The British passed laws in Malaya which made it an offence punishable by death if some people were found in possession of a weapon. We are told that it took the Government five years to achieve a small aim and this cost them \$5 million. They did not have enough money to give to the sick people who could not go to hospitals. Indeed, there were no hospitals for them to go. Yet there was enough money to shoot the people down and deprive them of their rights.

When this Bill is passed I guess the next stage will be for the Government to increase its expenditure. A Motion was passed in this Council some time ago recommending that the age limit for old age pensions be reduced from 65 to 60 years. Two years have passed and that decision has not yet been implemented by Government. When it comes to honouring the rights of people, there is always the question of no money, but the taking away of those rights, employing more Police with elaborate arrangements to hunt around and take notes of people’s meetings, finds ready favour with Government. The British Government and, indeed, our Government, will do much better if, instead of knocking the people on their heads and doing

things that would tend to jeopardise a situation, should on the contrary, try to cooperate with the people, find out what are their views, and in a spirited effort, endeavour to carry out the wishes and aspirations of the people.

Sometime ago the Government moved a Motion in this Council criticising racial discrimination policies in Tanganyika, Uganda, and Kenya, but it was never brought up for discussion. I read some of those subversive books written and printed in the United Kingdom and I got information which shocked me. I moved that this Council should condemn racial discrimination and indeed economic exploitation of the people in Africa.

Today we see what is happening in Kenya, where the leader of the African people is being tried, and no doubt an attempt will be made to jail him. The British have instituted a new reign of terror in Kenya and are spending millions of dollars a day for campaigning against the people who have been robbed of their lands and are being exploited as slave labour in their own country. We see how the Africans were influenced by the Missionaries who, pleading with the Bible, delivered them, hands and feet, to the British imperialists. That is what is happening today. No matter how many laws you make, you cannot fight the forces which are struggling for freedom today. We want not comforting words; we do not want pity, the saving grace of the Attorney General.

I remember Dr. Ure, an able economist who was fighting and apologising for the capitalist system, told the workers who were battling for a reduction of the 16-hour day to 10 hours, that curtailment of the working day was an interference with the freedom of the subject which no other legislature would have countenanced for a moment. Others were fighting for the right and freedom to be established for the people in this 10-hour day. But here was this champion of the rich and capitalist ways talking and writing about interference with the subject. What interference was he talking about? He was talking about the freedom of the rich man, the "*honest man*" who keeps the workers and their children working 16 hours per day. That is the freedom of the subject which he was defending. I do hope that is not the freedom and the liberty which the Attorney General and the Government are defending at the moment. There is a statement that the rich will do anything for the workers but get off their backs. Yes, they will preach to them; they will be charitable to them. When workers get sick they will come and bring little bits of pills and a little bit of free medicine and give some free injection and other necessary medical attention. But that will be done only within the existing order, when we fight for social change and not fight for socialism.

I remember reading something about the bad sailor who was shipwrecked and swam ashore and was about to go to a pool when he came upon a very fat man who made appeals to him to render some assistance. He was like the Good Samaritan and the fat man said "*Sinbad, I would like you to help me get a drink of water.*" Sinbad placed the fat man upon his shoul-

ders walked to the pool and the fat man had his fill. Then came the time when Sinbad said: *"Please get off my back."* But instead of getting off his back the fat man twined his feet around Sinbad's neck and said to him: *"Sorry but you have to take me around wherever you are going."* And so Sinbad went to the Elders for justice. They listened to his story and then adjudged that it was ordained by God that Sinbad should carry this fat man around on top of his shoulders where ever he went. Sinbad listened to the advice of the Elders and wherever he went walking he found people laughing at him: He said: *"You fools, don't you know it is ordained by God that I should carry this fat man on top of my shoulders?"*

Well Sir that has been the rule of some of our Elders today, to tell the people; *"Please be content with your lot. If you pray hard everything will be alright. Please don't worry too much. I am sure the Lord will compensate you in the next life for all your suffering"*. Some of us are not prepared to take that at all. We want the Government in this country to try not to side with these Elders, whether they belong to the churches as parsons, preachers or what not, but rather to come forward and help in the effort of progress in social changes for the people that are so very necessary.

Let me point to the Hon. Members of this Council who are talking a great deal about Christianity, and who would like to advocate our freedoms in the name of Christianity. They must take a leaf out of the book of the great martyr, Rev. John Smith, who fought against slavery in this country and gave his general services to the poor. He was *"crucified"* by the same people who today would like to crucify us, those who owned people as slaves in that time. Do not let us fool ourselves about the Christian Church of which the Hon. Member for Georgetown Central is a great champion. He also professes to have great sympathies for the working people.

There are certain points related to my subject to which I should like to refer.

I would like to finish the point I was making, and that is with reference to the established Church supporting the existing order. In his book on capitalism, Dr. Wilfred Eric Williams, the famous historian of the West Indies, said that the Church also supported the slave trade. Slavery is changed but today the capitalist system in this country is holding the workers in subjection and bondage. They may be free to sell their labour but the choice of their employers is very limited to them. I therefore ask this Council not to let the influence of a few people hold back the social change which was attempted when slavery was about to be abolished.

I feel that in this matter we have to be very careful. The Hon. Member for Georgetown Central is always quite willing to point out *"the persecution of Bishops, Cardinals"* and what not in other countries. I am not going to advocate what stand these people must take, except to say that if these townsmen, and Bishops and Cardinals are to fight against the people's interests in these countries then they are asking for trouble for themselves. Let us not follow the example of what people in this Council and in this

country condemn in some other countries restriction of the rights of the individual in freedom of thought and freedom of religion. Freedom of discussion can only come about as a result of having all the facts. We all know that when an individual goes to Court there is not only the side of the prosecution, but the side of the defence. The Attorney-General will certainly not deny a person the right to defend himself. I would rather not like to know that Government in any way denies the right to any individual at all.

If individuals commit any offence against the laws of the Colony then by all means they should be brought before the Bar of Justice, but people must be free. In the United States of America today the United Nations Organisation is fighting to establish peace in the world and to establish a world wherein the brotherhood of man will prevail. We have as a result of these persecution and terrorism, many individuals of outstanding merit and quality committing suicide and one thing or another.

The other day we saw that an individual by the name of Abraham Feller, an employee of the United Nations Organisation, jumped out of a window of his flat and committed suicide. He was a United States citizen who was being persecuted by the U.S. Government as a result of this communist and socialist hysteria which has been going on in that country. Mr. Ralph Bunche who is President of the Committee of Trusteeship, United Nations, spoke at the funeral of Mr. Feller and said that from his knowledge and personal contact with him a great man had passed away as a result of the campaign or slander, hysteria and the sowing of fear in the hearts of people that had been engendered. We must give people the opportunity to voice their opinions freely, whether from outside this country or in this country. If I want to reproduce any article because I feel it is in the interest of the people of this country, I should be given that right. The Civil Liberty Congress of the U.S.A. recently sent a memorandum in the form of a very large booklet to the Human Rights Commission of the United Nations.

I am sure we will not want to prevent books like that which expose the corrupt American Government, the rotten American Government, and want to bring before the Bar of Justice of the United Nations that valuable information. Speeches made in the United Nations Assembly must be permitted to come to this country very freely. There are various organisations in that body - the Human Rights Commission - the Commission dealing with non-self governing territories which specially applies to us. We must be free to read those books, because I know that certain countries champion the rights of people like us in the Colonies today, people fighting for social change. But there are others who are against this same social change. Recently when the matter of non-self governing territories was being discussed before the United Nations, it was the United Kingdom and the U.S.A. who were the chief objectors to the point that any Government or any Colony can go directly to the Human Rights Commission or to any specialised

agency of the United Nations to present a case. Although the metropolitan countries have subscribed to this document giving freedom, nevertheless we see that they really do not intend to do so because when the discussion was to go before the United Nations Assembly it was not allowed. The block vote which is in the hands of the U.S.A., and the United Kingdom was brought to bear, and thereby progressive measures are lost.

In Article 21 of the Declaration of the Human Rights Commission there is a statement that *"the will of the people shall be the basis of authority of Government which shall be expressed in periodical and genuine elections which shall be universally on equal suffrage and shall be held by secret vote equivalent to free voting"*. The will of the people must be expressed, but when certain people or certain countries are willing to fight to make what is set out in this valuable document, those who have subscribed to it move to obstruct them. We have been given an opportunity to vote, it is true, but we have been given a Constitution which was not made by us. Universal Adult Suffrage is one thing-

I was really going to refer to the Governor-in-Council, as that is where the whole thing hinges. I have not spoken about that as yet.

I agree that the question of clauses 3 and 4 is one of detail, and when they come up for discussion in the Committee stage; obviously, I am going to move an amendment. But I am speaking on the principle of the Bill.

The Hon. the Attorney-General referred to the Governor-in-Council when he spoke on the Motion dealing with this Bill and he mentioned the fact that an opportunity will be given to Members to discuss in the second reading the whole principle of the Bill. He mentioned also the machinery which would be adopted as there is a new body of Ministers advising the Governor. That is what I want to refer to.

During the tea interval I spoke to the Hon. the Third Nominated Member, and he informed me that he did not agree with me. That is why I have to speak a little longer to convince him.

A new Constitution has been handed down to us. It has not been written by the people of this country and we have had to pay very dearly for it. I think it cost this Colony about \$25,000 for that Constitution Report. I am sure we could have saved that money and erect a wing at the Best Sanatorium with it. Had I been a Commissioner I would have written that Report free of charge.

Under the new Constitution the Government will be the Governor and six Elected Ministers, three Officials and one Nominated Member. When I say one Nominated Member, he will be coming from the State Council and so to all intents and purposes he is a Nominated Member. There we have six Electives as against four others with the Governor sitting there as Chairman with a casting vote. Sir, we do know the type of Ministers and the type of people who are advising the Governor at the moment and it is not unlikely that this Constitution which has not given the people the right of self determination will place in the hands of the Governor-in-Council power

similar to the unlimited power which it has at the moment. If I had my way, I would have been the one to write this Constitution and to produce one like that of Surinam at least, where the Ministers are fully elected.

The Governor-in-Council will be empowered by this Bill to decide what is undesirable. It has not been stated anywhere in this Bill what is undesirable. No definition has been given to it, and in the absence of the definition all I can say is that I did not even trust the Governor-in-Council under the new Constitution because I am not prepared to give powers which are undefined to a body which will not be subjected to the will of the people. Sir, I mention the Constitution here because if our Governor-in-Council or the Executive Council was a Council arising out of the bosom of the people, with the cooperation of the people and in consultation with the people, I am sure I would have been the last person to object to this Bill. In fact, such a Government would not have brought such a Bill before this Council. I have mentioned the Surinam Constitution because I feel that under that Constitution power has been given to the people. They have been given the right of self-determination more or less, implemented to a greater degree than we have had in this country.

