

**LINDEN FORBES SAMPSON
BURNHAM, O.E., S.C.**

NATIONAL ASSEMBLY SPEECHES

VOLUME 2

February 1959 - July 1961

Linden Forbes Sampson Burnham, O.E., S.C.
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Biographical Summary

Scholar :

Linden Forbes Sampson Burnham was born to a Headmaster father and a devout Christian mother on February 20, 1923. His scholastic career is one of the outstanding features of his life. He went from Kitty Methodist School to Central High School and then to Queen's College in 1935 and one year later gained the Centenary Exhibition as well as a Government Junior Scholarship. In 1937, he won the Percival Exhibition Award and in 1942 he won the coveted Guyana scholarship. The war prevented him from proceeding to University overseas and he therefore read externally for a degree from London University. After the war, he proceeded to read Law at Gray's Inn, winning the best speaker's cup in the process. But the Law could not hold him. Politics was in his blood. Several Caribbean Leaders, especially Errol Barrow of Barbados have testified how Burnham and others "*tired the sun with talking*" on all subjects political. The destiny of Guyana and the Caribbean region claimed his attention. Left wing politics attracted him and soon Burnham was involved with the youth arm of the Communist party of Britain and the politics of the Caribbean students.

Brilliant Lawyer:

In 1944, he was awarded the Bachelor of Arts Degree at the External Examination of the University of London. In 1947 he gained with honours, the Bachelor of Laws Degree from the same University. In 1948, at the age of 25, he was admitted to the Bar of the Honourable Society of Gray's Inn, London. In 1949 he returned home and was admitted to the local Bar. By 1959 he had so established himself as a brilliant lawyer, that he was elected President of the Guyana Bar Association.

Politics:

While a student in London, his keen interest in politics earned him the presidency of the West Indian Students' Union in 1947 and participation as a delegate to the Students' Congresses in Prague in 1947 and Paris in 1948. Upon his return to Guyana he became a co-founder and Chairman of the People's Progressive Party. In 1952, he was elected to the Georgetown City Council where he served as Mayor on two occasions, in 1959 and 1964.

First Executive President:

In 1957, he founded the People's National Congress and served as Leader of the Opposition within the Legislature until 1964 when he became Premier at the head of the People's National Congress / United Force Coalition Government. When Guyana became independent in 1966, he became Prime Minister and with the advent of a new Constitution, he was elected the First Executive President on December 15, 1980, remaining in that position until his death on August 6, 1985.

International Respect:

He earned for his country international recognition and the respect of friends and foes alike for his articulation of commitment to the practice of Non-Alignment. He made it clear that he was not prepared to sacrifice Guyana's right to determine its own path of political, economic and social and cultural development. He was also an indefatigable foe of apartheid and was repeatedly praised for the strong support to the liberation struggles in Southern Africa.

Carifta/Caricom/Carifesta:

Within the Region, he was a Founding Father of both Carifta and Caricom and was regarded as "*a regional Leader of utmost importance and highest esteem.*" His was the vision of an integrated Caribbean Community of independent people and he worked hard towards making that vision a reality. In the quest for cultural independence, under his leadership, Guyana hosted the first Caribbean Festival of Creative Arts (Carifesta).

Women's Rights:

He ensured the passing of legislation which gave children born out of wedlock equal rights with those born of wedlock. A State Paper on Women in 1976 gave birth to three laws - The Equal Rights Act; The Family and Dependants Provision Act and the Married Persons (Property) Amendment Act. These Acts ensured for women equal rights in all spheres of political, economic and social life.

Concern for Youth:

His concern for youth was manifested in the establishment of the Guyana National Service which was meant to give early school-leavers additional opportunities and to build in young people a spirit of nationalism and engender a zeal for service to the nation.

Awards:

He received Guyana's highest award, the Order of Excellence (O.E.) in 1973. His work as an internationalist earned him the grand Cordan Dh'orde du Mil award from the Government of Egypt, the Jose Marti award from the Government of Cuba in 1975 and an honorary Doctorate of Law from Dalhousie University of Canada. Three countries awarded him their highest awards - in October 1983, Brazil honoured him with the Cruseiro DoSol, in 1984, Bulgaria with the Star of Planinay and in 1985, Yugoslavia with the 'Order of the Red Star'.

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Motion on the Second Reading of the Local Government (Valuation of Property) Bill: 24th February, 1959

Mr. Burnham: I am all for the implementation of the basic and more important recommendations of Dr. Marshall. I concede that the overhauling of our Local Government system is an absolute necessity if we are to maintain progress. Let the Government have no fear that there will be any opposition from me so far as extending the competence of Local Government agencies, the scope of their responsibilities and, of course, the broadening of their franchise to universal adult suffrage. But I think it is well that Government should understand that not everything new necessarily spells progress and I am inclined to the view that the present Bill has been ill and hastily conceived, and its execution may be similarly categorized.

I must, however, congratulate the Minister for the frankness with which he began his speech on the Second Reading of the Bill, when he referred to the recommendation of Dr. Marshall with respect to Georgetown, in which Dr. Marshall clearly said that he was not proposing a change in the system of valuation in Georgetown. I, however, got the impression that the Minister did not go on to give the real reasons for disregarding that recommendation and for seeking to introduce a uniform system, for his reasons, I submit, were most unconvincing though his argument may be described as admirable sophistry.

What are the reasons given that Government will be able to make comparisons between the various local bodies? I cannot understand, I cannot appreciate the point he desired to make when he alluded to the undesirability of having several systems. We agree that it is undesirable to have several systems, especially in view of what frequently takes place in many of the rural areas, but does this Government think only in terms of black and white and extremes? The abolition of a multiplicity of systems does not normally connote the necessity for a single uniform system. We can reduce the number of systems because they are confusing, but we may well find good reason for maintaining more than one system.

But the most amusing reason which the Minister gave for his desire for uniformity was the fact that when the Courts come to administer the law he wants to be of assistance to the Courts by ensuring that they have one code of law to administer. As a member of the profession from which those who preside in the Courts are drawn, I can assure the Minister that we are not incapable of applying different sets of law to different sets of circumstances, and though we appreciate his solicitude we do not welcome it. It is the most unconvincing reason he could ever have given for this uniformity which he seeks to urge upon us. There are certain parts of the world where uniformity is a creed, a philosophy. If the Minister had come here and said

clearly and plainly that he was in favour of "*democratic centralism*" we would have understood, but in the reasons which he advanced he weakened his case, and let me say here and now that so far as I am concerned I agree absolutely that there is not any necessity for a single system throughout the length and breadth of British Guiana.

The Minister called to his aid pages 21 and 22 of Crane's *Manual of Rating Law in Georgetown*, and when he did so I was convinced that the original idea was not his, because he confusing capital on gross annual rent with capital value, two completely different concepts, and it is a pity that our Minister of Education should be guilty of such confusion, and that he should have passed it on to this Council. I am a little ashamed of the fact that the Minister, who is one of us, should have been guilty of such a grievous faux pas. Nowhere in Crane's manual on rating does the author suggest that capital value should be used for assessment and rating. It is true that the derivation of the word "*capitalization*" is the same as the derivation of the word "*capital*", but they are two completely different ideas and concepts, therefore, the proposer of the Bill is without the support of the learned author of Crane's *Rating Manual*.

The Minister proceeded, with what I consider some lack of delicacy, to suggest that those persons who sit on the Georgetown Assessment Committee may have some interest in properties they have to assess. It is unfair to those gentlemen. I am not referring at the moment to Councillors, but to those who are non-Councillors. It is unfair to those gentlemen who serve on the Assessment Committee without remuneration, who serve faithfully and whose experience cannot be challenged, for by the very nature of their occupation they are constantly in touch with valuation and the various things which affect valuation in the City of Georgetown.

May I point out that under the present Valuation Ordinance no one can sit on the Assessment Committee when the rating of his property is being considered, or a property in which his wife or his child has any interest, nor can he even be present at any meeting at which the valuation or assessment of a property owned by a company in which he is interested is taking place. So, quite obviously, the Legislature provided for such cases, and I do think it is fair.

If the Minister wants to urge this new system, this ill-digested and little understood system, upon this Council, let him use reason and not oblique suggestions against the honesty, integrity and probity of those gentlemen who have served the Town Council for so many years.

When this sitting was adjourned I was making passing reference to the service that had been rendered by members of the Assessment Committee, and had expressed some measure of surprise at the veiled attack on the integrity and ability of the members of that Committee who were not Councillors. So far as the Councillors are concerned, the Minister was on sand or shifting ground when he observed that it might be difficult for members of such bodies to appreciate that valuation and assessments are

above local politics. I can assure him from my own experience and I am sure it will be borne out by the Hon. Nominated Member, Mr. Gajraj, that in the Assessment Committee those members who are Councillors do not consider the Committee as a political forum or a means whereby votes or support may be attracted. On all occasions those members who are Councillors have been guided by the expert advice and opinion of two other members who are experts.

It appears to me and the other members of the Corporation of Georgetown that this attempt in this Bill to relieve the Town Council of the power to value and assess properties within its boundaries, flies in the face of what appears to be the central theme of Dr. Marshall's recommendations that local authorities – even those to be established, let alone those established as in the case of the Georgetown Town Council – should have a greater measure of responsibility and autonomy.

I share the view of the Hon. Nominated Member, Mr. Gajraj, that, unless and until it can be shown that the system, which has been operating in Georgetown for a number of years, is faulty in its conception or operation there can be no argument for abolishing it. In some measure we are supported by Dr. Marshall. I do not doubt the ability of the Minister's adviser. I do not dispute his intentions at this stage, but I am rather inclined to the view that Dr. Marshall's eminence in this field of Local Government is far above the eminence of other persons who may have been advising the Minister.

Eventually, it is for the politician to make a decision with respect to policy and principle, but the advice of an expert of the eminence of Dr. Marshall should not be lightly disregarded especially if, as I suspect in this case, the contrary intention comes from the advice of other experts rather than the policy arising from an independent decision of the Minister. It is no point to refer in general terms to the fact that in the United Kingdom corporations and boroughs more ancient in their history than the Georgetown Town Council have had certain powers taken away from them.

Assuming for argument's sake that we are to be bound by what is done in the United Kingdom; the Minister might have condescended to details to show us under what circumstances the power, so far as corporations in the United Kingdom are concerned, was taken away from them in the interest of or because of the need for uniformity.

Since the Minister has thought it pertinent to make reference to the United Kingdom, may I remind him that with respect to buildings which come within the Rent Restriction Act, the system in England now is based on annual rental value. I do not make that reference because I feel that what happens in the United Kingdom is necessarily good. I merely mention it to show that the damnable equivocation in which he has been indulging can be indulged in by this side of the Table quoting specific instances to support a particular point of view.

Now that we come to the mechanics of the new provisions we, on this side, feel somewhat fearful over the competence of one valuation officer to value properties in the whole country.

It is, perhaps, requisite to refer to page 46 of Dr. Marshall's Report where it is to be noted that he did not envisage one valuation officer for the whole of British Guiana, for he recommended systematic revaluation every ten years by valuers appointed from a list to be kept by the Local Government Service Commission or the Regional Board. He said:

"They would be part-time persons, not professional valuers, but knowledgeable on the prices of property. Varying conditions in the rural areas, the scattered nature of the work, and the need to employ many different people would make the professional techniques of valuation employed in Georgetown unsuitable and too expensive."

We are told that the principal valuation officer who is to be appointed will be a qualified land surveyor. If I am wrong I should be very grateful for correction by the Minister, because I really would not like to misquote him on this point. What is the point of telling us that the particular individual will be a qualified land surveyor? If the Minister wants to correct himself I should be willing to be corrected.

Many of us, including myself, feel that the profession of a land surveyor does not *ipso facto* qualify him to value land; it qualifies him to survey land, mark boundaries and so on. I am going to assume that this particular individual with many years of experience as a land surveyor has other qualifications which one may find necessary or important in a valuation officer. But what guarantee have we that his successor will be endowed with the same high ability and outstanding virtues? It seems to me that our present Government with its desire for uniformity is running the risk of incompetence in this Department. Is this Government prepared to take the knowledge of one man and compare it with the knowledge and experience of a group of men? That is the question I would like to ask.