If the Government of the United Kingdom or the Government of the U.S.A. were to make a law like this, there would have been no objection to it because the people there have voted the Government in and they are themselves to be blamed for having voted such a Government into power. But Sir, while we have been told that we have the freedom of self-determination; we have also been told under Article 21 of the Universal Declaration of Human Rights that the will of the people shall be the basis of authority of Government. Nevertheless, up to now that has not been so. In this matter which affects the people throughout this country, in many ways, the question of being fined and sent to goal, the question of the restriction of discussion and the question of free development arise. So long as we do not have that power of self-determination, then I feel that this Council is not competent to judge such a weighty issue.

The British Nationality Act has given rights to subjects of the British Commonwealth of Nations throughout the world. This Council was elected as long ago as 1947 and this Council will be going out of existence in a very short time.

This Council is much depleted at the moment. We look around this table and we see that practically more than half of the Elected Members are absent - the Hon. Member for Georgetown North, the Hon. Member for Eastern Demerara, the Hon. Member for Berbice River, the Hon. Member for Eastern Berbice, the Hon. Member for New Amsterdam who was here but has apparently left, and the Hon. Member for South Georgetown, who has not been here since yesterday. I would have been glad if the Hon. Member for Georgetown South (Mr. Carter) was here because he spoke in opposition to this Bill on the last occasion, I am told that the Hon. Member for Eastern Demerara (Mr. Debidin), in view of a second consideration of the

matter is thoroughly against this Bill. I do not know whether that is so or not. We have the Hon. Member for Demerara (Capt. Coghlan) who is not here and many Elected Members of this Council who are not present, and so I feel, Sir, on a matter so weighty as this and a matter, which affects the very fundamentals of liberty and freedom of the subject, a matter which goes to the very root of our society, this Council is not properly constituted at this time to take a decision.

The Council or the Government, I would urge, would do well, taking everything into consideration, to withdraw this Bill. As soon as the new House of Assembly meets the Governor-in-Council can bring this matter up again for discussion. The three senior Government Officials of this Council will be Ministers under the new Constitution. The Hon. the Attorney-General would still be a Minister under the new Constitution, and if the Government still decides to bring forward this Bill it can be brought before the House of Assembly and a more accurate approval would then be registered by the votes of the Members.

It is true, Sir, that the Hon. Member for Demerara - Essequibo (Dr. Singh) is alleged to have said that I will lose my seat, etc. That does not worry me because I will fight, whether I am in this Council or out of it, for the rights and the freedom of the people of this Colony, and I need not say that every Hon. Member knows my right is not restricted to this Legislative Council only. My job has been to let people know what is happening in this Colony, and with the help of my other friends I have been able to bring to the people of this Colony an awareness of what is taking place.

Sir, is it that awareness that the Government is afraid of? Surely Government has the means whereby it can counter the influence which I may propagate with my friends. If there is a battle of ideas, surely Government's side is stronger than my side. I say that is the line which Government must take in this issue. Let Government go to the people as I have gone; Government is apparently afraid to talk to the people. Let the District Commissioner and the Agricultural Officers and the Attorney-General and the Colonial Secretary and the Financial Secretary and the Governor go to the people periodically every three months and explain the Budget Statement, the Development Plans, etc. Let us have a complete discussion. I will go also and let us sit on the same platform and discuss these matters with the people on the basis of free discussion, and let the people judge.

The people cannot judge, they cannot come to a decision correctly unless they have all the facts before them. For instance, as regards the issue of Federation I accuse Government of not taking it very clearly to the people. I am not going into the issue of Federation at this time, but the point is that Government must not force anything down the throats of the people, whether it is Federation or anything else. If the Government feels that our influence is greater and is taking hold of the masses, if Government feels worried about that and the capitalists feel too worried about that, then I say, Sir, they have all the means to counter it and should use them. We will

allow them freedom in that respect. We will not object to their use of all the methods at their disposal. Let them go to the people and tell them the true facts, if it is said that we are propagating wrong ideas, telling lies and reading from books which are bad. The Police are at our meetings and most of them take notes. I would vote the money for Government to buy recording machines to record our speeches verbatim. If they want I can lend them mine. They can record our speeches and play them back and, get the Bureau of Publicity and Information and the Law Officers and all the chief friends of Government to counter them, and let the capitalists use their press and the radio to counter them.

That is the way to bring intelligence to the people; that is the way to counter (if I may call it so) subversive ideas. Reasoning is a function which has been given to mankind. It is his reasoning faculty, his brain, which distinguishes him from the animal. I am sure it is not the intention of this Government, or indeed of any human being who has a heart and a soul, to deprive a human being of the use of his greatest faculty the faculty to think. Why then, when nature has endowed the human being with this faculty, should we attempt at this stage to put the people back into the Dark Ages? The United Nations Organisation, through UNESCO, is today spending millions of dollars in giving aid to the Governments of the various undeveloped areas where there is a great amount of illiteracy.

(Is that against the rules of the Council? I did not know that it was defined in the Standing Rules and Orders what is the proper way to stand. I am not doing obeisance, and I would like to support myself with the help of my chair. That is what the chair has been put here for to give me comfort.)

To continue I would like to say that this matter should be looked into very realistically by Government and by Members of this Council. UNESCO is spending, and hopes to spend, millions of dollars to help people to elevate themselves from their state of savagery and semi-savagery into a state where they can read, write and discuss. This organisation is today attempting to bring to the world scientific knowledge for the benefit of mankind. Are we going to allow this effort of a great organisation such as that to be thwarted? In British Guiana today that is the trouble. I am sure that if all of our population could read and write, this Government would probably not have to worry so much about introducing the Bill, because I am sure that British Guiana would have achieved socialism long ago.

We have brought experts here on whom we have spent thousands of dollars of the taxpayers' money. We have brought individuals from abroad to teach our illiterate people the Holibach system by which each one teaches one, a system which has been adopted in Mexico and in the Far East. Classes were formed in several districts for experimentation with the system, and several books were printed at the taxpayers' expense to illustrate how the system could be adopted in this country! We have voted in this Council large sum of money for an adult education campaign. On one occasion, the

Hon. Member for Eastern Demerara (Mr. Debidin) made a strong plea for an appeal to UNESCO for a grant to carry on the campaign. We were all agreed that more money should be spent to organise the campaign, but while we are doing that this Government has introduced a Bill to enable it to tell the people whom we are trying to teach, how to read and write, that they must only read certain types of literature, see certain films and listen to certain voices and no others. I do not think that is fair.

I think that is unjust. We have, for instance, only a moment ago, heard excerpts from publications abroad that were published in this Colony. It was the annual statement of the Directors of Bookers McConnell & Co. Ltd., published originally in the *Times* of London and in other newspapers. I have the copy. Suppose we were to publish any information of this nature for people who live on the sugar estates whom we are now trying to make literate to read what is taking place within the industry. Hon. Members are now accusing me and the People's Progressive Party of wanting to destroy the sugar industry. We have met here on more than one occasion; our purpose is not to destroy the sugar industry but rather to develop this country in every possible way; not to allow a few people to reap a harvest and make tremendous profits while arresting the extension and development of the country.

It is a pity I do not have a copy of the Report of the sugar industry here, otherwise I would have shown Hon. Members how this industry is arresting the development of the country. Yes, we do want to build, to develop and to take away the restrictive powers which today are in the hands of the sugar imperialists.

The information to which I refer was published in the "*Daily Worker*" and the "*Times*". It gave information not only to the capitalists but to the working people also and to those people who do research about the conditions of work in all parts of the world. The directors of these companies realise that publication of their Balance Sheet in newspapers and other periodicals in British Guiana would make workers more militant in their fight for better conditions in their employment. I therefore feel that any information which can be useful to the people in this country should be allowed to be reprinted locally.

(I am glad for the opportunity the Attorney General has afforded me to rest for a brief second.)

(I beg to move that the Council be now adjourned.)

I would like to make an amendment to this clause, which reads: "*This Ordinance may be cited as the Undesirable Publications (Prohibition of Importation) Ordinance, 1953.*" I do not see anywhere in this Bill a definition of the term "*undesirable*". I feel therefore that the title of this Bill is wrong in the

sense that no one has been given an opportunity to know exactly what the term "*undesirable*" refers to. I suppose that in this instance a definition ought to be put in clause 2 of the term "*undesirable*." By what standards will the Governor-in-Council determine what is undesirable and what is not? In this clause here and in other clauses of this Bill reference is made over and over to this term. I hope that the Hon. the Attorney-General will put before this council a definition.

Clause 2 must be considered in relation to clause 3 which states:

"3. (1) Where the Governor-in-Council is of opinion that the importation of any publication, engraving or die would be contrary to the public interest he may, by Order published in the Gazette, prohibit the importation of such publication, engraving or die and in the case of a periodical publication may, by the same or any subsequent Order, prohibit the importation of any part or future issue of such publication..."

What would be the position of a person who, without knowledge of the existence of an Order prohibiting the importation of the things mentioned in clause 2, orders those things from England? How would Government know in advance what publications should be banned? I feel that clause 3 is going to cause a great deal of confusion, inconvenience, and loss of money to importers for purposes of trade and otherwise. A person may place an order for the importation of certain publications, in respect of which there is no Order of Prohibition, but on the arrival of the goods the Postmaster General, the Comptroller of Customs, or the Commissioner of Police, acting under clause 6, may examine the package, and if it is felt that the publications are contrary to the public interest an Order would be issued under which the articles would be confiscated and the importer liable to be charged.

The Hon. the Attorney-General a moment ago referred to the law of sedition in order to give a definition of the word "*undesirable*." The law of sedition is very wide and inclusive, and should Government feel that certain publications are seditious, all it needs do would be to charge the person with disseminating seditious publications. If Government feels that any importation I have made, or in any speech I have made I have referred to any publication which is considered seditious, it would have the right to charge me with sedition. As the clause stands a person would be in the embarrassing position of not knowing what publications would be banned by Government, and after importing printed matter, at perhaps great cost to himself he may find them confiscated by Government. I suggest that persons should be permitted to import freely whatever publications they consider non-seditious, but should they be brazen enough to import seditious matter they should be charged by Government.

The Honourable Member for Essequibo River (Mr. Lee) indicated that he would accept clause 3, subject to an amendment exempting publica-

tions written or produced in the United Kingdom. Obviously any publication printed in England would be subject to the laws of libel and sedition, but they may be considered seditious in this country. I think this Council should go a little further than merely including the exemption suggested by the Hon. Member.

There are many publications which this Government may consider contrary to the public interest, but the United Kingdom Government, an imperialist Government of this colony, would not consider such items as being contrary to the interests of the public there. I intended to move an amendment to sub-clause (3). I think that if anything which is printed and published or produced in the United Kingdom- items which are allowed to be circulated in the British Commonwealth territories should be allowed to enter freely into this country. I do not feel it necessary to have sub-clause (d) either, because we have already passed a Bill in this Council dealing with the censoring of films making it imperative that any Colony has to go through such a process before it can be circulated for showing. Therefore, I would recommend the deletion of that clause as being not only unnecessary but redundant.