As I said before, I rather get the impression that the Minister, though keen on pushing this Bill through this Council, was not seized of all the arguments in favour of this new system of valuation. When one looks over this Bill and refers to the Schedules one sees that the capital value with respect to property which consists of any house, building or other erection, shall be the replacement value at costs ruling at the date of valuation of the house and so on. One also sees that the capital value with respect to property which consists of land shall be the market value of such land as ascertained from the prices at which comparable land is currently being sold and so on.

I am a little surprised that, especially in Georgetown where the prices of properties sometimes bear little or no relation to their value but skyrocket because of various circumstances, such a basis should be used for valuing

property. In this case market value. If they had used the term true value and given us a means of computing true value the present argument would not have been available to the Opposition. It means that for purposes of taxation we are going to take the market value of a piece of land.

That value is here today and gone tomorrow. That value is subject to change day by day. In some cases I have known in my practice it is subject to change hour by hour. In one day I have prepared two conveyances in respect of one property, and the difference in value was something like three times. That may be exceptional, but it is typical.

On the other hand – and I do not profess to be an expert on rating – if the annual rental value is used as a basis, and one looks at page 154, one would see that the annual rental value is likely to remain very static and not subject to changes as the market value; for when one remembers that the Rent Restriction Ordinance applies, and though one must admit that there is no obvious connection by way of law between the annual rental value fixed by the Assessment Committee and the annual rental value fixed by the Rent Assessor, one has to admit that the experienced valuation is that of the Assessment Committee, and it is certainly not far out from that fixed by the Rent Assessor.

One also knows that very frequently you have something like this: a property may be sold at an exorbitant price and the person it is sold to find he is having difficulty because he did not get the rental he expected after spending so much money on the property – rental is not so intimately bound up with the price one pays for the property. Rentals remain on a pretty even keel and though sometimes a drop or rise occurs, it is scarcely sharp, which cannot be said about the fluctuations in market value or the market price of properties. So, as far as I can see it, for properties in Georgetown the system of annual rental value is superior to that of capital value.

The Minister spoke of replacement costs with respect to the capital value of buildings. It seems to me that if the replacement costs are going to be the criteria, there is going to be a great deal of disparity in single areas. If I own a property that is made of wood and assuming that the cost of the erection of a wooden building is lower than the cost of the erection of a concrete building, I would be valued for the purpose of rating at a lower value than my neighbour is valued, because he has a concrete structure, but the difference in rent does not reflect the difference in value. Therefore the very uniformity which the Government craves will not be achieved in those circumstances.

I hate to appear to be hearkening back to something or defending something merely because it has been in existence for some time, or defending something because of its antiquity, but I conscientiously feel that the present Rating Ordinance in Georgetown is superior to the one proposed today. Undoubtedly the present system has its weaknesses, undoubtedly it has its flaws, and over a period of years requests have been made to Government to have certain amendments in the original Ordinance.

These requests have either fallen on deaf ears or into the hands of lazy persons, for we have had no action taken whatsoever.

And I wonder whether those who are responsible for the drafting of this Bill did have it brought to their notice that the Georgetown Town Council had requested an amendment to the Ordinance to permit valuation to the nearest \$10 instead of to the nearest \$100; for I notice in the Schedule the Minister proposes that the valuation should continue to be to the nearest \$100. I should like to hear him on that and to find out whether it was deliberate on his part to put it back to \$100 after representation made by a competent body over a number of years, or whether it is sheer indifference, or the requests made to Government have been pigeon-holed and perhaps have disappeared.

There is another principle which runs through this Bill to which I am definitely opposed. I do not like the sound of it. If the Valuation Officer, the almighty Valuation Officer, wants to requisition certain buildings which belong to the local authority and there is any dispute, that dispute must be settled by the Commissioner of Labour. It seems an insult to the local authority that any dispute between the Valuation Officer or the Commissioner of Local Government and any Local Authority must be settled by a civil servant.

What are we coming to? A government by civil servants? We talk about independence, but here we have a Government, because of its desire for uniformity, setting aside a fully elected local authority and referring any dispute between civil servants and such authority for settlement to another civil servant. I do not care to have any reference to practice in the United Kingdom. It is contrary to the whole spirit of the Marshall Report. It is contrary to the things we talk about in this Legislative Council.

Reference has already been made to the elaborate appeal system which in any case is more expensive than any system which obtains at the moment. Twenty-five dollars all the way, and at one stage I think it is \$50 when you are going up. I cannot see why there cannot be the same informality that exists at the moment, at least in respect of payments, when going to appeal. Perhaps to the Hon. Minister will be in a position to explain. Maybe we are going to be informed that it is another means of raising revenue by taxation for development – *“to save our children”*, as the placard on the Corentyne says – and that kind of thing.

In any case we have had some experience of how high-handed Government can be. I am, from my own experience, particularly concerned over the proposed contributions of local authorities to the upkeep and the running of the Valuation Officer's office. At one moment they tell you that payments have nothing to do with subventions, but when you do not make payments they deduct from your subventions. It happens with respect to the Fire Brigade and to the road subvention. Another Government would no doubt consult with the local authority and take a serious view of what is said and in the case of any dispute or misunderstanding, they would sit

and decide what to do, but as long as there is a possibility of having a dictatorial Government which rides roughshod over the rights of elected bodies and corporations, I will be against this provision for contribution. If contributions be as a result of agreement and not by fixing the method in Council, because it only means a "*gathering*" of Ministers, to use a local term and when those Ministers meet there you can talk until doomsday and they will fix a high sum for you to pay.

The basis of contributions, the basis of charges fixed by the Governor-in-Council is completely obnoxious to the "*Opposition*", who will be opposed to it. I know our opposition will only be for the purposes of the record. I am well aware, but at least the *Hansard* will bear witness, so that when what we say will happen, happens, we will be able to say that we were not all in the same muddle.

I would like to refer finally to this fact. I feel that this Valuation Bill has come at the wrong time. We were promised by the Minister during the Budget Debate last year, that by the end of 1958 we would have had the necessary legislation before this Council for the implementation of the Marshall Plan for Local Government reform. I feel that instead of this Valuation Bill, which contains provisions for contributions by Local Authorities to be fixed by the Governor-in-Council, we should have had a Bill which sets out very clearly the basis upon which Government will make subventions to the various Local Authorities, and the only Bill that should have come before such a Bill was perhaps a Bill setting out the structure and constitution of Local Authorities. But we are providing this Bill for Local Authorities to make contributions before those Local Authorities are set up or before we know anything about the form those Local Authorities will take; before we know on what basis the finances of the Local Authorities will be placed, and on what basis Government will make subventions to them.

I cannot understand this attitude of Government with respect to Local Government. This year it has reduced its subventions and the amount of borrowing and when we write about the matter we are told to wait until the Marshall Plan is implemented. If we write about the traffic hazards we are told that such things will be considered after the Greater Georgetown Plan has been implemented, as though traffic hazards wait to become traffic hazards until the Greater Georgetown Plan comes into being. There seems to be a great confusion of thought. We should have had a Bill with respect to the financing of Local Authorities, and if perchance the Local Authorities came into being before the Valuation Bill was passed – I do not see how that could happen, but if perchance it happened – there could be provision made, as has been made in this Valuation Bill, for the prevailing systems of valuation to continue until such time as the Bill first; maybe it was the easiest to draft; or maybe it was the first Bill his advisers thought of drafting. I do not know.

This question of the relationship between Local Authorities and the Central Government is very important. This particular Government seems to be particularly parsimonious with respect to Local Authorities. It does not seem to recognise how important Local Authorities are; it does not seem to recognise how much money should be given to them, and it does not seem to care how much money is spent by Local Authorities when it is pushing through like this. According to my information the Georgetown Town Council spent about \$25,000 on the preparation of a new Valuation List, and the rushing through of this Bill will make all the work that has been done completely useless.

It is true that the Legislature is supreme and as a consequence the Majority Party is omnipotent, but there are certain courtesies which should be observed. A Bill like this, and the other Bills that are being proposed, should be carefully discussed with the authorities responsible for the administration of the various areas. There should be the pros and cons, arguments and points of view advanced, instead of this rushing of the Bill through now. I do not see the need for hurry. I would like to know why we broke off from the Budget Debate to take this Bill. Is the Government in a hurry to put the Valuation Officer, for whom money has been voted, to work? Or is it that Government is in a hurry to show that the particular Minister is producing Bills?

We make all these queries and ask all these questions primarily because we have not had an authoritative statement from the Minister as to what he proposes to do. If Local Government reform is to be implemented by way of legislation – and I do not know of any other means – why hasn't the Minister explained to us the process – which Bill is coming first and why, and which Bill is coming second and why? Perhaps the Minister will have to ask his experts which Bill is coming out of the machine next. We may well have a good idea spoiled by poor execution, unless the Minister gives more careful consideration not only to this Bill but to all the legislation which he proposes with respect to Local Government. Let me assure him that he will get all the support from this side of the Table when he tells us clearly what he is doing, and let me also assure him that the criticisms of this Bill are not intended to be merely destructive. They are intended to bring to his attention the fact that the system of assessment in Georgetown is working well, although it can do with a little amendment here and there. Apart from that the Georgetown Corporation is very jealous about its ancient rights. I know that there are boroughs in England more ancient than our Town Council, but in terms of British Guiana a period of 120 years is sufficiently ancient. I notice that some people become ancient in office after a few months.

I am asking the Minister conscientiously and seriously not to attempt to rush this Bill through today, but to give himself and his Ministry an opportunity to consult with and hear the views of such bodies as the Georgetown Town Council and the New Amsterdam Town Council.

Motion on the Second Reading of the Customs (Amendment) Bill: 11th March, 1959

Mr. Burnham: I am anxious to congratulate the Hon. the Financial Secretary not only upon his ability in presenting the Budget Speech on the Second Reading of the particular Bill but for his ability in proselytising his colleagues in the Executive Council. Indeed he is a man of uncommon ability, for what he has done this year is the very opposite to what the Leader of the Majority party, I am sure, would have done three or four years ago.

When the Budget for 1955 was presented in keeping with the tradition of other British Guiana Budgets, the tax on cigarettes, rum and beer was increased. The Minister of Trade and industry who, at that time, did not hold portfolio in the Government, though conceding that it was possible to argue that the consumption of rum and certain other articles was unnecessary, argued that it was not for Government to attempt to criticize the consumption of articles when that consumption had become part of the life of the community.

The Hon. Gentleman whom, on this occasion, I take as my original, pointed out that it was a lack of imagination on the part of the then Hon. Financial Secretary to seek to raise additional revenue merely by taxing things that were in common or general use.

In an issue of a certain weekly newspaper known as *Thunder* dated 8th January, 1955, the Hon. Gentleman who is now the Minister of Trade and Industry actually laid down his thesis: that sugar and bauxite were left untouched while the poor man's drink, rum, the proletariat's beverage, beer, had been taxed. That, said the Hon. Gentleman, was indicative of the then Financial Secretary, perpetuating the class prejudice of his predecessor, Sir Frank McDavid. But today the tax proposals of 1959 weigh even more heavily upon the poor man than those of 1955.

May I repeat my congratulations to the Hon. the Financial Secretary who has converted his colleague on his right. Are we to understand that this one-time champion of the proletariat, the champion of the working man's rights has now been infected with the class prejudice with which he credited the last Financial Secretary but one? Are we to understand that the results of this alliance between the Elected Ministers and the representatives of the Colonial Office have been so catastrophic so far as the people of British Guiana are concerned, especially the working people, that there has been a sudden change in policy?

It is, of course, for the Majority Party, through its leader, to say whether it has changed its class; whether it is now prepared to copy from Sir Frank McDavid; or whether the increase of taxation on these same items which he did not want to approve in 1955 should be approved in 1959 because they have been introduced by an allegedly Representative Government.