The definition of the word "*import*" is indeed very wide and includes the bringing into the inland waters of the Colony, whether or not the publication is brought ashore, and whether or not there is an intention to bring it ashore I think that is very dangerous. This will mean that some hardship will be created on British and other citizens who may have the right to have certain articles in their possession. Let us for example think of the sailor or passenger on board a British ship who, when he comes to these waters may have in his possession some books which are more or less deemed contrary to the public interest of this Colony - items of publication which are not only brought from but published in England where they were never prevented from reading them. Are we to ban such persons from reading such literature in this Colony, bearing in mind that such matter was used freely and legitimately in the U. K?

This clause makes such a person subject to punishment, severe penalty and imprisonment. It will deprive certain individuals coming here of their inherent right to possession of literature which they have no knowledge is deemed to be harmful to this country. I think the whole object of this Bill is not to allow material which is contrary to the public interest to be circulated in this Colony. We may have a passenger who is a British Guianese who may be a student not aware of such laws and who delved into matters of a socialist nature abroad. A student may have possession of some of his literature. Should he be prevented from bringing with him those books of study for his personal use, not for sale in the streets, especially since in the Mother Country they are allowed to use these books in public and day schools? I see that it is going to create great hardship if Government is going to prosecute certain people coming to this Colony with such literature for their own use.

Sir, the Hon. Member moved an amendment. I would like to support that amendment and I hope that amendment refers to other subclasses in this clause. I do not know if his amendment to paragraph (a) is ample. I suggest that it should read "*except those printed, published or allowed to be circulated in the United Kingdom.*" As regards (d) it should read "*any cinematograph film other than those made in England*" and as regards the definition of "*periodical publication*", the words "*other than those published in the United Kingdom*" should be added after the word "*publication.*"

I notice, Sir, the Hon. Member let out (c) and we have the amendment introduced by the Hon. the Attorney-General.

This is not dealing only with singing or cultural activities. This may be dealing with a message. Let us say the Labour Party wants to send a message of goodwill, to the T.U.C. here.

This clause says

"(1) Where the Governor-in-Council is of the opinion that the importation of any publication, engraving or die would be contrary to the public interest, he may by Order published in the Gazette, prohibit the importation of such publication, engraving or die and in the case of a periodical publication may, by the same or any subsequent Order, prohibit the importation of any part or future issue of such publication."

"(2) Any Order made under this section may be varied or revoked by any subsequent Order."

There is this point which I made before, and that is, these Orders may be made from time to time and individuals may not be aware of them. If they are only published in the *Gazette*, some of us in this Council do not read the *Gazette* from week to week although it is sent to us. I feel sure that in this matter the procedure adopted in the past as regards other Rules and Regulations should again be adopted, and that is, any Order made under this clause should be laid on the table of the Legislative Council and be varied if any Resolution is moved and passed within 14 days invalidating the Order, provided the Legislative Council is in session. I feel that if that is done and a Motion is brought for discussion in this Council then the people in the Colony are likely to know exactly what has been prohibited, etc.

The Hon. Member for Georgetown Central referred to the Governor-in-Council. It is not unlikely there may be a coalition party which will be the Government and as such even in a matter which the Party may decide to be contrary to public interest that may not meet with the wishes of the representatives of the people in the House of Assembly, and I feel that since the procedure is already laid down in various Bills and Ordinances of this Colony, Rules and Regulations made by the Governor-in-Council will become valid provided a Motion is not moved in the Council within a certain time seeking to invalidate the Order. I feel that such a clause should be

inserted in this Bill.

Another bit of information I would like to get from the Hon. the Attorney-General is, what will happen to publications which are already in the Colony? Because if we look at the next clause we would see that it says:

“Any person, who imports, publishes, sells, offers for sale, distributes or reproduces any publication, engraving or die, the importation of which has been prohibited under section three of this Ordinance, or any extract from any such publication shall be guilty of an offence”.

What would be the position in respect of such goods already in the Colony? Are those to be allowed to be sold, etc.?

That certainly is *post facto* legislation. Here we are making an Order after a thing is already in the Colony. That paragraph quoted by the Hon. the Attorney-General relates to when the publication comes in, but what I was referring to is a publication already here.

What is going to happen to people who have invested money in a thing that is now made illegal? They will be subjected to loss of their money and forfeiture of those goods by the action of Government. Everything one has in his possession now will have to be handed over to Government. I do not think that is fair. Looking at it fairly, I do not think Members will agree that that is fair. If anything is coming into the Colony under clause 6, the Comptroller of Customs, the Postmaster-General or the Commissioner of Police would be able to hold it up, examine it and, if necessary, confiscate it. I submit that if any article already in the Colony, is in the possession of certain individuals who may have spent money to get that article, is to be handed over to the Police lock stock and barrel, it would mean, serious financial loss to individuals.

That is so, but others were bought from the United Kingdom and came into the Colony freely without any obstruction by the Comptroller of Customs at the moment because there was no law to stop the importation. I have been buying for a long time such publications and I think it would be a grave injustice to persons like myself if this Bill is passed as it is. There is another point on which I would like to get information from the Hon. the Attorney-General, in clause 3 (1) towards the end it says:

“and in the case of a periodical publication may, by the same or any subsequent Order, prohibit the importation of any part or future issue or such publication.”

I do not know if the wording is correct. It seems to me not clear when it says *“prohibit the importation of any part.”*

I appreciate that, and I take it that in the case of a periodical publication this clause deals with a part or the whole.

I have a publication which is published month by month. Does this prohibit me from having it in my possession now? I feel it should be put in

a clearer form by deleting the words: "*part of*" in the second to last line so as to make the clause read "... *prohibit the importation of any future issue of such publication*". I think that is the intention of the Hon. the Attorney-General. If a publication is banned, any future issues of it or parts of it would not be allowed to come into the Colony. It is not clear, in my opinion, what is important. I think what is important is that in future a part or whole issue of such publication would be banned.

I meant to move the following that the clause should read: "*prohibit the importation of any future issue or part of any future issue of such publication.*"

Otherwise it would mean that any publication an individual has, either in his private library or otherwise, would have to be surrendered to Government. I do not think that is the intention of this Bill. The intention of the Bill is to prevent the importation of books into this Colony which are contrary to public interest. I feel it would be going beyond that intention to permit Government to take over all the book or parts of periodicals which have been already imported into this Colony. I do not think that is fair and, therefore, I am going to move, as I said, this amendment delete the words "*any part or*" and insert the words "*or part of any future issue*" between the words "*issue*" and "*of*" in the last line.

I move the insertion of a new sub-clause (3) which reads: "*Every Order so made shall be laid before the Legislative Council within twenty-one days after it is made if the Legislative Council is then sitting, or, if not, within twenty-one days after the next meeting, and the Legislative Council may by Resolution annul any such Order made.*"

Such a provision would not only give Members of the Council an opportunity to express their opinions on the issue but would also bring the matter to the notice of the public so as to obviate unnecessary prosecutions.

But there may be many Independents in the House of Assembly, and some of them in the Executive Council. I cannot admit that if all Parties are represented in the House of Assembly we would be able to use this law to our advantage. It is likely that there may be a coalition in the Executive Council, and there may be individuals in the House of Assembly who may be opposed to some of the Orders made by the Executive Council. The Orders should be laid on the table of the House of Assembly. That is the procedure adopted at present with respect to many Orders made by the Executive Council.

If there is no objection an Order would be valid within 14 days. The fact of having it discussed in the House of Assembly would serve to bring the matter to the knowledge of the public. We must safeguard the public from being prosecuted without knowing what Orders have been made. I hope then Members will support my Motion which suggests a practice which has been adopted in many instances in this Council.

This is a very dangerous clause because it involves the question of importation of prohibited matter. There may be persons who may not be aware

of this legislation, and should they arrive in the Colony in possession of a banned publication they would be liable to a fine not exceeding \$500 and/or imprisonment not exceeding 12 months. As a result a citizen of this country who may innocently bring some prohibited publication into the Colony would be liable to very severe punishment.

Again I must mention that some persons may have ordered and paid for certain books or publications before a prohibition order is made under clause 3 of this Bill, and although those things have come into their possession lawfully they would be liable to a fine not exceeding \$250 and/or imprisonment not exceeding six months. I feel that Government is introducing legislation to penalise an individual for something he has already done, and I am sure those Hon. Members who are members of the legal profession will agree with me that such retrospective law should not be made. I do not wish to waste the time of the Council, but as this is a matter of grave importance I would like to quote an Article from the Declaration of Human Rights on the subject, because a person who has spent money to purchase books before a prohibition order is made will now be faced with the loss of that money, and be liable to a fine or imprisonment, or both. Article 11 (2) of the Declaration of Human Rights states:

"2. No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, in national or international laws, of the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed."

In other words, what we are being asked to do is to make a law to penalise a person for an act which was not illegal at the time it was done. That is against the principles of Constitutional law and should be deleted. I therefore move its deletion as there are sufficient safeguards in sub clause (1). I feel, Sir that clause 4 (1) adequately covers the whole matter and that sub-clause (2) should be deleted.

I would also like to move the deletion of the words *"five hundred dollars"* in the sixth line of sub-clause (1) and the substitution therefore of the words *"one hundred dollars"*, and also the deletion of the words *"twelve months"* in the seventh line of the same sub-clause and the substitution therefore of the words *"one month"*. I feel that no one would knowingly like to incur a penalty of \$100 or one month's imprisonment, or both, by contravening any clause of this Bill relating to the importation, selling or distribution of anything which is prohibited by an Order made by the Governor-in-Council. I do hope that Hon. Members would support this amendment which I move, taking into consideration the fact that the question of importation is dealt with in the next clause and there are certain aspects whereby members of the public stand to lose a great deal.

This clause has to do with the delivery of prohibited publication to the Police. It is divided, as I see it, into three stages. The first sub-clause (1)

deals with the question of any publication which is sent privately or without the knowledge of the person receiving it and says the person shall deliver it up to the Police. The second deals with any publication which has been sent in response to a request made before the prohibition of the importation. For instance, I may put in an import order for a certain article. It comes into the Colony but while it was coming here the Governor-in-Council makes an Order prohibiting it. As soon as it lands the Postmaster General or the Comptroller of Customs holds it up informs the Governor-in-Council about it and an Order is made prohibiting its importation into the Colony. I feel that that is basically wrong. I see Hon. Members are not using any discretion in this matter at all, because I am sure if this matter had to do with business simply, looking at it from that point of view they would have objected to what is taking place here. An individual spends his money to order something and then the Governor-in-Council would have the right on a subsequent date to make an Order prohibiting the entry of that thing and it is confiscated.

If I am ordering books I would not know what is considered by the Government as being contrary to public interest.

(The Hon. Member is trying to be funny at this stage.)

Dr. Jagan: Thank you. The third deals with any person having any publication, etc., in his possession at the time when the prohibition of importation of it comes into effect, and says he must hand it over to the Police upon the coming effect of the Order prohibiting the importation. Sir, again I must appeal to Hon. Members to look at this matter very realistically. That provision would mean that individuals would have to root from their libraries many very valuable books and hand them over to the Police. It would mean that money which may have been invested for the importation of books already in the Colony would have to be lost and, therefore, I am going to move an amendment to this clause - instead of the person having to deliver those publications to the Police when he does know of the Order, Government should permit him to re-export them to whence they came.

In other words, let us say I have imported 200 copies of a certain publication today and tomorrow or the day when the goods arrive in the Colony the Government decides that publication should be prohibited. If this law is passed as it stands here, it would mean I would have to deliver up to the Commissioner of Police or anyone authorised by the Commissioner of Police those copies and, as I have said, that would mean a serious financial loss to me. I think Sir that even allowing me to send back those copies will result in financial loss to me. It must be appreciated that loss incurred in the transportation to the Colony and back out of the Colony will be a small portion of the total cost of the whole shipment. Therefore, Sir, I am moving that in each of these subclasses the permission to re-export be granted to an individual to whom anything may have been sent

without his knowledge.

The Bill was only published a few days ago and I was not given sufficient time to go into the clauses and make my amendments in the proper form in which they should be presented here. I would suggest that paragraph (b) should read:

“Any person to whom any such publication, engraving or die or extract from such publication is sent in response to a request made by him before the prohibition of the importation of such publication, engraving or die came into effect shall be allowed to return such publication to the sender under the supervision of the Commissioner of the Police or the Comptroller of Customs.”

On the question of the expense, I do not know who would have to bear that, but I think the individual should bear the expense one way and the Government should bear the expense the other way, as this is *post facto* law, the individual having already placed his order. If the Government is going to restrict the individual I think some concession should be given him to re-export the article to the sender under Government supervision.

Anyway, I will not quibble about the question of expenditure, because I feel that if persons are informed in advance of the list of prohibited publications they would know exactly what publications are banned and would not order them. But as the clause stands, no person would know what not to order, but as soon as a prohibition Order is made he would have to deliver the prohibited publications to the Commissioner of Police and thereby lose what money he has spent. I am not trying to import something against the wishes of Government, but merely endeavouring to save the loss of money legally spent in placing an order for books which, were not banned on a particular day.

Again I would appeal to Hon. Members for the deletion of paragraph (c) of clause 5, because I personally have invested hundreds of dollars in the purchase of books and what not, and if Government issues an Order prohibiting the importation of one book the police would have the right to go to a person's house to see if that prohibited book was in his possession. The police would then be able to make a list of every book found in that house, and the following day Government would be able to issue an Order prohibiting the entry of all those books into the Colony. The person concerned may have spent thousands of dollars in equipping a library for his personal use, and would have to deliver them all to the police, thereby suffering great financial loss.

I am asking that a similar amendment to that I proposed in respect of paragraph (a) be made in paragraph (b). If a person sends me a gift of books without my knowledge, and especially if those books were not banned before, I think Government should give me the opportunity to return those books to the sender. I do not think it would be fair to confiscate those books. I therefore move the deletion of the words *“shall deliver up to the Police such*

publication, engraving or die or extract from such publication forthwith upon the receipt by him of the publication, engraving or die or extract from such publication”, and the substitution in paragraph (b) of the following words: “shall be allowed to return such publication to the sender under the supervision of the Commissioner of Police or the Comptroller of Customs, and at the expense of the individual to whom such publication was sent”.

I therefore move the amendment I have indicated in respect of sub clause (1) (a).

This is a very dangerous clause in the sense that it gives the Postmaster General, the Comptroller of Customs, and the Commissioner of Police, or any person authorised in that behalf by the Governor, the power to detain and examine any package or postal packet. “*Postal packet*” has been defined as meaning any letter, postcard, newspaper, book, document, pamphlet, etc., and power is being given by this clause to detain and examine any package which is suspected to contain any publication which is banned. Sub -clause (2) is particularly dangerous because it gives the Postmaster the extraordinary power to invade the mail of any person. I think such power was given in time of war when there was a great emergency in order to prevent spying and other activities. But such in the United Kingdom, and in this Colony, as far as, I am informed this Government is now trying to reintroduce wartime legislation to give the Postmaster General the power to invade the private mail of citizens.

Not only will those articles, packages, etc. be impounded; the person who will be importing, distributing or posting, or in whose possession they are found, would be proceeded against for committing an offence. They can be penalised under clause 4 to an extent of \$500 or 12 months imprisonment or both. I feel that this clause is not necessary in view of the others which have been passed already. Adequate protection is already given to Government in preventing the importation of prohibited materials into this Colony. Government should not take the extraordinary powers of invading private letters and all such matters which may be bringing information to individuals in this Colony, information of one kind or another. I would move the delegation of clause 6 (1) and in (2) the deletion of the following words:

“and the person importing distributing or posting it or in whose possession it is found may forthwith be proceeded against for the commission of an offence under section four of this Ordinance or section five of this ordinance as the case may be.”

I can see difficulty there. If I delete sub-clause (1) then sub-clause (2) would be a monster without a head and, therefore I would move the deletion of two words “*open*” and “*examine*” in the third line of sub-clause (1). That is, the Postmaster General or the Commissioner of Police or the Comptroller of Customs may detain any article if it suspected; then the proce-

sure can be adopted that a notice be sent to an individual to whom a parcel is sent; that individual then goes to a Post Office or Bond or wherever the parcel is and there it is opened in front of him. If it is found to be contrary to an Order made by the Governor then obviously the parcel can be declared under sub-clause (2). Therefore, I think enough provision is there already in the law, as it stands. In this way we will not be invading the private province of an individual who receives a communication. If this clause is allowed to stand as it is, I can see Government opening every letter which comes to any individual such as myself and others who are suspected by Government at the moment. I do not think this is fair.

I am asking that if Government feels that certain things are prohibited which have come for an individual, a notice should be sent to that individual summoning him before the proper Authority. The package is then opened in his presence. I would therefore like to move the deletion of the two words "*open*" and "*examine*" in sub clause (1) and in sub-clause (2) the deletion of all the words after the word "*retained*" in the third line to the end and the substitution therefore of the following words:

"and be allowed to be returned to the sender under the supervision of the proper Authority set out in Clause 6 (1)."

In other words, if an article is challenged by the Comptroller of Customs or the Postmaster General, the article should be held up or detained and a notice sent to the individual to whom it is addressed summoning him to appear before the proper Authority and in his presence the package is opened up, and if it contains any prohibited material then that individual is permitted to return it to the sender. If that is not done we can very well imagine what would happen. A postal package may be sent to an individual who may not know by whom it is sent and Government can open it under sub-clause (1) and under sub-clause (2) not only will the package be impounded but the individual to whom it has been sent will be proceeded against and penalised very heavily. I do not think that is fair, because it will mean that a trap can easily be set and a prohibited article sent to an individual without his knowledge of the sender.

I therefore beg to move the deletion which I have suggested in order to make this Bill equitable on all sides. As far as I can see, and it has been said here, the purpose of the Bill is to prevent the importation and also distribution of prohibited material but these clauses are going further than that. They do not only aim at importation and circulation but are going to penalise people who are not a party to anything against the law. That will be going beyond what is intended by the Motion which was passed in this Council and the intention of Hon. Members of this Council. I submit that these amendments which I have moved are reasonable taking into consideration the facts which I have stated. I do hope Members will support the amendments.

I can appreciate the point the Hon. the Attorney-General is making that this sub clause (1) deals with articles which come into the hands of an individual.)

I follow the Hon. Nominated Member's point. He says that the person to whom a package is sent is not referred to in sub-clause (2), but it also states that "*the person importing...*". Who is to decide whether a package is an importation or is sent without the knowledge of the addressee? I have had big disputes with the Comptroller of Customs on this matter. Certain parcels came to me as gifts. I did not see them, and when I asked that they be given to me as gifts the Comptroller of Customs said they were importations into the Colony and would not be treated as gifts.

If we are to accept willy-nilly the decision of the Comptroller of Customs as to what is an importation and what is a gift, we are going to land ourselves in serious difficulty.

I agree with the Hon. Member because Government has been holding packages indefinitely. There are many words in sub clause (2) which are redundant in my opinion. Sub-clause (1) deals with matter coming into the Colony, while sub-clause (2) deals with any package or article found in a person's possession. It says that the person in whose possession a package or article is found "*may forthwith be proceeded against.*"

I would like to have the word "*forthwith*" defined because if an Order is published at 6 a.m. in the *Official Gazette* a person who may have a banned publication in his possession will not have time within which to deliver it up or do what is stated in the Bill. I think that instead of the word "*forthwith*" some time limit should be fixed after the Order is published, for such a person to deliver up a prohibited publication. I think that in the earlier clauses the word "*forthwith*" should be redefined to mean within reasonable time. I am informed by legal Members that "*forthwith*" means within reasonable time.

If the definition is to be a loose one, I can see a great deal of difficulty would result.

If you look at clause it covers distribution and therefore to put the question of distribution here also is making something which has been already passed. This clause deal with goods coming into the Colony which will be held up by the Postmaster General and the Controller of Customs are handed to an individual by accident. They cannot be distributed because they are covered by clause 5 (1) and (2), and have to be handed to the Commissioner of Police, and any publication which is already in the possession of a person that also has to be handed over clause 5 (1) (c). So I do not see where the question of distribution and posting comes into this clause at all. Posting and distribution are already covered in clauses 4 and 5, if the article is in the possession of an individual in the Colony.

This clause is really seeking to prevent any package coming into the possession of any individual. Therefore, I agree with the Hon. Nominated Member that the words "*in whose possession it is found*" in this clause are

redundant because we have already said under clause 5 (1) (a) & (b) that if a person has something which came to him as a result of having ordered it or as the result of someone sending it to him as a gift, he has to hand it to the Police otherwise it is an offence. If he circulates goods which came to him either as a gift or by importation under clause 4, he would be liable to a penalty. I do not see why it is necessary to include it here.

I think this clause should be deleted from the Bill because it is contrary to the principle of law that a law should not be made for the punishment of an offence previously committed. Why was this clause put into the Bill? Government confiscated large quantities of literature which were brought into the Colony, on the flimsy pretext that I did not have an import license.

I told Government they could have those books but I would place an order for the replacement of those confiscated. I then submitted an application for an import license to the Controller of Supplies who held my application up and told me he was sorry he could not issue a license to me. When I asked him why, he remarked about the "higher-ups", the gods in the Government who are living very well. They do not care whether the people's rights are taken, away, or whether they lose great deal of money on legitimate transactions. Who were the higher-ups - possibly the Governor and other officials, and Members of the Executive Council? That is probably where the direction came from. The Governor and others in the Executive Council and some of them - mere birds of passage in this Colony.