I charge this Government – at this point I can draw no distinction between the two sections of the Government – their faces are many, but their voices are one in so far as the tax proposals are concerned. Not only is this Government unimaginative and cynical, but it does not matter to them that these tax proposals will mean the raising of the cost of living to the working man.

We would entertain and acknowledge the statistical ability of the Hon. the Financial Secretary if he can tell us that these tax proposals will not mean an increase of over 29 cents per week to the average working class family. But even if the increase were one cent, it would be an imposition on the poor worker because, save to those who live in ivory towers and do not come in contact with the working class, it is known to all that in the majority of cases the people do not get sufficiently large wages to live like human beings.

An increase of 29 cents per week may mean nothing to the Members of the Government; to some people it is a mere drop in the ocean, but for the poor man an additional cent may be the last straw on the camel's back. Therefore to regale us with the statement that the increase will be a mere 29 cents per week is not good enough. What we should have been regaled with and what should have been brought to us is that the working man in British Guiana gets only \$2.52 per day when he works with Government, but with some employers he gets even less. The financial spokesman of the Government cannot assume that the worker is getting more than enough to live on, and can therefore absorb this increase which we are told is in the interest of the Colony and will create a better future for our children.

Last year with commendable sophistry the Hon. the Financial Secretary was able to persuade the majority of the Council, whose support he automatically had, that the tax on rum was not a tax on the poor man's drink. I will not attempt, at this stage, to point out what I consider to be the fallacy in that argument. Not because there is no argument, as I hear *sotto voce*, but because there will be an opportunity when the other Bill comes up for Second Reading to go very carefully into the matter.

If the Hon. the Financial Secretary took the opportunity to read what his colleague on his right wrote on page 2 in the *Thunder* dated 8th January, 1955, he would understand a lot of things. He is intelligent, and I am sure he will be able to absorb what is written there. However, we are not dealing with the tax on rum today, we are dealing with the new tax proposals apart from rum and sugar. These taxation proposals which are bound up with import duties and the importation of various items into the country are causing a lot of dissatisfaction.

May I offer one more congratulation to the Hon. the Financial Secretary. He kept us on our toes and on the edges of our seats with 28 pages of felicitous language before he dropped the bombshell. These new taxation proposals by means of which he hopes – hope springs eternal in the Government's breast – to raise \$2 million from the collection of duties which are sought to be introduced in this Bill and which are foreshadowed in the Budget Speech are described as falling into purely revenue raising and purely protective.

Let us consider the various duties that have been imposed. Before I go further let me say this: I have not got a quarrel with the Government on every item of taxation. Let me give the devil his due and admit that I am in agreement with the increased taxation on whisky and other imported alcoholic drink. I agree with that absolutely. He, who in British Guiana, whose native wine is rum, prefers to acquire the aristocratic taste for whisky and other imported alcoholic liqueurs, must pay for them.

I have absolutely no objection to the \$1 increase per bottle for whisky and other imported alcohol. Nor do I break a lance with the Government or enter into controversy with them over the increased duty on imported cigarettes. Those who, having travelled, would prefer the English or American blends of tobacco, or whose throats are too delicate for local '**Clipper**', '**Diamond**' or '**Lighthouse**' must pay for their taste or spend more money because of the delicacy of their throats. I have no quarrel there.

But, Mr. Speaker, what is it but copying from Sir Frank McDavid who was condemned by the Hon. Minister of Trade and Industry? What is it but copying from that gentleman to impose a tax on tobacco and cigarettes manufactured locally? I hope that the Government will not be so naïve as to seek support from the statement by the Manager of the Demerara Tobacco Company to the effect that, as he sees it, there is no objection to the increased tax on tobacco imported for the manufacture of cigarettes, which will result in a rise in the cost of local cigarettes.

The Manager of the Demerara Tobacco Company and the sole distributors, Messrs. J.P. Santos & Co. Ltd., whose Manger agreed with the Manager of Demerara Tobacco Company, have nothing to lose by it. They do not smoke all the cigarettes they distribute or produce. This is a tax that passes on, and since tobacco is habit-forming, one is likely to find the poor man who is a smoker sacrificing something so as to be able to buy cigarettes. I think it is wicked to tax local cigarettes any further.

We are not dealing with saints. We are discussing mores, not morals. The Government knows nicotine is habit forming. I speak as a smoker, having perhaps more experience than the Members of the Government in that respect. People will still make an effort to buy their cigarettes and the cost of living will go up. It is not because they want to stop people from smoking but, says the Financial Secretary, people can afford to pay for these luxuries. But where a majority of people are smokers, is smoking a luxury? Such absolute nonsense should not be put forward here. But I guess that I should not be at all surprised for this Government consists of so many non-smokers. If we were starting a new religious movement and wanted Guianese to stop smoking and stop drinking – though I would object to live in such a monastery – I would grant them the right to dissuade people from making use of these commodities.

From the tax on tobacco, Government hopes to raise \$450,000 and, says the Financial Secretary, speaking on behalf of his well-knit Government, the large revenue increase from such a small increase in duty is indicative

of the large amount of cigarettes used every year. A marvellous insight into the perfectly obvious, but what he does not say is that it is an imposition on the man who smokes and whose wages are \$2.52 per day and who has a wife and children. It is no sense saying that such a man should not smoke. After all, like any other human being, he is entitled to a stimulant of some sort and he is entitled to his minor vices.

Then following the order in the Budget, one notes that after the tax on tobacco the Financial Secretary palms off the tax on rum, more of that later, then the excise tax on beer. More of that later. Then we come to the point where it would appear that Government, through its spokesman, has decided to redefine certain English words.

The next group of imports which the Government has selected for additional revenue-raising is purely a luxury one, consisting mainly of perfume – all right, I accept that ‘**Chanel No. 5**’ is a luxury. Cosmetics, is that a luxury? Do they want the men and women of British Guiana to go unkempt? Not Guianese: we do not go around unkempt. Cameras? English is not my native language, and I may be mistaken about certain words, their origin and meanings, but as I conceive the English language a camera is a luxury.

But what new language is this when in the 20th century, watches are being described as luxuries? Earlier I accused Government of being unimaginative. I must concede now that their imagination is in the field of new language and new definitions of words. One gets the impression that Government is scraping and picking up here and there, and they have to find language with which to adorn the whole unsavoury exercise; then they go to the verbal and financial expert, the Financial Secretary, and he discovers that a watch is a luxury – the time piece by which a man is able to get to work early is a luxury. I have no doubt that the Hon. Minister of Trade and Industry, who knows human failings, can tell me what could have happened if I had no watch.

To be serious: this Government is not being serious. The Financial Secretary does not think that the face of beauty in British Guiana will be altered by the fact that the artificial aids will cost a little more. Does he really think so when our women have to pay more for their lipstick and rouge? Mr. Speaker, I am not particularly experienced in this field. I yield pride of place to many of my colleagues at this Table, but I never thought that this Government intended to have in British Guiana a number of dowdy and unadorned women. You will have those when you start taxing what the Financial Secretary calls “*artificials*” for these aids make a woman look more attractive. The appearance of the woman becomes a stimulant to her menfolk, and we must remember that not all those ladies who use these artificial aids are the wives of Members of the Executive Council and highly paid business and professional men.

They are working girls, working for \$9 or \$10 a week, sometimes. Did you know that? They are also the wives of men working for \$15 a week, the

fiancées of men who work for \$13.52 a week. Did you know that? If you did then why did you come here and tell us that the face of British Guiana will not be altered by the fact that its artificial aids will cost a little more?

Revenue-raising again and lack of imagination again – the 7% increase in the import duty on private motor cars, motor cycles and motorized bicycles. This does not surprise me. Their lack of validity or argument and their lack of imagination must find support in the fact that Lady Megan Lloyd George said this or Professor Somebody said that. They must have an original. I am convinced that this 7% tax on motor cars, motorized cycles and motor cycles came from the idea of the luxury tax that was imposed on these items in Trinidad two years ago.

I have found, from my own experience, that copying from another person's book has this weakness: that you may copy what you do not understand. As a student I have been caught; as a teacher I have caught others. That is what has happened to the Members of our Government. They saw that Dr. Eric Williams had imposed extra taxation on motor cars and motor cycles in Trinidad, but they did not note that in Trinidad motor cars not exceeding 3,000 lbs. pay \$4.80 per 100 lbs. with 10% luxury tax. But even at that level the same cars in British Guiana, before the imposition of this 7% increased tax, cost between \$500 and \$600 more than they do in Trinidad. Ask the car dealers.

The disgusting thing about this type of tax by way of import duty is that you are not soaking the rich to feed the poor; you are soaking the poor because the rich will import and will charge a percentage not merely on c.i.f. plus duty. So there can be no question that the consumer in this case, the person who uses a car, will have to pay even more than the 7% increased duty, because it is going to be 7% plus the cost. Most people who buy motor cars cannot afford to pay cash; they are not like certain individuals who boast that they have bought everything in life cash. Most people have to pay a percentage on the unpaid balance, which has gone up already as a result of the 7% increased tax, and then they have to pay 8% on that, so that the cost of a car is going to go up much more than 7%.

Car users fall into two categories – those who own cars and those who hire cars. Around the Table most of us own cars. I suppose it can be said that certain people can afford to pay more for their cars. I agree with that, and that is why I contend that if there is to be an increase on the import duty on cars it should be an increase on cars above a certain price – those luxury cars, those American cars, those cars like the Mercedes, those expensive cars which only people of a certain affluence or notional affluence can think of buying.

I will concede that I own an American car and I must pay more import duty, but think of the little civil servant, the little clerk working for \$200 per month, struggling with a wife and children, who cannot find accommodation in Georgetown where he works and bites his nails, pinches and scrapes, like the Government is scraping now, and he gets a small house in

Campbellville, Newtown or Kitty, or a little further up the East Coast. We have no bus service in this country worthy of the name, to bring him to the City at regular hours and take him back home at regular hours. Our bus service is noted for its irregularity of schedule. He, therefore, finds that it is not a bad thing to buy a small car to ensure that he gets to work punctually.

Then there is the other category of persons who hire the cars in which they drive. Which owner of a hire car is a philanthropist; that if he has to pay more for his car he will charge the same fare to those who use it? Those who use cars in that way are poor people. In places like the Corentyne, the Essequibo Coast, Wakenaam and Leguan, the East and West Banks there is no railway, and people there have to use cars. For all such people there is going to be an increase in the cost of living because, as I understand it, the cost of travelling is part of the cost of living.

I wonder if the Financial Secretary calculated the likely increase and took it into account when he was telling us about the 29 cents per week increase. Of course he has the last word and we will no doubt get some enlightenment as to whether or not the increased cost of transport to those who have to use hire cars had been taken into account when he was telling us about a mere 29 cents.

That is what I admire in the Financial Secretary; he is so good at figures that he never takes a 6 for a 9. We come now to the tax on potatoes. I congratulate the Financial Secretary on the way he calculated the duty. He knows that the Minister of Natural Resources has been saying that we eat too much imported potatoes for an agricultural country; that we should consume more of our agricultural products, and that we would have to pass legislation to make our people understand that they must eat what is locally produced.

The tax on potatoes is partly protective and partly revenue raising. The Financial Secretary seems to be the revenue-raising man, while the Minister of Natural Resources seems to be the protective man. With that keen sense of propriety which is always his, the Financial Secretary did not say much on the protective aspects of this tax. He saw that if he allowed his colleagues to get away with this he would have more money for the Treasury. But is this really a protective tax? A protective tax must be prohibitive, absolutely prohibitive. If the tax on potatoes had been put up to about \$12 per 100 lbs, I would have said that the Minister of Natural Resources, as is his wont, is serious about what he is saying and, therefore, he wants us Guianese not to eat any more potatoes, but the present tax, although it is a heavy increase, is not sufficiently high to be prohibitive or to chase people away from potatoes, but sufficiently high to make an indent on people's pockets.