Undesirable Publications Bill (cont.) - High Officials and Status

Dr. Jagan: The Governor is paid a high salary and he is not a citizen in the Colony. In most cases I do not think he knows what is really happening in the Colony. I do not think he is properly advised. His advisers are other Government officials. The Hon. the Attorney-General has left the unsafe position of a politician in his country for the safe and more lucrative position of a Government official in this Colony. The acting Colonial Secretary and the Officer Administering the Government have come to this Colony from Palestine. As a result of the people's demand for their freedom, those high officials were kicked out of those countries, and they have come here to tell the Controller of Supplies to go against the law of this Colony. I say this: that if birds of passage that are kicked out of other countries are to come here then they try to rule this Colony illegally.

(The Hon. Member has done well for serving the Queen.)

I was not referring to you as the Officer Administering the Government, or as the Speaker in this Council, but as performing the duties of Colonial Secretary, to whom the matter was referred when I submitted my application for an import license. The Controller of Supplies told me he could not grant my application because the "higher-ups" had decided that it should not be granted but should be referred to them. After a long lapse of time I wrote the Colonial Secretary asking him why, in the absence of any law prohibiting the importation of those books, they were being held up. I also pointed out that Government had confiscated my books because of the legal technicality that I did not have an import license and that when I subsequently applied for an import license I was told that the "higher-ups" would decide when my application would be granted. When I did receive a letter from the Colonial Secretary it stated:

"Sorry, this application cannot be granted pending the making of a law implementing the Motion which was passed in Council."

I consider that letter from Government the most rotten bit of nonsense. Having confiscated my books I consider it irregular and illegal for Government to tell me they were going to make a law, and that until that law was made they would not grant my application for an import license, although I had gone through the legal channel. I applied in February last year for permission to import books similar to those which had been confiscated books circulated and read in England. This Government is being run un-

der the dictates of Her Majesty's Government by people who were sent here by the Secretary of State for the Colonies, and who receive the money of the taxpayers of this Colony as salaries. These people want to rule this Colony high-handedly.

The Hon. Member is out of order, I submit, because I had not finished the point I was making. I ask for your protection in this instance. It is not that I am speaking lengthily on this issue, but I have not yet made my point.

I feel very hurt in this matter. Government, in my opinion, is acting illegally. What Government is doing now is to seek to make legal what has been done illegally. During the period when the licenses could not be granted to me, certain books which I had placed on order for long before, came down and I had to abandon them. Certain other books which were sent to me as gifts from friends in all parts of the world were being held up by the Comptroller of Customs on the ground that I did not have an import license for them. I claimed them as gifts. In respect of claims for gifts no import licenses are required, but Government again, I say illegally, kept postponing the matter without writing to say definitely whether those books were confiscated or not. If they had written informing me that the books were confiscated, I would have instituted a charge against them for confiscating them illegally. A novel from a Book Club, gramophone records, cultural records were all confiscated; they were sent to me as gifts but the Comptroller of Customs set aside the claim. Apparently he was awaiting orders from the "higher-ups". When I referred the matter to the Colonial Secretary he said the Attorney-General was dealing with it.

So far as I can see, anything stated by me, as a representation either to Government or to the Attorney-General, never seems to get a satisfactory answer. In this case, the books were not given to me as gifts. There was one publication which came to me from Hong Kong giving a daily news release which is compiled in a monthly publication. Several days' issues of this official publication of the Chinese People's Government are compiled subsequently into a monthly issue and are sent to me just as a matter of information covering a period of 3 to 4 years. Those were for my personal file. But, Sir, the Controller of Supplies, I believe, claimed that those were not gifts but importations. That is why I was asking about the word "*importation*", because when it suits this purpose of the Comptroller of Custom; or the Controller of Supplies, an item is regarded as an importation or as a gift.

What we are doing now is an unholy racket in that the Government has for me many articles which were sent to me as gifts by my friends all over the world and which Government has impounded illegally without telling me they are confiscated. Had Government told me so I would have proceeded against them according to law. Government waits until this late hour to come with this clause to validate what was done on the 1st February, 1952. This is a disgraceful bit of legislation that Government is trying

to push through. It is disgraceful and shameful, and I object to the tactics of Government. The Government in England could not do this the Hon. Attorney-General is always referring to what Jamaica and Grenada and other neo-fascist Governments have done, but he does not refer to the U.K. Government though he takes his instructions and advice from that Government. He does not refer to the legislation and the legal practice in the U.K. He refers to Jamaica and the Leeward Islands Governments where we have similar Officials taking upon themselves the right to deprive people of their rights; as we are doing now in this clause in his Bill.

Sir, I move the deletion of the words "*First day of February, 1952*" and the substitution therefore of the words "*First day of March, 1953*", because I am still waiting to hear from Government whether the publications which were sent to me and have been debarred for nearly a year now are confiscated. If they are confiscated Government should give me a reasonable time within which to institute charges against the Government for taking such high handed action and in most undesirable way.

I have seen what was done today this Council. Members have not even been reasonable in the several clauses which were discussed here. I am going to move after the third reading has been taken that this Bill is not made law until this clause has been referred to the Secretary of State of the Colonies, and that assent be not given to this Bill until I have been allowed to lodge a Petition in this Council to the Secretary of State for the Colonies objecting against the inclusion of a clause such as this, making legal today what was done by the Government over a year ago. The British Government has subscribed to the United Nations Declaration of Human Rights which said that nothing should be done like that in any law. Nevertheless we are doing that now and there is no doubt from what we have seen that this Government is really the tool of big businesses - the Chamber of Commerce and merchants.

This Government is willing to trample on the rights of the people and to go against the decisions which have been made by the British Government at the various assemblies and specialised agencies of the United Nations Organisation. I object, and when the third reading is taken I shall move, as I have said, that assent to this Bill be not given until I have been allowed to table a Petition to the Secretary of State for the Colonies objecting in principle to this whole Bill which I feel is a violation of the principles and rights guaranteed to British subjects under the British Commonwealth Act and also to a clause such as this which is intended to validate something done illegally.

(That was the original shipment.)

The Hon. the Attorney-General made a point about validating certain things. The Hon. Member must not think he is talking to fools here, for although I am not a lawyer I can appreciate these legal distinctions. In this case Government is trying to validate something which it had no right to do. The Hon. the Attorney-General said that I was allowed to send my

books back. I was allowed to send a portion back; the rest of the books were burnt, and I lost nearly \$500. But the day of reckoning will come.

Validating legislation has always been introduced to give rights to people and not to take away their rights. Government cannot make a law today in order to charge a person for something he did last year. Only fascists do that sort of thing. No doubt this Government has turned fascist. The only recourse will be for the people of the Colony to take the law into their own hands and intimate to the birds of passage who are now reaping the benefits, that the people will take those benefits from their hands.

I hope Government will come to its senses and not press for the passage of this clause. Government has the right to confiscate and let the person whose articles are confiscated take what legal proceedings, he thinks fit. But Government does not intend to give a person the opportunity to proceed legally. It is encouraging illegal acts in this Colony and it will have to bear the consequences like what is happening in Kenya and Malaya. After all, Mau is only a phenomenon.

I will vote against the clause because I feel it is wrong in principle.

To shift it from the 1st of February to the 1st of March would not do anyone any good. That would only be splitting hairs. It is wrong in principle for Government to make a law today validating something which was done even after the Motion was passed in this Council. Until legislation is introduced no Motion passed by this Council is law. When rights are to be conferred on people we do not pass legislation like this, just in this case Government wants to go back to the date when the Motion was passed. The clause is bad in principle.

Sir, I have already indicated that I intend to prepare a Petition to the Secretary of State for the Colonies against this Bill becoming law. I therefore ask that you withhold your assent to the Bill until such time as I am allowed to prepare a Petition, and until a reply is received from the Secretary of State for the Colonies as to whether this Bill should become law or not, especially in relation to clause 7.

Election Precedents and Legislation

Dr. Jagan: I observe that none of the three Government officials voted in favour of that clause. In other words the Official Members threw in their weight against the Unofficial Members in carrying through a measure designed to validate any illegal step taken by the Government of this Colony; On those two grounds and because I feel that this Bill violates the principles laid down in the British Nationality Act, I am asking you, Sir, to withhold your assent to that which deals with the place and manner of voting, which is similar to section 8 of the U.K. Representation of the People Act. Clause 27 is similar to section 19 of the Jamaica Ordinance, and clause 28 is similar to section 91 of that Ordinance. Clause 29 is taken from section 10 of the U.K. Representation of the People Act, 1948, while clause 30 is similar to section 11 of the same Act. Clause 81 is similar to Regulation 27 of our Legislative Council (Elections) Regulations while clause 32 is section 27 of our Legislative Council (Elections) Ordinance. Clause 38 is taken from section 28 of our Legislative Council (Elections) Ordinance. Clause 34 is similar to section 14 of the U.K. Representation of the People Act. Clause 35 is section 30 of our Legislative Council (Elections) Ordinance, while clause 36 is section 31 of the same Ordinance. Clause 87 is section 32 of the Legislative Council (Elections) Ordinance.

Clause 38, which deals with the prohibition of the sale of intoxicating liquor on polling day, is taken from section 4 of the Trinidad Ordinance, No. 10 of 1946. Clause 39 is also taken from the Trinidad Ordinance, section 55, while clause 40 is a rewording of sections 50, 51 and 67 of our Legislative Council (Elections) Ordinance, in view of the provision which has been made for proxy voting.

I think I have covered all the salient points, except to add that the Forms in the Schedules are practically taken from the Jamaica Ordinance, No. 44 of 1944. Form No. 6 is, however, similar to that provided in the Trinidad Ordinance of 1946, and relates to the Statutory Declaration of a person nominated as a candidate for election as a Member of the House of Assembly. Form No. 7 is from the Statutory Rules of the United Kingdom, while Form No. 8 is taken from the U.K. Statutory Rules and Orders, 1949.

I may add one word more with regard to the amount of \$500 which hitherto has been allowed as expenses by a candidate. That amount has been doubled, and is provided for in the Second Schedule in which appears an amendment of section 39 (1) of the Legislative Council (Elections) Ordinance 1945, for the substitution of the words "*one thousand dollars*" for the words "*five hundred dollars*." There is very little more I can add. I therefore formally move that the Bill be now read a second time.

I would like to make a few observations with respect to this very important Bill. First of all I think it is regrettable that we have not before us one Bill dealing with the whole subject of the General Election, instead of dovetailing this Bill with the original Legislative Council (Elections) Ordinance of 1945. Candidates for the coming Election would have been in a much happier position if they were able to have a composite Ordinance instead of having to refer to the Legislative Council (Elections) Ordinance from time to time.

I observe that clause 3(1) provides that the provisions of this Bill and those of the Legislative Council (Elections) Ordinance, 1945, shall apply to the election of Members of the House of Assembly, but sub-clause (2) says that the provisions of the Legislative Council (Elections) Regulations, 1945 as amended from time to time, shall not apply to the election of Member of the House of Assembly so that while one sub-clause refers to the Legislative Council (Elections) Ordinance, the other refers to the Legislative Council (Elections) Regulations.

There are a few matters included in the Legislative Council Elections Ordinance which have not been included in this Bill. I shall make brief reference to those points as the debate proceeds. First of all the writs of election are to be issued at some time subsequent to the passing of this Bill, but I would like to suggest to Government that such things should be done long in advance, so that the public would know definitely what the position is. I recall that when we were dealing with the Symbols Bill I mentioned that the time allowed was very short. As a matter of fact the Bill was rushed through so quickly, and the time allowed was so short, that a prospective candidate was unable to apply for his symbol in time. In that case the Bill was published in the *Official Gazette* on March 7, and on the 18th applications for symbols was closed.

Transportation facilities are very slow in the remote areas of the Colony and, as happened in that case, when Government makes decisions from time to time and does not give the public sufficient notice of them, hardships are created. They did not give long periods to facilitate, as in this case, people living in the interior. Therefore, I would suggest that these writs be issued as early as possible so that persons desirous of going to the North West District, Bartica, Potaro or the Rupununi district would not be embarrassed and would know what time they should be at particular points to be duly nominated according to this Bill. The Bill does not say when Nomination Day is going to be, but I hope that in the course of this debate Government would be in a position to tell us exactly what time it would be. As I have already said, people suffer great hardships in the remote areas if they are not aware of the time and the places where nomination would take place. I have in mind the North West district where there is only a fortnightly steamer service and a once monthly air service, so that if candidates do not get sufficient notice, they would not be there in time.

Another point is that of employees being given reasonable time to regis-

ter their votes. No specific time is stated in the Bill, but I think Government should state how long an employee should be given for this purpose - whether it should be half an hour, one hour or two hours. I see that provision has been made for proxy voting in the Bill, but I do not think it is right that voting should cease at 6 p.m. I have already said that some individuals would find themselves far from their districts and would not be able to register their votes before 6 o'clock. I have also pointed out that some individuals work in the field on the sugar estates and do not return from work until late in the evening, and when we take into consideration the number of people who would have to register their votes at one polling booth, it would be difficult for these estate workers to vote in time. I have had to point out that in one instance there were 275 persons at one polling booth and that is a very large number. I have therefore asked Government whether it is possible to extend the voting period until 8 o'clock in the evening, as recommended by the Constitution Commission.

Further, no mention has been made in this Bill as to whether Election Day will be declared a public holiday. I hope Government will consider this point and decide to declare that day Election Day a public holiday. I know that Government is providing provisional polling places, both in the city and in the rural areas. I have examined many of these places myself and have found that they are not very satisfactory, but I hope that further information would be given to the people in the various districts as to the exact location of all the polling stations. Another point not covered in the Bill is the question of the number of agents to be allowed each candidate. I see that there are as many as five or six polling booths at each polling station, but no mention has been made as to whether each candidate would be allowed one agent for each booth. I think that is a very important matter and that a candidate should be allowed one polling agent for each booth, because there are election offences to be guarded against. There are such things as voters bringing out their ballot papers, and candidates should be able to check up very carefully to see that persons who go to register their votes do not bring out their ballot papers and be tempted to sell them for bribes, or commit any other offence.

Another matter of importance is the question of counting the votes after the polling. We would like to know whether all the boxes will be collected from the various points and brought to one central point for counting, or whether the returning officer would go from point to point and count the votes at each polling station. If the former practice is adopted all the boxes being collected and taken to one point then I think some arrangement should be made for the candidate or his polling agent to travel with the polling clerk in order to keep a very close eye on those boxes. Those points have not been clarified in this Bill and I would like Government to tell us exactly how these things would be done so that we would be in a position to tell the people exactly how they would be dealt with.

What I was asking is whether the ballot papers would be counted at the

station where the votes were polled, or whether the boxes would be collected from the various stations and taken to one central point. If they are to be collected and taken to one central point, I would like to know whether the polling agents of the candidates concerned would be allowed to go along with them. I think that point should be dealt with during the Committee stage of the Bill, and I have mentioned it so that the Attorney-General might be in a position to inform us about it during that stage.

There is another point I would like to touch upon and that relates to the question of the declaration to be made by a candidate. In my opinion, each candidate has to sign a declaration as set out in Form No. 6. I am really speaking with respect to clause 32 (7) which I have just read. It will be recalled that the Constitution Commission recommended that in the case of Government employees they should be permitted to stand for election and if elected they should resign their posts. It is also stated that if they hold their seat for four years and run for election again, if they fail to get elected there should not hold their jobs again. In the case of Government employees in this Colony, however, a Circular has been issued stating that they would not be permitted to take part in political activities and so on. I am informed that an undertaking was given by you Sir, to the Federation of Government Employees that a certain category of workers would be permitted to stand for election, but would only be given a certain amount of leave during the period of the elections.

House of Assembly Elections Bill

Dr. Jagan: I was referring to a clerk of the Transport and Harbours Department.

Under the first Circular no one who is excluded could take part in any political activity, but in this he refers to emoluments and so on. The question is that such a person, as a perk, may be permitted by the original circular to take part in political activities and to stand for election. If this clause is introduced, however, it means that such a person would not be emitted to stand.

As regards election expenses, I notice that they have been increased from \$500 to \$1,000. The original Ordinance is not quite clear, however, as to when election expenses begin. Section 53 (2) of the 1945 Ordinance No. 13 of 1945 states:

“(2) Every payment made by an election agent, whether by himself or a sub-agent, in respect of any expenses incurred on account of or in respect of the conduct or management of an election, shall, except where less than five dollars, be vouched for by a bill stating the particulars and by a receipt.”

I was trying to find out from this Ordinance when does an election really begin. Does it begin on Nomination Day and end on Election Day? The Ordinance is not quite clear on the point. I should like to know where we are as regards the intervening period. A candidate might incur expenses on a rainy day only to find a successful election petition brought against him. Therefore, we would like to know when does the period begin and end so far as expenses are concerned. There is another section 71 in the 1945 Ordinance which states:

“71. (1) No candidate before, during or after an election shall, in regard to the election, by himself or agent, directly or indirectly, give or provide to or for any person having a vote at the election or to or for any inhabitant in the electoral district in which the election is held, any cockade, ribbon or other mark of distinction, or any banner.”

This section deals with the candidate himself that he should not give any of these things to anyone, but I wonder what would be the position with respect to a political party having its own symbol or sign flags and so on. I would like to know whether their use would be permitted. In England these things are quite legal: candidates are allowed to have flags and buttons and so on.

I would like the Attorney-General to go into that matter very carefully because in England one finds individuals going around with flags, buttons and so on which might not have been given to them by the candidate but by the Party to which he belongs. One would like to know whether the use of such things in this Colony would be considered an election offence on the part of the candidate although he took no part in supplying or using them. I think that now that we have political Parties taking part in elections a clause such as this should be deleted so that candidates who belong to parties would be allowed to use ribbons and other marks of distinction if they so desire. It is a common practice in other countries like the U.S.A. for parties to have their own symbols, badges, and so on, at election time.

I notice that in the section dealing with proxy voting nothing has been said about candidates. Provision has been made for parents, officers, persons who would be employed at the polling stations, and so on, and I think provision should also be made for those who are candidates because they might themselves be in districts outside the areas in which they were registered and might lose their votes if they are not allowed to vote by proxy. There is one other point I would like to make, and it is the question of deciding by way of lot in a case where there is a tie between two candidates. I do not think that is a satisfactory way of dealing with such a question. I think that in such a case the matter should be sent back to the electorate so that the voters themselves could declare which of the two candidates should be the winner of that particular seat.

Only those who gained an equality of votes should be returned to the electorate.

Election Meetings on Sugar Estates

Dr. Jagan: Before the Order of the Day is taken; I desire to crave your indulgence, Sir, in order to refer to a matter of very great importance dealing specifically with the coming general elections. It relates to the holding of meetings on sugar estates. A short while ago a *communiqué* was issued by the Sugar Producers' Association, countersigned, I think, by the Secretary, stating how and when permission would be granted to candidates for the purpose of holding meetings on sugar plantations.

I want to say that my Party has considered this matter, not only with other political parties but with individuals who are running for seats and have paid their deposits. All of them are complaining very bitterly about the *communiqué* which has been issued. They feel that what is stated there really amounts to an interference with the liberty of the subject to meet and discuss questions of the day particularly now that the general elections are approaching. When we studied that *communiqué* we saw that permission would be granted to individuals to hold meetings from the day of nomination until two or three days prior to the day of election. We have been told already how short the period between nomination and election is going to be. From what we heard on the last occasion this Council sat, we realise that that period is likely to be between five days and one week.

I do not think that would give every candidate an opportunity to address his electorate satisfactorily. In the *communiqué* it was specifically stated that no meeting would be allowed to go on beyond 6.30 p.m., but one has to take into consideration the fact that many of the sugar estate workers do not return home from work until late in the evening around 5 or 6 p.m. and if everything is to be guided by what is set out in the *communiqué*, it means that candidates would not get a satisfactory opportunity to address the workers on sugar estates.

Another matter which is of great importance is the fact that what is stated in the *communiqué* is definitely, something to be used against candidates who are connected with political parties. It is clearly stated what a canvasser or any other person supporting a candidate can do, if he himself is nominated for another constituency. I feel that that is a gross violation of the rights of the subject, and in every respect it would stifle the growth and development of Party politics. That is what we are concerned with in this Colony and a stipulation like that would certainly operate against the interests of individuals who belong to Political Parties. Those of us who belong to one Political Party would not be able to speak on the platform of any of our candidates who might be contesting seats in a sugar estate area, and I hope that something would be done very shortly to remedy this situ-

ation.

If necessary, I think Government should introduce legislation to give individuals all freedom to go into these plantations and settlements. I do not refer to sugar estates only, although the *communiqué* specifically deals with sugar estates. There are settlements like the Bauxite Company's premises at Mackenzie where candidates would also like to address the electorate. Many well-known voters are residing in those places and I do not think there should be any objection to any candidate going to such areas to hold political meetings, so long as they behave in an orderly manner and do not cause any destruction. I feel that the same regulations relating to other meetings should apply to these areas. I hope that Government would take strong action in this matter and, if necessary, permit them to take place.