The Financial Secretary, with his usual conservatism, tells us in paragraph 78 of his Budget Speech, that, allowing for a reduction in demand, he anticipates that from the potato tax and other small taxes he will collect additional revenue of \$550,000. Quite nice, but what is the result? I have calculated it and I find that it is an increase of \$2.76 per

100 lbs. The man who uses potatoes is going to have to pay more for his potatoes, and the sugar worker, about whose miseries the PPP or the Majority Party is always crying, are going to have their cost of living further increased.

I have been told, but I will not believe it, that a certain Minister was suggesting that cassava might be substituted for potatoes in curry. I will not believe that in the ranks of the Ministers there is anyone so unfamiliar with the relative consistencies of the two vegetables.

We are told that our people drink too much; that drinking too much rum is a bad thing and not in the best interest of the country; that an agricultural country should not be importing such a large percentage of potatoes and so on. It is not necessary for Government to find a substitute for the potato which is imported; to educate the people and show them how curried cassava can be a substitute for curried ahloo. I would have suggested curried eddoes. Ahloo is an English word today; I thought you were familiar with the term.

I am not saying that ahloo is a substitute for English potatoes. I think it will be necessary to educate the people to use substitutes. Do not put the cart before the horse. Use your propaganda machine, the G.I.S. newspaper.

It is the Government's propaganda machine, and every Government must have a propaganda machine. Hitler and Stalin were not the only people to discover that. Through the propaganda machinery, the Agricultural Department and every available means – perhaps a start can be made through the Home Economic Centres – Government should endeavour to show people how eddoes or cassava could be substituted for the potato, and *pari passu* endeavour to ensure that the quality of the substitute is constant.

I sympathize with the Hon. Minister of Natural Resources so far as this matter is concerned, but I think in the execution of what he has in mind he and his colleagues have blundered terribly because the only result from this tax is to send up the cost of living for the poor man. I am also conceding that it means a higher cost of living to the people in better circumstances. Nevertheless, the poor man has no reserves to fall back on. In fact he starts off in the red and ends in the red. The people in more affluent circumstances can, of course, go into their savings and cut down on real luxuries.

The tax on canned vegetables, preserved fruit, jams, jellies and canned soups, etc., I have no quarrel with. I would like to find out from the Hon. the Financial Secretary, however, what he really means when he states in para. 78 on page 32 of his Budget Speech which is referable to this Bill:

*“... as regards canned vegetables of which a comparatively small amount is imported, 10% has been added to the **ad valorem** rate and the same has been done for fruit juices, preserved fruit, jams, jellies and canned soups, all of which or substitutes for them are being or could be produced in the country.”*

I was not aware of the fact that we can always get a sufficient quantity of

citrus fruit to supply everybody with fruit juice, nor was I aware of the fact that we were canning fruit juices. If that is so, then the Minister of Natural Resources and the Minister of Trade and Industry should have worked out plans for the setting up of a canning industry in this Colony. The Minister of Trade and Industry who gives the Releases now should have informed the people through the press that he proposed to set up a canning factory. This side of the Table would have read about it in the press because we are seldom told anything in this Council regarding the plans of Government. I have no quarrel with this tax, but I find that para. 78 is rather misleading.

I feel that so far as fruit juices are concerned, no tax should be imposed on fruit juices coming from the West Indies. I would like to see imposed a 600% tax on fruit juices imported from South Africa. I think it is wrong and unfair to impose a 10% increase tax on fruit juices imported from the West Indies because we do not have a sufficient quantity of fruit juices to provide for everybody in the Colony.

We have been told – I am sorry the Minister of Labour, Health and Housing is not here, because I am sure she will agree with me – that fruit juices are good for the health not only of growing children, but even for adults. I am of the opinion that Government should reconsider the question of increased taxation on fruit juices.

There is one other item of increased taxation which does not earn my disfavour, and it is the tax on ready-made clothing. I agree that our tailors, seamstresses and milliners in British Guiana are sufficiently competent to produce satisfactory clothing. I, myself, have never bought a suit that was not made in British Guiana. As I understand it, this tax goes even further and puts a tax on imported shirts. I agree with that.

Let it not be said that some Members on this side of the Table criticize the Government for the sake of mere criticism. Let it be understood that we criticize Government because they are naïve or unimaginative as is shown in the majority of their tax proposals. If a man wants to wear an '**Arrow**' or '**Van Heusen**' shirt when a proper '**Windsor**' shirt is available, then he should pay a little more for the imported article.

I can offer Government no congratulations for increasing the tax on motor cycles and motorised bicycles. People are now asked to pay 30% preferential tariff in British Guiana on this item, whereas in Trinidad it is only 10%. The per capita earning in Trinidad is higher than in British Guiana, and in Trinidad there is more capacity for absorbing employment. It cannot be said by any stretch of imagination, or even with the aid of the greatest elasticity of language that an auto cycle or a motorised bicycle is a luxury.

Have you ever seen the workers coming down from the East Coast on mornings on their way to work? They cannot find anywhere in Georgetown to live, and they have to go all the way to Plaisance and Beterverwagting in order to find housing accommodation. These people cannot afford to buy a motor car or a motor cycle, but now that they are trying to buy an auto cycle, Government has decided to increase the tax on this item. The auto

cycle is not a luxury, it is merely a quick and easy means of transport to and from work as far as the workers are concerned. It would appear that in stretching here and there in an effort to find money this Government, to use a colloquial expression, "*will take a cent off a dead man's eye*". Do you want to tell me that auto cycles should be taxed? The little auto cycle which the waterfront worker uses, which the carpenter uses – is it that you are going to tax as a luxury? But, says the Financial Secretary,;

"...we hope as a result of this tax to raise \$1,870,000 approximately, and then as we are a little short still, we shall touch up sugar."

This is one aspect where I think the Majority Party is a little consistent, because in 1951 it was saying, "*tax sugar*". But we shall deal with that at another time.

The farce of this is the belief that the Opposition is here to suggest to them what they ought to have done. That is to misunderstand the purpose of the role of the Opposition. The Opposition is not the schoolmaster. The Opposition is here to show you how stupid what you did is. Of course, the Opposition may not be successful, because with stupidity the gods themselves have fought in vain. It is not even to tell you what you ought to have done or ought not to have done – but in any case this Government is not receptive at all.

We heard the Financial Secretary saying that he does not interfere in anyone's business and he does not expect anyone to interfere in his, when Mr. D'Aguiar spoke of the Banks Tax. If you cannot paddle your own canoe, get out and stand on land, or you are going to drown. But I cannot expect better of a Government that has followed a path marked out by Sir Frank McDavid and has gone to Colonial Office officials in a wild quest for a few shekels. This is not the vanguard of the proletariat but the new class into which this Majority Party has made itself.

Has the Government considered that already there is a great deal of rumbling among the workers; that they are already complaining that they are underpaid? I say that with justification; that they are already making wage demands. Does this Government not realize that it is the largest employer of labour? Does this Government not see that as a result of this increased taxation which falls on the working class, it is going to be forced to pay more money to its employees? Because I cannot imagine the PPP refusing justifiable demands of the workers, and I cannot imagine so-called proletariat leaders forgetting their proletarian principles so quickly. It calculates that it will be able to raise \$2 million, but by the time it has collected that amount, it will have to pay out to its employees more money, so that it will be digging a big hole to fill a big hole.

Where is the sense of it? The fact is that under present conditions in British Guiana, it is hoped to raise enough money to make a substantial contribution, at least in 1959, to the Development Programme. That is a

fact. Let us try to understand it. But why go about it by taxing the poor? More of that anon.

You will have to pay more money to the unskilled workers in the transport services, the Rice Marketing Board, and Water Street. Then there are the workers in the unclassified service of Government. You will have to pay them more because they are already asking for more, in particular the Post Office workers. The financial expert says that the increase of 29 cents more per week –I am grateful to you, Mr. Speaker - twenty-seven cents. Where you start you end and you end where you start; running around in circles. To achieve what? To achieve what you failed to achieve when you went to the United Kingdom last year? You included a number of impressive things in your demands and those who could assist you did not. Now you come to take it out of the poor people. Are you so shut off from the world of the unemployed that you cannot understand their sufferings? I am not talking about the three members of the “*marriage*” to the right. They will say they are not politicians – their rooms are sealed tight. But this is an increase in the burdens of the poor people, and for what?

Report on Beer Tax Petition: 12th March, 1959

Mr. Burnham: I beg to lay on the Table the -

Report of the Public Petitions Committee on a Petition tabled by Mr. R. C. Tello, Nominate Member of the Legislative Council, at a meeting of the Legislative Council held on Thursday, 12th of February, 1959, for and on behalf of Mr. Rudolph Melville and others, praying that the proposed increase in the excise duty on beer should not be approved by the Legislative Council.

Death of Mr. Sydney Smith and Mr. N. N. Nethersole: 18th March, 1959

Mr. Burnham: I beg to second the Motion moved by the Hon. Minister of Trade and Industry. I have not had the advantage of knowing Mr. Smith personally but I have heard of him and of his high reputation. I certainly think that in the circumstances we should express our condolence to the Canadian Parliament and to his relatives.

Mr. Nethersole I have known very well over a number of years. I recall my first meeting with the gentleman in Jamaica when I was just back from University in 1949. He was a man not only of great ability and enormous capacity but an admitted patriot of his country, Jamaica, and one of the most ardent devotees of West Indies Federation. His country has benefited from his term of office as Minister of Finance.

In many ways, including the one particular way to which my Friend has referred, Mr. Nethersole's death is a loss not only to Jamaica but a loss to us in the West Indies, and we are all the more disconsolate when we realise that though he was past 50 he had certainly not fallen into the category of old men whose continued existence is sometimes questioned.

It is not a pleasure for me to second this Motion; it is a sorrowful task, and I feel that I would like, with the permission of the mover of the Motion, to ask that this Council should observe two minutes' silence as a mark of respect to Mr. Smith and to our old and distinguished West Indian friend, Mr. Nethersole.

Motion on the Second Reading of the Land Registry Bill: 20th March, 1959

Mr. Burnham: The general concept and reasons for this Bill enjoy my support, for I confess that in a number of cases there is too much obscurity surrounding the titles of land in British Guiana. I also concede that if there is to be development in this country and investments in land, the titles should be clear and one should have some guarantee that when one is dealing with an individual who claims to be the owner of a part or parcel of land that he is in fact the owner and that his title is indefeasible.

I feel that if we can find some system of indefeasible titles it will also be better for those who lend and those who borrow. I did not have the advantage of hearing the Hon. the Attorney-General when he made his remarks on the Bill. If I repeat what he has said I do so because, perhaps, we have arrived at the same conclusion travelling from different points. I think that in the case of credit corporation loans there have been some difficulties because of the uncertainties that surround the titles to land in this country. Many persons to all intents and purposes own land, but they are unable to raise loans on it because they cannot produce any title document.

I agree with the Bill in principle but there are certain aspects which do not find my support. For instance, unless I am somewhat myopic, it would appear that if there is provision for appeals to the Full Court from the Commissioner, there is no provision for an appeal from the Full Court to the Federal Supreme Court.

The Hon. the Attorney-General assures me that there is provision in the Federal Supreme Court Ordinance. I would like to accept that and I am sure he will point it out to me and remedy my oversight. There is another point, however, which gives me some concern, and it is that the right to oppose a liquidated debt that has been taken away. In its place there has been substituted a system of caveats. As I understand it many of the debts on which opposition suits may rest at the moment must be registrable as caveats when this Ordinance comes into operation. Although this causes me some concern, since I have had the assurance of the Hon. the Attorney-General that this Bill is likely to be sent to a Select Committee, it is possible that my views on these points will find expression and possibly earn agreement from some, if not all of the other Members of the Select Committee.

Another criticism which I have to make of this Bill is that the draftsmen – those who promulgated it – in their anxiety to give clear, clean, indefeasible titles, are suggesting that after the Partition Officer has partitioned and allotted lands he may call upon the Registrar to register the titles accordingly. What will happen to partition appeals and those persons who are seeking to disturb and very often with success, the allotments and awards of the partition officer?

If one peruses this Bill carefully, one finds that if it suffers from any besetting sin it is the anxiety to give clean, clear and indefeasible titles as quickly as possible. However, what may be quick may not always be right and just and may eventually turn out to be unwise.

A Bill of this sort is highly technical affair and can be better dealt with in a Select Committee. I will have the advantage of reading through the three reports of the Committee whose brain-child this Bill is. I do not propose at the moment to speak at any length on the Bill. If the necessity arises, I propose to take advantage of my right to speak at length on the Third Reading of the Bill.

Second Reading of the Full Court (Final Decisions) Bill: 14th May, 1959

Mr. Burnham: I have the capacity to hear without being seen, Sir. If I heard the Hon. the Attorney-General correctly when he was introducing this Bill, he said that he saw nothing controversial in it and was expecting it to have an easy passage. I am afraid that, although I am in agreement with the matter so far as certain items in the Schedule are concerned, I do not find the Bill absolutely non-controversial. It seems to me that it is most undesirable to include Section 25 of Chapter 98 in this Schedule, because it is bound up with freedom of travel, the right of an individual to come to British Guiana and the right of the Executive Authority to decide who is or who is not prohibited immigrant. I feel that the right of appeal, so far as the immigrant is concerned, should be preserved right on to the Federal Supreme Court. This section also deals with appeals from the decision of the Immigration Officer, and it should not stop at the Full Court of Appeal.

What is more, one finds that the Immigration Ordinance in British Guiana is somewhat similar to the Immigration Ordinance which one finds in places like Trinidad. I think it would be well for all these territories to have the Federal Supreme Court as their Appellate Tribunal and let their appeals go before that Tribunal, so that they would have a uniform system of law. I would not credit the Government with cynicism by attempting to prevent one who is deemed a prohibited immigrant from going to the Federal Supreme Court. I would credit that to an oversight, or the fact that Members of the Government do not appreciate what is meant by the term prohibited immigrant.

I take exception to Section 16 (13) of the District Lands Partition and Re-allotment Ordinance, Chapter 173, being included in this legislation because this Ordinance in its application deals with what may be important rights to property, and I cannot understand what desire there is on the part of the Government to prevent persons who are interested from going to the Federal Supreme Court if they are dissatisfied with one judgment or another.

So far as I am concerned I would permit practically any subject or matter to be appealable as far as the Federal Supreme Court. I cannot understand this penchant, this great desire for finality so far as the Full Court of Appeal decisions are concerned. In fact, with all due respect to those who occupy judicial office, I would say that in normal circumstances one is likely to get a much more reasoned judgment if the Court giving a judgment is aware of the fact that its decision is appealable.

I am not saying that all such persons who have to give decisions are necessarily affected one way or another. I know that you will find several judges who, whether their decisions are appealable or not, will apply their acumen, learning and care in delivering judgments and the formulation of decisions.

However, unhappily, that is not the universal rule, and to give finality in important matters such as the two I have referred to seems to me not merely to be courting trouble, but to be robbing citizens and Guianese of the right to have a case decided on by a series of tribunals. During the course of each decision from the lower court to the higher court more minds will be applied to the subject and greater wisdom is likely to be found in the end.

So far as the Motor Vehicles and Road Traffic Ordinance is concerned I have no quarrel with this Schedule, but I have my misgivings with respect to Mining Ordinance, Chapter 196, Section 74. Not only can intricate matters or points of law arise when the Commissioner or the Deputy Commissioner gives a decision under the Regulations, but the rights of individuals can be rights attaching to most valuable pieces of property, and it would seem a pity that whereas, if a dispenser for one reason or another is robbed of the right to practise as a dispenser he can go to the Federal Supreme Court, litigants who are interested in valuable mining leases are stopped at the Full Court.

May I repeat that I am not casting any aspersions on the ability of those who sit in the Full Court, but I am saying that the system appeals from one tribunal to another has been found necessary because, during the course of these appeals there are more legal brains and minds applied to the subject, and there is the presumption that by the time an appeal reaches the highest tribunal the correct view of the law will have been got, and that wisdom will have triumphed. In the circumstances I must express my unequivocal opposition to the inclusion of items 1, 2 and 3 of the Schedule.

Second Reading of the Georgetown Electric Supply (Control) Bill: 11th June, 1959

Mr. Burnham: As the person who tabled the Motion which has been put on today's Supplementary Order Paper, I observe that that was a Motion I tabled some time last year, before the end of the last session, and I had to have it renewed for this ensuing session. I begin my remarks by offering unlimited congratulations to this Government for this late-found energy and late-found interest in putting my Motion on the Order Paper of this Council for debate. It seems as if this Government does not do anything until it is in a most embarrassing position. That Motion was tabled by me in 1958 and never came up here on the Order Paper until today. For what reason, we know not. The minds of the Government are inscrutable. Only at 12.30 p.m. today, I was accorded the courtesy of being informed that it was the intention of Government to have this Motion debated this afternoon. I want to say that I am not in a position to debate this Motion, as I have not had sufficient warning and time to get the relevant information and data.

I suspect it is nothing but a sharp practice on the part of the Government in bringing forward this Bill for the appointment of a Controller of Electricity suddenly, when there is a Motion tabled by the Member for Georgetown Central over a year ago with respect to the purchase of the assets, machinery and equipment of the Demerara Electric Company, Limited. Then later on, the Hon. Minister of Communications and Works – I must express my disappointment – in introducing this Bill seeks to persuade this Council to withhold relevant remarks with respect to electricity until when the Motion tabled by me comes up for debate.

I shall begin my remarks on the Bill by referring to the Objects and Reasons:

“The capacity of the generating equipment of the Demerara Electric Company Limited, may, until the necessary plant can be put into operation, be insufficient to meet the demand for electricity within the area of the company's franchise, particularly in the event of a breakdown of one of the main generators. It is therefore advisable, for the maintenance of the supply of electricity as efficiently as existing circumstances permit and for the equitable distribution of such supply in view of the increasing demand therefore, that a Controller be appointed to regulate and, in effect, to ration the distribution of the available supply of electricity for as long as the insufficiency of electric generating capacity may continue.”

It may be true, but since the Bill is based upon that, we have to find out how it came to be true. If it came to be true on account of any fault on the part of the Company then the blame must be theirs, but if that is not so,

then it is the fault of the Government. It must be noted who is to be blamed or is responsible because Mr. Speaker, it is distressing to find that 15 years after the last World War we have to introduce in British Guiana what is normally a war measure; so, before this Council is asked to pass such a measure, we must be satisfied about certain things.

The Demerara Electric Company Limited was given a franchise for fifty years to supply electricity to Georgetown, or what may, from time to time, be Georgetown and up to five miles outside. Are we to be told here that this Company, which has a paid up capital of \$425,000 and with a revenue of over \$620,000 per year, which has enjoyed this franchise for 30 years, cannot honour its obligations 20 years before the expiration of its franchise? Is it incapable of providing the needs of the area after it has enjoyed this franchise? Mr. Speaker, if it were an ordinary shopkeeper running a salt-good shop, he would be able to anticipate the needs of his customers.

Your Honour rules. Mr. Speaker, you will pardon me if at any time again during the course of my remarks I trespass. I can promise you that my automatic obeisance to your ruling is assured.

As I was saying, Mr. Speaker, I am not quite sure that I should support this Bill if it is based merely on the allegation that the capacity of the equipment is not sufficient to satisfy the needs of the franchise area, for the company should have spares for its generating plant for shedding. I feel that the Government should deal sternly with this monopoly. We have Regulation 23 of the Georgetown Electric Supply Ordinance. What is the Government doing about it? Don't plan merely to appoint a Controller. See that more regular prosecutions are made and penalties served upon these people.

Government is not without its share of blame. For 18 months Government has been idling. Government has got to make up its mind. But how much good is going to be done to remedy this situation before you can appoint a Controller? We want to see the Government take very drastic action against such an undertaking. We want to see Government use the powers given under Chapters 237 to 239. This is a matter above party politics; this is a case where the country is growing, where the people have become accustomed to certain amenities of civilisation. This is a country where we are seeking to attract industrialists, where we are seeking to persuade those who are here to expand their industry; and to those there must be at all times the sufficient supply of electricity for domestic and industrial purposes. Do not merely appoint a Controller. I can see that a person being a Controller is a man of great ability. I agree, but we want more than a Controller.

Section 6 of the Bill seeks to give the Government the power to establish its own source of electricity supply. I feel that that power could also be given to various local authorities who, in the meantime, are as much inconvenienced as the Government. I feel further, that the penalties with respect to the Company, are not high enough, they are not great enough,

they are not sufficiently punitive. If this Government wants to do something let it do so now. I must say that these would-be blackmailers have got to be put in their places once and for all. That is as far as I am concerned.

Second Reading of the Customs (Amendment No. 2) Bill: 18th June, 1959

Mr. Burnham: The influence of sugar in this country is obvious even when one listens to the number of apologies with which the Minister seeks to answer the sugar representative in this Council. I have to agree with the Hon. Member for Georgetown South, Mr. Jai Narine Singh, when he refers to the tremendous power which sugar wields here, when even a “*militant*” Government has to be apologetic when Ministers set out to contradict certain inaccurate statements. But in the debate on this Bill I am not particularly interested in whether sugar is an 18th century monarch or a 20th century constitutional king. I am not interested in how much profit sugar is making. I am not interested in the question of extra nuclear housing, nor am I interested in Sir Howard Roberts’s thesis on this question and on the Valuation of Property Bill. The point of view from which I approach this matter is this: can the sugar industry afford to pay the tax that is being levied? That is the question I ask. I may be somewhat naïve but I cannot see, if this is an export tax, how the industry can complain that it cannot afford to pay because the tax or the duty does not become payable until the commodity or product is exported.

I did not have the opportunity of hearing at first hand everything that was said yesterday, but as far as my information goes the view was expressed that this tax is a tax on efficiency. I cannot see how it is, because there will be no tax on sugar that is not exported. Even if it were, in the 20th century those of us who can produce efficiently will have, out of our social sense, to be prepared to contribute out of the surplus we have earned. Therefore, since this is something which is separate and distinct from the tax on Banks Beer, it is not in the same category and I cannot see how it can be described as a tax on efficiency.

I am not discussing whether or not it is a discriminatory tax for or against the sugar producers of British Guiana. I am not attempting to weigh the importance of sugar as against the importance of bauxite, and as to whether past Governments were right when they reduced or removed the export tax on sugar and multiplied the same tax on bauxite exported from British Guiana. I prefer, however, in taking up my final attitude on this Bill – not on the tax, but on the Bill – to refer to the Venn Commission Report of 1949.

It would appear that when that Commission was appointed there was in existence a sugar production tax, or tax which quite obviously would have covered not merely sugar that was exported but sugar that was locally consumed. I think that in the Venn Commission Report, at Chapter 19, there was a recommendation that the sugar production tax should be abolished. It would appear that in 1952 that sugar production tax, which was in 1949 worth about \$180,000 per annum, was abolished. But if I remember correctly – and I have the Report here with which to refresh

my memory – the Venn Commission did not recommend the abolition of the sugar production tax *simpliciter*, but with a motive; the motive being that there would be at the disposal of the sugar producers a greater sum of money for the implementation of another recommendation in another part of the Report, to wit, the Contributory Pension Scheme for sugar workers. When I have noted these facts – and not irrelevant ones – I reach the position where in the circumstances of today I am opposed to the Motion as distinct from the tax. I am opposed to the Bill.

Personally, I feel, from the information at my disposal, that the industry can carry it – it is not a tremendous amount. When one calculates it, it is only going to cost them \$100,000. But in spite of what may appear to be a contradiction to those who have not been carefully following my contribution, I feel that the industry can carry the tax but this Government cannot and must not at this stage put back on the tax without using the money for the purpose which it was intended that it be used by the Venn Commission. I feel that this Government should have come up with some statement at the same time as this export duty, to the effect that this money is going to be used alone, or with other money, for the implementation of a Pension Scheme for sugar workers.