I have spoken at length on this already. I appreciate the point, made by the Hon. Member, but if he is going to extend the time by one hour it would necessitate the question of supplying lamps. I see no reason why we should not extend the time to 8 o'clock as originally intended. He says the least we can have is one hour extra. As I see it, even for that one hour we will have to provide lamps. In any case towards the last part of the day around 6 o'clock it becomes fairly dark in some of the school rooms, and persons going into the compartments to vote late in the afternoon will experience difficulty in seeing. On the last occasion the people could not see very well even at 4 o'clock. But at this time it is bright late in the day. I believe that at 6 o'clock there is going to be some difficulty in seeing what is taking place so far as the symbols and photographs are concerned.

Then there is the question of the counting after the voting is finished. Even if the closing hour for polling is 4 o'clock there is incidental work to be done at the polling station, the sealing up of the ballot boxes and preparing them for conveyance to the head polling station and lamps will have to be provided. I do not see any difficulty in the provision of lamps at these places. As the Hon. Member for Eastern Demerara said, there is no difficulty in securing lamps in the rural areas. I have on many occasions at rural meetings seen two or three lamps brought by volunteers when the time approaches 6.30 to 7 o'clock. I would suggest that instead of 7 o'clock we make it 8. It will allow persons working outside of their polling areas to return home and register their votes.

I do not know if the Hon. the Attorney-General is going to allow proxy voting in places where individuals have removed from, or are working outside of their particular area in another constituency. If the hour is extended to 8 o'clock the people would have in most cases, I can see, an opportunity to return home to vote. Even if they are allowed to vote by proxy I cannot see the Registration Officer being flooded with applications, as very few of them would ask for that privilege and consequently it would lead to less confusion. As I said on one occasion and I say so now, there are persons who are returning home from work aback either in the rice field or

on the sugar plantation as late as after 5 and 6 o'clock in the afternoon. I think the original hour should be adhered to. I move that the word "six" be changed to "eight" in the clause.

I think that is sufficient precaution, but I would suggest that each candidate should be allowed to put his own lock on the jute bag, for which he should have a key. I think we should take all precautions in these matters.

I will now return to the original point. The Hon. the Attorney-General said that the question of the hours will affect only persons who are self-employed. Those who are self-employed will vote at convenient times during the day, but those who are employed will be given reasonable time by their employers to vote. But in the case of a man who is employed in a remote district, would that reasonable time allow him to go to the district in which he lives to record his vote? He might have to vote 10 or 20 miles away from where he works. Would he be given time to go and vote and return to his work? There is also the case of workers on sugar estates who have to go aback. It would not be easy for them to take an hour off to register their votes. There are also some people who are employed in Georgetown but live, stay, at Buxton, on their way home from work they may find the polling-place crowded with other voters. Although employers are expected to give their employees reasonable time to vote, such time may not permit some people to reach the polling-place in time to vote.

That is why I suggest that employees be given an opportunity to vote by proxy. Those people will not be allowed to vote. You have allowed the General Manager of the Transport and Harbours Department to be exempted from prosecution as being an employer and not giving all his employees leave to vote. That is why I suggest that people working outside of their particular constituency must be given an opportunity to vote by proxy.

Coming back to the original point of "a reasonable time", this whole clause depends on the reasonableness of the employer and what he considers a reasonable time. He may decide to give as reasonable time a little before 4 o'clock. That will not be good enough, because at the last hour of polling there is going to be a tremendous rush at the polling stations. So far as the employer is concerned he may say, "I am closing at 3 o'clock. I do not want to have a break, so I will let my employees go off then so as not to disrupt my operation. Instead of closing at 4 o'clock I am closing an hour earlier so as to let my employees go off and vote."

What, I think should be stated here is that during the eleven hours of polling, one-eleventh of the employees must be allowed to go and vote every hour, so that voters will have enough time to go and vote during the period of voting and not be granted a little bit of time at the closing period of the working day. I hope the Hon. the Attorney-General will take that into consideration — that reasonable time should be one hour or two and the employer should so arrange the leave of absence from work that his employees would go off, *pro rata*, to vote.

Old Age Pension Amendment Bill

Dr. Jagan: I also would like to support this Bill, but I must say that I am not fully satisfied as regards the Means Test. I know that the Hon. Member who has just taken his seat has been trying to say that what I sought to get done was an impossibility, and in not supporting that he is now, apparently, claiming credit for all that has been done. Well, that may be good. The Hon. Member further said that an old age limit of 55 years was in no statute book in the world.

Perhaps I used the wrong reference. I am not interested, however, whether any country has that yardstick. We have to take conditions as they are in this country. I pointed out that in England the age was 60 years and that in that country people lived longer and got many other benefits than those, such as medical relief, better wages and so on. In looking at the situation, one must consider what applies to our country. I heard a medical expert saying the other day, that over 80 per cent, of the people in British Guiana do not reach the age of 60 years, and that must be considered a little by the Hon. Member. In other words, the age limit is definitely too high at the moment. What we must do is to reduce it and not allow people to die before they can qualify for old age pensions.

The other point is the one dealing with the Means Test. The Hon. Member has said that he could not support the abolition of the Means Test. He is, no doubt, saying that the Colony cannot afford to abolish the Means Test and, therefore, in his opinion, it is impossible to do so. Let us assume, however, that this new scheme would be made applicable and that the Means Test would be revised upwards from \$3.50 and \$4 to \$10. What is going to happen to those individuals who took care of these people and who, themselves, have large families to take care of? The inspection officers would tell these individuals that they cannot get old age pensions; as long as the Means Test is there they would not help these people. This year Government abolished three taxes relating to the sugar industry amounting to something like a quarter of a million dollars. Sir Charles Woolley stated that the sugar estate workers received about one-third of that amount, which was paid towards social assistance and so on.

The Venn Commission recommended that there should be a Social Assistance Scheme so far as sugar estate workers are concerned. That recommendation has not been implemented but Government has abolished three taxes on the industry amounting to a quarter million dollars. That same quarter of a million dollars could have paid the cost of this Old Age Pensions Scheme. It is true that half a loaf is better than none, but I am satisfied that Government is in a position to implement the suggestion for the aboli-

tion of the Means Test. If they had used the quarter of a million dollars referred to and the other thousands that are wasted from time to time, they would see that the necessary funds are available. I also ask Government to implement the recommendation with regard to the abolition of the Means Test, and to do so quickly. I am not concerned with the Motion moved by the Hon. Member for Georgetown Central as a result of my Motion, so long as the people get some relief. I do hope that this wicked Means Test would be abolished shortly. I remember that one year Government spent over \$40,000 for social assistance and the explanation given was that more people had been employed in order to do checking around, but today the service is costing the taxpayers something like \$13,000 a year. Whatever the age limit is, I think these people should be given what is provided for by law.

House of Assembly Elections Bill

Dr. Jagan: Polling will be done by means of ballot tickets, and this clause says:

“(3) each ballot ticket shall have a number printed on the face and shall have attached to it a counterfoil with the same number printed on the face.”

I wonder, what is the necessity, for having a number printed on the ballot ticket. We are trying, in these elections, to make people vote in their own registration areas and in their own districts so as to prevent impersonation; therefore I do not see the necessity for having a number on the ballot ticket itself. I appreciate the fact that on the last occasion where one could have voted in any constituency, a voter could have gone to another district and voted in a name other than his own. Therefore, it was agreed that there should be a number on the ballot ticket in case two persons voted under the same name at two different points. In view of the arrangements being made in this case, however, I do not see the necessity at all for having a number on each ballot ticket. Since each voter would have to vote at a particular polling station according to his (or her) number on the list, and since each polling station would have an agent of each candidate concerned as well as a poll clerk and so on, the possibility of impersonation would be very small and, indeed, remote.

One person might come along and vote as “No. 20” and another might come along later and say “I am No. 20”. In that case the Returning Officer or the person in charge of that particular polling station would have to ascertain who the correct person is. If the one who voted first is not the correct individual, then I suppose Government would go into the ballot tickets and discard that first vote. I want to know what is in Government’s mind in putting numbers on the ballot tickets. So far as I can see, there would be no difficulty at all otherwise. I have suggested that there should be not more than three polling booths at one polling station and that not more than 600 voters should be allowed to vote there. In that case it would not be easy for anyone to commit impersonation, and I do not see the necessity for numbering the ballot tickets. The counterfoil would show whether any particular individual had collected his ballot ticket.

Representation of the People Bill: April 2, 1953

Dr. Jagan: Does it mean that this definition supersedes the one provided in the 1945 Ordinance?

I quite agree with the suggestion that someone associated with the Registration Officer should look into this question of polling places. There is, however, one other matter I would like to refer to. I notice that under clause 26(3) persons whose names appear on the official list of voters for any polling division in either of the two electoral districts set out in Part I of the Third Schedule to this Bill would be permitted to vote at any polling station in the electoral district in which that polling division is situate. A suggestion was made at the last meeting of this Council that there should be a polling station in each registration area, but there may be several districts in one registration area and it may be necessary to set up two polling stations in it.

I do not know what is the view of the Attorney General on this matter because this clause is very elastic and if necessary more than one polling place should be set up in a registration area. In discussing the matter yesterday with Mr. Mapp (District Commissioner) he told me that, so far as instructions were concerned, he was told that not more than one polling place would be set up in a registration area and that no registration area would be subdivided. I hope, however, that this point would be taken care of when the matter is being further considered.

This is the clause I was referring to on the last occasion when I spoke as regards persons moving about from one place to another and also on clause 28. I do not see that any provision has been made to permit the transfer of voters from one district to another, and I would like the Attorney-General to tell us whether that would be included in clause 26 (4). As I see it, I can refer to the matter again, under clause 26.

(Clause 25, as printed, passed.)

Clause 26 – Place and Manner of Voting as Voter

Dr. Jagan: I see that this clause has been revised to include new candidates, but no mention has been made here of anything to include agents of candidates. Sub-clause (4) reads:-

(4) “Any person whose name appears upon the official list of voters for the polling division which, by virtue of section six of this Ordinance, was deemed to be the registration area constituted under the Special Revisal Ordinance, 1953, set out in Part II of the Third Schedule to this Ordinance may vote at any polling place within that polling division.”

Am I to understand from that a person can vote in any part of a large registration area? There may be an area with about 3,000 voters, and does it follow that a person can vote in any part of such an area? I notice also that provision has been made here for people to vote by proxy. It is obvious that these would include persons who are ill or in hospital, and also people working in areas far away from their particular places of abode. The original intention of the Constitution Commission was to permit people working outside of their respective districts the opportunity of returning to their homes, and if they were granted the facility of voting until 8 p.m., that might have been good enough. As it stands now, however, people might not be able to return home in time to exercise their votes. I see that employees of the Transport and Harbours Department who are in this category would be permitted to vote by proxy, but I think we should also include those persons who may be working for some time outside their constituencies.