It is no sense coming here and bleating hypocritically about the hardships endured by the sugar workers; we know that, we confess that, we accept that. Here it is, you take the opportunity to have the money from the sugar producers. Do you attempt to assist the sugar workers? No, you take a few hundred thousand dollars and put it into a Development Programme for which \$100 million has proved inadequate. It is a drop of water in the ocean, and it cannot be used for the benefit of the people who, according to the Hon. Member for Georgetown South, have been robbed by the sugar producers.

It seems to me that this Government's original conception was correct, but they stopped short because they are just scrambling here and scrambling there, when obviously this is not the means by which we can implement our Development Programme, and they are now co-partners with those whom they have abused in the past as exploiters. "*T'ief from t'ief mek God laugh.*" They accused the sugar producers of robbing the workers, and now they are robbing the sugar producers of part of their loot to push it into the general coffers.

I feel this tax would have been justified if this Government had come up with proposals for the use of the money got from the tax in the establishment of a contributory Pension Scheme, as envisaged and recommended by the Venn Commission in 1949. I disagree with the Bill because there is no provision for spending this money directly on the sugar workers, whose money it really is.

[Mr. Ram Karran: Nonsense]

Mr. Burnham: The Hon. Minister of Communications and Works, for whose opinion on some subjects I have the greatest respect, can favour us with his comments, because I shall be only too anxious to answer any queries which he may put forward. I also think he should be able to tell us about things like the Sheath Report and the rebuilding of the Georgetown to Rosignol road.

Motion on the Acquisition of Demerara Electric Company: 19th June, 1959

Mr. Burnham: Perhaps, without justification I may at this stage assume that this Motion is not controversial. Within recent months, and more especially weeks, electricity has become a rather important topic and I think there is no Guianese who has not been particularly perturbed by the situation – a situation in which load shedding takes place at all unusual and inconvenient times of the day. It is not unknown that the undertakers or suppliers of electricity in British Guiana to the municipal areas of Georgetown and its environs is the Demerara Electric Company which, in 1927, was granted a franchise to supply electricity over those areas by the Georgetown Electric Supply (Control) Order. This Company has been operating since then more or less satisfactorily until recent years.

In 1954, so far as I am aware, a notice was served on the Demerara Electric Company Limited, by the Government, requesting them to carry out certain reconstructional works for the improvement and increased efficiency of the service. This reasonable request the company refused, and if I have it right, this was stated in communiqué issued by the Hon. Minister of Communications and Works. Since then we understood that there have been negotiations between Government and the Company as to whether or not Government would acquire the assets, machinery and equipment of the Company. Up to the present moment I am not aware what the real difference is between the Government and the Company, but who is to be blamed I am not prepared to say at this stage. I believe that whatever is being done, the public is being considerably inconvenienced or blackmailed.

This is a country where we have been seeking to encourage the expansion of our industries which are already in existence, where we have been seeking to attract new industries and where we have been considering the question of rural electrification. It seems to me that a guaranteed and regular supply of electricity is a prerequisite, a *sine qua non*. When would-be investors and industrialists come to British Guiana they will ask, as they generally do, what facilities are there for electricity supply here in British Guiana? The supply of electric current from such a source as now exists is certainly uncertain and will fail the would-be investors and/or, industrialists, and at the same time cause them to have to make provisions for their own generating plant for the supply of electricity. The desirability of having a guaranteed supply of electricity is not limited to the consideration with respect to the investors and industrialists. We must also think of the convenience of other citizens, more especially the housewife who, in this 20th century, when using her electric plate and refrigerator, realises without notice that she is not being supplied with sufficient current. She may even be further inconvenienced when the meat is on the electric stove in

preparation for her meals, or she may want the immediate use of her electric iron when she finds that there is not the sufficient supply of electric current.

Of course, as I see it, there is the difficulty that if the undertakers are a separate and distinct body from the Government, the Government may, with the best intentions, be guaranteed a supply of electricity, but that supply may be subjected to the undertakers' control. It is my conviction that a public utility such as electricity should be Government owned either directly or through a public corporation. It seems only reasonable in this age that an important thing like the supply of electricity should not be under casual control but the direct control of the Government.

The most important question which should be asked is, where will the money come from to facilitate such a scheme? Well, it is not my duty to suggest to Government what it should do to raise the money. This seems to be quite a difficult question in recent times. However, Government seemed to have been able to raise \$6 million, \$3 million of which came from the Currency Board, to carry out other projects. I feel that with the taking over of such a concern from the Demerara Electric Company, the money can be raised by the floating of a loan. There is also another superficial difficulty which I can anticipate and that is that the Demerara Electric Company may want more money for its equipment than the fair value. I do not really see any difficulty forthcoming at all, because in the first place there are provisions in the Law for arbitration and if those provisions for arbitration were not sufficient I feel that this Legislature is the place to decide on the amount to be paid on the taking over of the assets of the Demerara Electric Company Limited.

I have heard that many people say a great part of the machinery is derelict. I do not know, because I am not the Controller, an expert, or a technician but if Government were to go to arbitration to determine a fair value it would have to accept advice on this matter. Under the circumstances, I do not propose to go into the failings of the Demerara Electric Company. What should be discussed now are: (1) whether or not Government would take over this public utility; (2) whether or not the money for this project can be raised by this Government; and (3) whether or not Government will be called upon to pay a fair price. The Government is legislatively all-powerful and I cannot see what excuse there can be for not wanting to take over this Company.

Some of the uninformed have also said that it would be a waste of time to acquire the company's machinery because we have in view the establishment of an atomic plant for the generation and supply of electricity. I do not know whether we will have an atomic reactor for what purpose. Even assuming that we did get an atomic reactor, the consensus of opinion compels us to agree that it will take some time to set up that equipment. *"While the grass is growing, the horse will be starving"*.

The electricity problem is an urgent one, and one which must be tackled immediately. The appointment of a Controller will not improve the situation materially when the very nature of his duties, as defined in the legislation which we passed in Council last week, is considered. The Controller will not really control the Demerara Electric Company, he will merely be empowered to give directions; and in this age sabotage is not a new technique, so the controller will be controlling what is really the prevention of sabotage – and I do not put sabotage beyond the realm of possibility in this country. As I said in my opening remarks, I think that this controlling may be based on a false assumption, therefore I see no reason why I should dwell any longer on this question at this stage.

Mr. Speaker, as I anticipated, there has not been any real opposition to the Motion. I am happy to see that Government has accepted this Motion, for legislative pressure is sure to come to the assistance of Government in any circumstance which becomes too difficult.

Georgetown Electricity Supply Failure: 23rd September, 1959

Mr. Burnham: Mr. Speaker, the fact that you are prepared to put the question is, I think, indicative that the first prerequisite has been met, that is Your Honour's consent. In the circumstances, therefore, I beg to move that the Standing Orders be suspended, to wit, to permit me to move the Motion which I read earlier. It is a matter of some urgency and public concern and I hope I shall be able to gain the unanimous approval of the Members of this Council.

I do not want to clash with the Attorney-General so soon after his return, but Standing Order 64 says –

“Subject to the provisions of the Order in Council ...”

and the provision I am guided by is Standing Order 24.

Mr. Speaker, I do not believe that the office has had time to cyclostyle and have circulated the Motion which was addressed to Your Honour. The Motion is to the effect that this Council views with alarm and concern the recent electricity failure and calls upon the Government to take measures immediately to remedy this grave situation.

We had grown accustomed to periodic load-shedding in the past few months. Many of us had acquired some expertise in the handling of kerosene lamps and gas lamps. Most of us looked forward to having to use these primitive sources of light once in every seven days, but lo and behold, on Sunday afternoon or evening, there was a total breakdown as far as the majority of areas of Georgetown were concerned and since then the greater part of the City has been without electric power.

We have been told by the Hon. the Minister of Communications and Works that this was due to the breakdown of some boiler or other. We have learned that several businessmen have lost very heavily as a result of this breakdown. Those of us who live in Georgetown know for a fact that even private individuals have suffered loss as a result of the breakdown. The loss is one, and the continuing inconvenience is another; more irritating and much more disgusting, I submit, for all electrical appliances cannot be used and, for instance, one finds it difficult to keep oneself tidy without the use of an iron. When it comes to cooking, I know several citizens who have to take their meals out because all their cooking appliances were electrically operated. There is no doubt that it is a calamity; a catastrophe.

I am little bothered as to what purpose the Controller has served or is serving; but before I deal with the controller, let me refer to the undertakers, the Demerara Electric Company. As far as I have been able to read in the relevant Ordinance and the Subsidiary Legislation, the Demerara Electric Company has a franchise which has another 18 years before it expires. Yet

at this point of time we find they are unable to meet the needs of the area over which the franchise extends. I say "*meet the needs*" because it seems to me completely unreasonable to expect us to believe that because one boiler bursts that we should suffer from this inconvenience. To have no spares would be like the foolish virgins; to have no spares would be like a Guianese who with four smooth tyres sets out from Georgetown to the Corentyne without a spare tyre even, or perhaps, with no springs. It is difficult for me to be convinced that there is any explanation as far as the Demerara Electric Company is concerned. They have nearly 20 years more during which they can make handsome profits. They have nearly 20 years more during which they can sit down there and, I say, milk the citizens of Georgetown; but lo and behold, a boiler bursts and this is what happens to us – we go back to the primeval days.

I am reliably informed, Mr. Speaker that there are five units, four of which were in operation, and the fifth now being put into commission; and of these four which were supposed to be in operation there was only one unit, the boiler and turbine of which were in order. You either find a turbine working and not a boiler, or a boiler working and not a turbine. Yet individual bills are collected every month amounting to \$15, \$16 or \$20 for domestic consumption and \$600,000 profit is made on a paid-up share capital of \$425,000.

It is difficult for me to escape the suspicion – I know that my remarks here are privileged, but I will say no more than "*suspicion*"; it is difficult for me to escape the suspicion that the behaviour and conduct of the undertakers approximate very closely to sabotage, blackmail or putting the squeeze on this country. Of course, they no doubt will have their apologists in and out of this Council, but as far as this breakdown is concerned, it will take a great deal of debating skill and sophistry to convince me to the contrary.

I see smiles of approval from some Members of the Government, but let them not believe that in my opinion they are without blame. Theirs is the responsibility to ensure that the service is continued. The General Manager of the Demerara Electric Company in a publication which appeared in the newspapers said that he had been unable to order new machinery because he had been told by this Government not to order more machinery. That may be so. If it is so, I cannot see the wisdom, I can only recognise the ignorance; for no Government should have told the undertakers not to order new machinery without investigating the actual machinery and equipment there and finding out first how long that machinery and equipment would last, and I am led to believe from the information at my disposal, that a cursory examination by someone as competent as the Controller, or even less competent, would have disclosed that the machinery and equipment then with the Demerara Electric Company were not sufficient to meet the needs of the franchise area or beyond, or would be sufficient in cases of emergency.

The Hon. Minister of Communications and Works, using sign language, says that it was a previous Government that had so instructed the Demerara Electric Company. I am not here to question the accuracy of his allegation, but the old Government passed out since August 1957, and if the old Government was that inept, we would have expected more competence and wisdom from the present Government; we would have expected them to countermand such an instruction given to the Demerara Electric Company. Therefore let them not seek to confuse the people that *"it is not me, is he"* or *"it is not me, is she"*.

Part of my argument is based on the assumption that no such instruction, as alleged by the General Manager of the Demerara Electric Company, was in fact given by some Government. I am going to assume that no such instruction was given to the Demerara Electric Company. Well now, if no such instruction was given to the Demerara Electric Company, what manner of Government do we have which, recognising the approaching crisis, does nothing by way of legislation or otherwise to see to it that the equipment is made up-to-date and sufficient to meet the purpose for which the Demerara Electric Company started operating here in Georgetown.