I have in mind people working in the interior, for instance. Some people living in Georgetown are employed on timber grants, gold-mining companies, balata companies and so on, and if they cannot vote by proxy they would lose the right to vote at the elections. I think provision should be made in this clause by the insertion of two sub-paragraphs (f) and (g) in sub-clause (1) to provide for those people and also for those who may be working outside the districts in which they are registered. Further, I would like the Attorney General to give me the correct interpretation of sub-clause (4).

I was not speaking of the workers particularly in Georgetown. I was referring to workers recruited in Georgetown, many of whom work in the interior. The question of practicability has been raised, but I cannot see anything impracticable about the matter. It is simply a question of employing people, and if a number of persons were employed they could do the job in a short time. As far as the elections are concerned, I would like them

to be held tomorrow, but if it would mean a postponement of the election I would not mind.

I observe in this sub -clause that in the case of Leguan, Wakenaam and the Essequibo islands provision will be made for several people within the area to vote at any one polling point. Couldn't the same thing be done for people who move from one place to another?

I think the idea is to take them to one voting point. Why can't the same thing be done in other districts? If a person has removed from one point in a district to another and wants to be transferred from one polling place to another, I do not see any great difficulty would be caused. It would not involve the question of proxy voting. I suggest the addition of a new paragraph (f) to provide for persons who have changed their residence within a constituency. People should be allowed to transfer their votes to a more convenient polling place within their constituency.

- I realize that, but I am asking the Hon. the Attorney-General to see how it can be done.

The Hon. Member for Eastern Demerara (Mr. Debidin) has asked a good question. Here we are making an exception in the case of three islands. So far as I am concerned I think there should be a polling station in each of those islands, so that there would be no necessity for the people to move around. Most of the population is centred in Troolie Island and Fort Island. They are very remote points, and a polling station should be set up on each island. The Hon. Member is correct when he says that the principle being established in the case of those three islands should be applied generally throughout the Colony. I suggest the insertion of the words "*or because he has changed his residence within the constituency*". All that such a provision would involve is that a person would ask the Returning Officer to give him permission to vote in one place instead of another.

In any case, Sir, I feel that in this instance it would not involve very much administrative difficulty, as stated by you and the Attorney-General. This would not be a question of wholesale movement and, therefore, I ask Hon. Members to support this amendment.

I desire to support this amendment. I think it is a brain wave on the part of the Hon. Member and I am prepared to support it. If the balloting starts at 7 a.m., by the time things begin to move it would be 7.30. If it starts at 6 a.m., however, it would enable workers going aback of the estates and so on to vote before they go. I hope Hon. Members would support this amendment because, as I see it, we have not given all the facilities which should be offered to voters on the ground of expediency and practicability. Government has been rushing the elections all along simply because it wants to make the deadline April 27. I have said already that if it is necessary to extend the date that should be done, and that we should give every facility to the people to exercise their votes. I see nothing wrong in accepting this amendment because all it would mean is that these election officers who are in the Civil Service would have to get to work a little earlier.

The Attorney-General raised a point about the interior districts and I would like to know what the procedure would be there. Will the registering officer of each district go from point to point and attend the declaration also, or will the men in charge of the polling booths do so? It seems to me that the registering officers would have to sleep overnight in those places and, for that matter; they might not be able to do so very conveniently.

Amendment for the substitution of the word "*six*" for the word "*seven*" in the first line of the clause put and agreed to.

I see it has been decided that there should be a decision by lots in the event of a tie. I am still not in favour of that view, as I think another election should be held within a specified time among the candidates who tie. We should not go through all the machinery of issuing writs and so on.

I think the whole question of deciding by lots is against the very principle of representation of the people by their election of candidates to sit in the House of Assembly. The whole idea of election is that the people must elect their representatives, but on this occasion in the case of a tie you are leaving it to two individuals to decide who must represent the people. In France, I think, the electoral practice is that in choosing candidates there must be representation for at least 50% of the people. In other words, the choice of the individual must be based on 50% of the electorate. Therefore the procedure there is, in the case of an election where there are four or five candidates contesting and none securing 50% of the votes, a new election is held whereby only those individuals who are on top at the last election are allowed to stand again. That has its merits. The people who may have distributed their votes among the other candidates will in the second instance be able to make a choice between the two persons who did not secure 50% of the votes on the previous occasion but were leading; the idea being that the candidate elected finally must have at least 50% of the votes. Let us apply that to British Guiana. You have possibly have 11 candidates running for one constituency, and in the case of a tie it may very well be that none secures 15% of the votes. The practice in France can certainly be applied here, where more than two candidates are contesting and there is a tie, we can regard it as one individual not securing 50% of the votes and, therefore, a new election is held and only the two candidates who have tied can stand for election. That gives those persons, who had not voted for those individuals who have tied, an opportunity to redistribute their votes according to their choice which they want to express afterwards.

I see that there may be this difficulty. You may have two individuals who have tied with 30% each and another individual with 28% of the votes. In that case the individual with 28% can say it is very unfair that he is not allowed to stand again. Therefore my view is, either we allow only the candidates who have tied to stand for election or have a new election altogether, when the people will be given a free opportunity to have a new

nomination and to vote for any person whom they desire to vote for. I disagree entirely with this question of deciding by lots. I think either of the two practices should be adopted to have new nominations and a new election, or have an election restricted to those candidates who have tied. I think that deciding it by lots is definitely not good, and I do not think we should accept it. I can see the difficulty in having a new by-election, especially if we accept new nominations, but so long as the machinery is there an election can be held within one or two weeks if the Government so desires, as we have all the polling areas and clerks, and the Returning Officer for the particular district already, and so it will not involve a great deal of difficulty. I am not in favour of either one but definitely not in favour of this one here.

If I had known that the Hon. Member was going to withdraw his amendment I would have introduced another in similar terms.

The question is what is reasonable? An individual working in a remote district would be disenfranchised if he is not given sufficient time to record his vote and return to his work place. That is the reason why I asked that such people be allowed to vote by proxy. The question is, how long a period would be considered reasonable, taking into consideration normal travelling facilities? On the last occasion when I spoke on this clause I mentioned the fact of the staggering of hours, during which time should be granted to employees.

As I have said, there are some reasonable employers out there and there are others who are very unreasonable. I have had experience with some of them, and I know that they would take every opportunity to deny workers their rights. I am afraid they would only let out the workers towards the end of the day by closing up their businesses one hour or so before the usual time. We have not allowed proxy voting for these people also and consequently, they should be given sufficient time to vote. The Attorney-General has said he does not want anything to be specified here, but I think something should be said. At least, we can say that one half of the employees should be allowed to vote before the midday hour and the other half after the midday hour. In that way, half of the people who are employed would be able to vote in the morning and the other half in the afternoon. If all are allowed to go at one particular time some might be excluded.

This clause rather opens the whole question of making application for symbols all over again and it seems to me that while we were talking so much about holding the elections on April 27, if we do these things we would definitely have to extend the date of the elections because one may find that several candidates who have already been nominated may want to shift to other constituencies. At the moment several candidates who have already paid their deposits are going around and finding out that they cannot succeed in certain areas, the temper of the population being what it is. Therefore, if this opportunity is given we might find certain individuals making switches again. There are two individuals who wanted to run for

the East Bank, Demerara, district but one shifted at the last minute to East Demerara and the other to Central Demerara. From that time to now I am sure they have realized that their decision was not a very good one and if we allow this clause to go through they might want to shift again. I am sure that this is going to delay the elections for a longer period than we had anticipated.

When the Symbols Ordinance was put before the Council, the explanation given was that Government wanted to rush things through. I moved an amendment for the extension of the date to March 28 but the amendment was lost, the reason given being that we did not have enough time. How then, in the name of everything, are we going to have time now to carry out this elaborate machinery to permit the elections to be held on the date originally fixed? I do not see any necessity for having this clause in the Bill. As someone suggested this morning, if Government wants access to some legal technicality in order to validate what has been done under the Symbols Ordinance, they should say so. Government has done many illegal things to deprive people of rights and they can validate the things done under that Ordinance.

The Hon. the Attorney-General has not answered one question which I posed to him. When the Symbols and Colours Bill was before the Council there was such a rush that it was said that the time could not be extended because there was not enough time to carry out the administrative arrangements in order to hold the elections on the 27th of April. I would like the Hon. the Attorney-General to tell us how we will now have enough time to do so.

That may be so, but we cannot assume that candidates are not going to change their constituencies. I will say that in the case of our Party, if we were given up to the 11th of April to assess our strength up to that date, it is possible that we may not have placed our candidates as we have done. We may have switched our candidates around in the various constituencies where they may be considered to have the best chance of winning, but the machinery having been laid down already, and all our printing having been done, our Party cannot now make any changes. But this provision will mean that those who have not yet come into the picture would be given an unfair advantage in the sense that they would have an opportunity to come forward in any district. My point is that had we known that the closing date would be the 11th of April (and it applies to other Parties also) we would have been able to assess our position more correctly, because the heat is now on and we can assess the views of the electorate more accurately as Election Day approaches. I know that as Election Day approaches there is more interest generated and one can more properly assess the feeling of the electorate.

What I am saying is that our Party having made its commitments, it is very difficult at this stage to switch from one place to another even if it wanted to do so. There is also the question of expense. We are printing joint

manifestoes, for instance. The introduction of this provision will certainly give an unfair advantage to other candidates, such as Independents, for instance, who could switch from one constituency to another as they did on the day prior to the day of the allocation of symbols.

I agree with the Hon. Member that this is merely a matter of procedure. We cannot legislate to go against the provisions of the Order in Council, but I agree with him that as long as we are not acting contrary to anything expressed in the Order in Council this Council can make provision so far as procedural matters are concerned. Therefore I agree that instead of rushing this matter through and giving certain people an unfair advantage, Government should examine the point made by the Hon. Member. I would like Government to decide as to who is right.

From what you have said, Sir, it seems that there is no point in discussing the matter any further. I will therefore refer to another point.

The Hon. Member for Eastern Demerara (Mr. Debidin) on the last occasion referred to a point concerning his constituency, and at that time I joined with the Hon. Member for Georgetown Central (Mr. Fernandes) in opposing the principle of changing the boundaries of any constituency, because at that time I felt that deposits had already been made by candidates for certain constituencies on the basis of the boundaries already defined. But since this matter is going to be reopened all over again I feel that the point which the Hon. Member made should be given consideration. The Hon. the Attorney-General has told us of two instances. I see the necessity for a change in one case the case of the Mahaica river constituency being tied on to a constituency which is very remote, whereas in the case of the 51-52 districts there was some dispute as to where the dividing line should be.

I would recommend that since we are now reopening the question, consideration should be given to that particular district in the Mahaica area, so that the boundaries may be redefined to allow that remote district to come within its own geographical region, instead of amalgamating it with an area which is certainly very far remote.

I observe that a candidate has to secure 15% of the total number of votes polled in order to save his deposit. I would like to know what would be the position in the event of there being several candidates and the winning candidate secures less than 15% of the total votes polled.