A Controller has been appointed. What has the Controller been controlling except load shedding? I, perhaps, should show some gratitude to him because so far as I am concerned I think shedding in my area is now once in every seven or eight days instead of more frequently. Government is going to investigate. I agree, but why wait until now to investigate? I hear, but what else do we hear of the Controller? What else has been done? We hear today that today Government is saying that a boiler is burst. Didn't they hear that before? Didn't the Controller tell them that a number of boilers and turbines were not working? Didn't the Controller tell them that? Didn't they hear the management of the Demerara Electric Company does not care whether the citizens of Georgetown would be inconvenienced, but it does create a most disgusting impression on people who will be interested in coming here?

I happen to know that on Sunday evening when the breakdown occurred there had arrived people who were interested in capital investment in British Guiana, and the first thing they wanted to find out was whether that was the normal course of events in British Guiana.

Mr. Speaker, we may put the blame on the Demerara Electric Company, but I think there is a great deal to be put on the Government. It has certainly not acted in the way a Government should – a Government that is solicitous of the welfare of the people whose interest it is supposed to take care of. No doubt replies will be forthcoming from the Government Benches. It is Government's duty to reply and confute what I say. It is their democratic right. We do not want to hear about Mitchell Brothers. We want to hear about the electricity supply in Georgetown. Leave the distant future and tell us what is going to happen to us – whether we are going to have to live in this primitive state. I feel, too, that Government should consider a judicial enquiry into the working of the Demerara Electric Company.

I have said there is suspicion. That suspicion may be unjustifiable. I should like to see the good name of the Demerara Electric Company cleared if it has been slandered; I feel that the enquiry should be public. We want to hear from the Government something about these diesel engines or motors because I do not know much about diesel engines. I just know that there is no light, no iron or no stove to turn on. We want to hear more about these diesels and turbines that the Government is promising to buy, if they did, and whether they will help the situation – whether the diesel turbines are not the same type as those being used. We want to know whether Government has no ideas for dealing with this situation immediately. Has Government made any enquires or attempted to get any assistance from another source?

I understand that Malta, when it had its power failure, was lit from a warship. I want to hear whether Government has explored that possibility; and I want to know that the Government is sincere and honest when it gets here, through its representative the Minister of Communications and Works, and tells us *“it is hoped that the load shedding would not last too long”* because, according to my information, if we see load shedding end before next year we are lucky. Let the Minister of Communications and Works, as instructed by his Controller, tell us the facts and not merely tell us that load shedding will come to an end, we hope, in a short time or before Christmas. Tell us on what facts you base your conclusion. These are the things they should tell us. And if they have not yet made enquiries to get assistance from outside I shall commend the idea to them.

I understand that the British Government has ships. Certainly Her Majesty's Government will render what assistance it can in the case of an emergency, and the fact is that there is an emergency. This emergency and this situation are much worse than anything we have experienced during the last war. Indeed, my information is that this is the gravest situation anyone has ever experienced in respect of electrical power in British Guiana. It is a situation which requires prompt handling, imagination and if necessary, emergency legislation. We, on this side, would support any emergency legislation which we feel will operate to the benefit of the Company's re-establishing some measure of convenience and civilization in Georgetown. To a point of order, I did not speak as Mayor of Georgetown. I spoke as the representative of Georgetown Central.

Georgetown Electricity Supply Failure (cont.): 24th September, 1959

Mr. Burnham: (*Replying*)

Mr. Speaker, before I reply, I desire to say that I agree with the Hon. Minister of Community Development and Education. There are certain constitutional proprieties that prevent the Government from calling upon itself and in the circumstances I accept his Amendment and with my seconder's approval will have it embodied in my Motion which will consequently be changed.

It is true that from all quarters of this Council there is the realisation that urgent action is necessary, but I think a reply is still necessary because I find some strange ideas, so far as I am concerned, seeping in.

In the first place, of course, I desire to congratulate most heartily, the Hon. Nominated Member, Mr. Fredericks, for making such an excellent self-contradictory speech. He began by suggesting that we should be charitable in our comments about the Controller and Government and that we should act in a united manner, then ended up by asking "*why this procrastination?; this is the time for action*". Who but the Government has been procrastinating! May I say that charity is not one of my virtues in this Council? Why must I be charitable to Mr. Frampton or anyone else? If there is something to be criticised it must be criticised. Charity begins in our dark homes not in this debate on the electricity failure. I asked what is the Controller controlling and all the authoritative statements made in this Council have proved that I was right in asking the rhetorical question – "*what is the Controller controlling?*" He is controlling electrical power of which there is an insufficiency of supply. I was not accusing or throwing any aspersions at Mr. Frampton; and furthermore, I cannot agree with the Hon. Nominated Member, Mr. Fredericks, who believes that we should come here, and hold hands around the Table and say "*this is not the time for party politics; this is the time for action.*" If my good Friend, the Hon. Nominated Member, does not agree with the asperity which is a recognised part of the debates in legislative bodies, perhaps other climes and places are his proper habitat.

The Hon. Minister of Trade and Industry refused to accept the accusation of indecision levelled against this Government. I agree with him because so far as I am concerned I am not accusing this Government of indecision. I am accusing the Government of incompetence and/or callousness. This Government has been in office for two years. Now we hear the Attorney-General saying that we have to go quietly and investigate. Two years for them to see the necessity of an investigation!

Of course I agree that there is necessity for an investigation; I said so. But what I criticise about the Government is its dullness which has caused

it to sit down for two years before recognising the necessity for an investigation. I am not talking about indecision; I do not know about any indecision. I know that the matter should have been investigated, and that we should have had plans operating by now for remedying the situation.

I do not understand the reasons given by the Hon. the Attorney-General for not taking advantage of the powers provided by Section 30 of Chapter 237. I do not understand yet what the Attorney-General means when he says that he has been unable to see anything appropriate about the powers and penalties under Regulation 23 of the Subsidiary Legislation to Chapter 237, and that is typical of this Government. It has power but it will not use it. It is afraid of the Demerara Electric Company, but it has come here under the privilege of the Legislative Council and said that the Company is to blame. The Company is to blame, yes, but this Government is to blame for not manhandling the Company earlier.

The Hon. Nominated Member, Mr. Fredericks, spoke about expropriation. There are more ways of handling the situation than by expropriation. We are not recommending expropriation, but Government can use its power of control; it can use the law to control the Company. The Company refused to put in new machinery, but what does the Government do? It sits down and waits until a boiler bursts on Sunday. It appointed a Controller to control a non-existent electric supply. If the Company was impertinent and intransigent, Government should have come to this Council for the necessary power. If it considered, on the advice of the Attorney-General, that Section 30 of Chapter 237 and Regulation 23 are insufficient, it should have come here for the extra power. That is what I am criticising Government for.

I am not unaware of the fact that the Company has been callous; not at all, but I feel that the Government has not been aware of its responsibilities. It is not party politics. That is my conviction, because if we allow Government to get away with it at this stage we shall have some other public service disrupted in this country and we will be told again that we must be above party politics and join hands. We know what the situation is, but the remedy is in the hands of the Government. Government knows of the conditions under which it can decide to buy the plant or not to buy the plant. It is only our duty to bring to Government's attention the enormity of the situation, but it is for the Government to remedy it – not to come here and say "*Do not have party politics*". What are we here for – Sunday school?

The Minister of Trade and Industry has accused the Hon. Member for New Amsterdam Mr. Kendall, of using agitational slogans – a professor lectures his youngest pupil. He has spent years in and out of this Council using slogans at the street corners, and recently he has been telling rice farmers in the country that he will not give servants one penny more on their salaries. This, indeed, is the time for agitational slogans, and the time when the incompetence of the Government should be brought to the attention of the country. I am happy that they have seen wisdom, and I thank them for accepting the Motion.

Motion on the Second Reading of the Land Bonds Bill: 30th September, 1959

Mr. Burnham: Personally, I do not see the necessity for dealing at great length with the Bill which is before the Council, but there are certain observations which I think are both apposite and relevant. In the first place I must congratulate the Hon. Minister of Communications and Works upon his admission as to who are the originals his revolutionary Government copies. He pointed to Sir Frank McDavid as the invisible mentor behind the Bill. I suppose when one is in a difficult position one is entitled to seek any kind of refuge, though I am a little surprised that the present Government should have both the brass face and the temerity to cite Sir Frank McDavid. So far as I am concerned, however very eminent an authority Sir Frank McDavid may be, the mere citing of his name neither impresses nor frightens me.

I am also a little surprised at the regular references that have been made on the Government side to the fact that some Members sitting on this side of the Table have under another regime voted for the Acquisition of Land (Land Settlement) Ordinance of 1957. I thought that by now it had been clearly understood that there is some type of joint or common responsibility between Members of the Executive Council. I see that inquiry is being made. The Financial Secretary is the person from whom to acquire proof as to what was the position of other Members of the Executive Council in 1957.

I thought that by now it had been recognized that with the joint responsibility which obtains amongst Members of the Executive Council it is somewhat of a blow below the belt to accuse someone who happened to have been a Member of the Executive Council of supporting a particular measure, because even in the PPP Government we find it and I know for a fact – I am sorry that the Hon. Member for Eastern Demerara, Mr. Beharry, is not at present in his seat. He is the only ex-Minister whom I would have preferred to refer to now, and there are at present Ministers who from time to time disagree with the majority decisions of the Executive Council but come here and vote for particular measures. I see nothing wrong with that. I hold nothing against people who do that, but I must observe that the Minister of Communications and Works, who is a Member of the Executive Council, should know that a Member of the Executive Council, according to the customs and usages, normally has to vote according to the majority, for even on the Government side many a backbencher has to vote as the Government Whip dictates, and it would obtain also so far as the Executive Council is concerned.

Enough has been said with respect to the substance of the Bill for me to attempt to repeat, but I desire to observe one fact before I take my seat, and that is that though capital has been made of the fact that technically this Bill has nothing to do directly with land acquisition but merely prescribes how

payments for land that is acquired are to be made, it does seek to amend Ordinance No. 13 of 1957 in a material particular. If one were to look at clause 14 of the Bill one would recognise that Subsections (4), (5) and (6) of Section 7 of the Acquisition of Land (Land Settlement) Ordinance, 1957, are to be re-numbered (5), (6) and (7) respectively and a new subsection (4) inserted.

I did not have the advantage of hearing the Minister on the new subsection (4). If perchance he attempted to explain and to give an undertaking that it will not be used for unreasonable or nefarious purposes I do not apologise for still criticising its insertion for, as I understand it, that subsection is such as to empower the Government eventually to seek to acquire compulsorily land, the greater part of which is beneficially occupied or utilized for agriculture. It is capable of another interpretation, but speaking for myself I should say that certainly it does not seem to be a provision which should pass this Council, for if the greater part of a particular block of land is beneficially occupied and/or utilized for agriculture it is somewhat unfair, merely because a small and maybe infinitesimal part is not so beneficially occupied and/or utilized that the whole should be compulsorily acquired.

If one looks at Subsection (1) of Section 7 of the Acquisition of Land (Land Settlement) Ordinance, No. 13 of 1957, one will see that that Subsection is so phrased that the emphasis is whether or not the land is beneficially occupied or utilized for agriculture. In other words, I would submit that the average Court interpreting Subsection (1) would be inclined to the view that if a substantial or the greater portion of land is beneficially occupied and/or utilised for agriculture, it would not be a proper case for acquisition merely because a small part is not occupied or utilised; but Subsection (4) is so worded that it can be a milestone around the necks of persons who have beneficially used the greater part of their land.

I am inclined to be most charitable today, and consequently I shall attribute no ulterior motive to the Hon. Minister. I shall merely say it was a slight oversight which I hope he will remedy. He did not tell us in the Objects and Reasons why Subsection (4) was introduced. As I see it, Subsection (4) was calculated to give power to the Government to seize land – let me use a more legalistic term to acquire land – even if the greater part of that land is beneficially occupied or utilised. Whatever may be the intention of inserting Subsection (4), may I point out that the intention of the Legislature is immaterial if the words in the laws are clear. Those words as they stand will give power to the Government which I think should not be given. If my original suggestion that this is a deliberate insertion for a specific purpose is correct, it may be answered by a statement by the Government or from the Government side that if a small part of a plot of land is not beneficially occupied or utilised there is no sanction applied to the owner unless he acquires the whole land.

That may be the answer, but to that answer I will give this reply: if one finds there is a hiatus in the law or a blank in the legislative provision, there are other ways of remedying it apart from this means which, to my mind, is both unfair and unfortunate and unreasonable. When the Bill goes into Committee I propose to move an Amendment to Subsection (4) of Section 7 of Ordinance No. 13 of 1957, as enacted by clause 14 of the Bill.

Miss Joyce De Barros – Termination of Services: 18th November, 1959

Mr. Burnham: I desire to congratulate the Chief Secretary on the *sang-froid* with which he clothed himself with the high office of Speaker and decided what was proper and what was not proper to be brought before this Council. I would say, with all due respect to him, it was a piece of impudence on his part to decide as to the propriety or otherwise of this Motion.

Your Honour may not think it was impudence on the part of the Chief Secretary but I am entitled to my opinion, and I think it is a piece of impudence on his part to merely dismiss this Motion on the ground of impropriety. It is for the Speaker to rule as to the propriety or otherwise of a Motion, and it is also my right to judge of the impudence or otherwise of any Hon. Member here. I should like to remark that the Executive Council has made some strange bed fellows of its Members.

First of all we have the political section of the Executive Council who, in other fields and at other times, would have been championing a case like this, but now we hear that this is not the place where it should be discussed. I cannot follow the argument. To my mind it lacks reason and logic. We heard the Mover of this Motion being complimented upon his stand in the Constitutional Committee, that the Civil Service should not be subject to political pressure, and then by a strange mental contortion it is suggested that this Motion seeks to introduce political pressure into the Civil Service. That must flow either from naïveté or a singular disregard of the facts.

As I understand them, the facts are these. A particular individual was dismissed, it is contended, wrongfully. She was relieved of her duties, or her services were terminated. If the Mover had come to this Council and asked to have that person re-appointed that would have amounted to an infusion of political influence into the Service, but that is not the Motion. The Motion is that in view of the wrongful dismissal this Council should recommend compensation for the individual, and that is something which this Council is eminently fitted to do in spite of the Renison Constitution, in spite of its Crown Colony status. We vote money here day after day, month after month and year after year. We vote special pensions for people like Mr. Bissell, but it is an intrusion of politics if we are called upon to recommend compensation to a woman who, in my opinion, has been wrongfully dismissed.

The Chief Secretary need not think that the Mover of this Motion would be so overcome by his flattery when he speaks about his commendable stand with respect to politics in the Civil Service, that he would forget his point. I fear these compliments when they come from the other side. They are like the gifts of the Greeks. It is not a question of setting this Council up as an appeal tribunal, and let us not be told about this case being documented

and sent to the Secretary of State for the Colonies. We know that it is not the Secretary of State himself who sees every file; he is too busy. It is some civil servant in some dark room in the Colonial Office who sees these files, and in this particular file he has the recommendation of the “*man on the spot*”, and the “*man on the spot*” has the recommendation of the Chief Secretary’s Office which has been very famous – and I say this advisedly and without fear of contradiction – as an office which does not always promptly forward matters sent to it for the Secretary of State. The Chief Secretary knows that what I am saying is correct. If he tickles me, I will speak.

It is an insult to this Council to tell us about the Secretary of State. He is a busy man and is more concerned about whether there is bacon on the Englishman’s breakfast table. We as Guianese must look after the interests of the people in British Guiana. We have been told that the Secretary of State is most anxious that justice be done to Her Majesty’s subjects, yet we criticised the Secretary of State for injustice to the people of Nyasaland. It shows that our concept of justice is not the same as that of the Secretary of State, and it is time we start thinking about our own people. If the Chief Secretary had got up and said that the facts in this case are inaccurate we could have lent him an ear, and then perhaps he might have been in a position to persuade us that this is not a fit case for compensation.

No, but he, *en passant*, tells us about character references on the file. What did the character references say? What was found wrong with the character references after? I hope this is not a prerequisite to joining the Service, established or unestablished – that the female of the species in the Service must be virgins – for I do not know how many of our young women would be appointed. I cannot understand this vain propriety and Victorian morality. Why were the services of this lady terminated?

I do not know about the case, but from what I have heard said by the Mover of the Motion I am satisfied that it is a case of wrongful dismissal. If you cannot say everything, you have got to yield. This is a public forum and facts as he knew them. You see, this is the difficulty of having Officials in this Council. They are too steeped in the secrets of the Civil Service, in saying what can be disclosed and what cannot be disclosed.

What picture would the *Hansard* carry? It will carry a picture of clear documentation; it will show a picture of the facts in favour of compensation to this lady and, on the other hand, a number of clichés and the fact that the Secretary of State has a *penchant* for justice. So far as I am concerned I am satisfied, from what I have heard in this Council, that this Motion deserves the support of all well-thinking Guianese and of all legislators who have a sense of justice and who are not over-awed by the niggling technical objections raised by the Government. May I express my deepest sorrow at finding the Hon. Minister of Communications and Works making himself an ally of the Hon. the Chief Secretary in these circumstances? The Executive makes some strange bed fellows.

Appropriation Bill – Budget Debate: 20th January, 1960

Mr. Burnham: Mr. Speaker, before the adjournment was taken last night I had described the Budget Statement as gloomy. I remember that I said it was uninspiring. Uninspiring, Sir, not from the point of view of its literary composition, which is of the usual high order, but uninspiring from the point of view that careful study of it gives no promise and no real hope to anyone in our community.

I am not unmindful of the hopes expressed from time to time in the Speech, but these hopes are based in many instances on guesses and hopes, the piety of which can hardly be surpassed. In proof of my comments on this Budget Statement, I propose to examine rather closely and carefully the greater part of the Speech.

Very early in the Speech, the Hon. The Financial Secretary, after apologising for the lateness of the Budget – which he partly explained by referring to the fact that the Development Estimates had to be promulgated and that Members of this Council who were most intimately concerned with it were personally involved as employers in an industrial dispute – he went on to trust that Members would find little that was controversial in either the Recurrent or the Development Estimates. That trust was in doubt based on the fact that there was no proposal of any moment for the increase of taxation. We, unfortunately however, on this side of the Council do not find the Budget non-controversial merely because no tax was introduced. I for one find it controversial not for the taxation not introduced, but for the things not said, for the plans not adumbrated, for the lack of foresight on every one of the 24 closely-typed pages.

In paragraph 2 of his Speech, the Hon. the Financial Secretary pointed out that the Gross Domestic Product had increased from \$160 million to \$208 million over the period 1952 – 1956. His provisional figure for 1957 had been, originally \$223 million, and even last year he forecast a drop of the 1958 figure to \$208 million, which represents a reversion to the level of 1956. Last year he deduced, as he now admits from the figures, that it is not fair to describe the country of British Guiana, as stagnating. It is a little difficult to follow his logic on this point because the figures of 1958 represent a reversion to the 1956 figures – a period of two years over which period, of course, the population would have increased. At last, Mr. Speaker, I recognize what he means. He means it is wrong to recognise that stagnation connotes standing still. According to my way of thinking, however, the figures disclose a marching backwards, economically.

He, however, makes a concession this year. The Gross Domestic Product for 1959 is likely to be \$224 million when the economy as a whole, and here I quote,

"... is still marking time. Sugar has fallen back since 1958 and will be well below its exceptionally good year of 1957."

We are informed that rice shows signs of giving a fillip to our economy. Later on, Mr. Speaker, I propose to deal with this question of rice, the accelerated production of which has been described by Miss O'Loughlin as being referable to social and political reasons rather than to economic ones.

When the Hon. the Financial Secretary comes to deal with the volume of trade over the year 1959, he remarks an unfavourable balance – it was lower than 1958. Perhaps, in a fully-developed country and in other circumstance that would have been a fact of which we would have been proud – a fact which would have given us some pleasure; but in an under-developed country like British Guiana where we are seeking to increase our industrial output, where we are seeking to increase the number of industries in this country, an unfavourable balance of trade which is explained by the fact that there was less importation of heavy machinery, is something to bemoan and something which is not a source of pleasure; for it means, so far as industrialisation is concerned and the introduction of new products, we have had a backward year in 1959.

There is the usual comment on our exports and some detailed reference to sugar. With his usual buoyant self, the Hon. the Financial Secretary feels confident that the challenge to the sugar industry for 1960 would be met by the industry, but what are the present possibilities of the industry meeting that challenge? The Hon. the Financial Secretary, in presenting the 1959 Budget, recognised the downward trend in price and the difficulty which sugar faced at that time. Now in 1960, while still hoping that this industry will be able to meet the challenge posed, he is faced with the fact that the free market price in the United Kingdom for sugar for 1960 is going to be in the vicinity of \$28.24 lower than that for 1959. He is also faced with the fact that the Canadian price is also going to be much lower than what it had been in the previous year. It is good to hope, but it is my contention that hopes must be based on facts.

The Hon. the Attorney-General did refer to the realism of the Budget. I am afraid it is difficult for me to appreciate what sense of realism has led this Government to believe that the sugar industry would be able to meet the challenge that faces it.

Rice exports, we are informed, for the first nine months of 1959 represented nearly \$9 million or over three times what they were for the same period in 1958. Of course, that is very good but, as we shall see later and as has been admitted in this Council by the Hon. Minister of Trade and Industry, rice is a marginal crop. During 1958, it represented only 5% of the national production, and if we are to place great hopes on rice at this stage, then we shall see later that rice is problematic. Now I cannot come to any other conclusion than that this Government is trying to lure the public into a false sense of security.

Even though we have noted that the latter has increased in value, the export value is only 11% greater than of 1958. Yet as I noted and heard these facts and figures in respect of the latter, I was wondering whether this Government would find it possible to investigate the situation further and see whether, by way of incentives if there is the market, the industry may not be encouraged to double or, rather, increase its production. Latterly I have more than a suspicion that this Government, though willing to make concessions to new industries, is not sufficiently forward-looking to recognise that industries that have existed for some time can be given the incentive of tax holidays if the industries propose to increase their production and employ more persons.

It is usual in every Budget which I have had the good fortune to hear, that reference, of course, is made to bauxite, sugar and rice. Value-wise they are the 'Big Three' of our economy as confessed by the Hon. the Financial Secretary. Examination shows that they may change their order but the fact that they are the three industries on which we mainly rely, therefore one is almost tempted to be sacrilegious by saying, "*As it was in the beginning is now and ever shall be*". Surely, I would add, so it will remain as long as we have this unimaginative Government.

We know there has been some recovery of the bauxite industry but less than was anticipated in 1959 by the Hon. the Financial Secretary. Here, again, it has been established that this Government has been inaccurate in its guesses. Of course, we understand that the value of calcined bauxite in 1959 was 45% higher during three-quarters of the year than the volume over the same period in 1958. But I wonder whether the Hon. the Financial Secretary would not have been good enough to tell us what were the figures for 1957, before the recession intervened – were they 45% higher in 1959 than in 1958, the year of admitted recession? We did not get much information. We are not in a position to know. We have to rely entirely on the Financial Secretary to say whether the level of export in 1959 reached the level of export in 1957, before the recession. And even if the level of export would show that 1959 was as good a year as 1957, that does not mean progress, especially when, as in this case, we have to bargain with the fact that the population has increased year by year.

What strikes us as a little strange on this point is that in spite of the world recession of bauxite and aluminium a new project has been started in our neighbouring country, Suriname, in which I understand, 150 million guilders have been spent. It is not enough to come to this Council and from time to time say that things are bad, our economy is at a standstill, our bauxite exports are low because there was a recession. Did the recession have no effect on Jamaica? Did the recession have no effect upon Suriname? I am led to the conclusion that there are other factors which have contributed to our economy standing still over the year 1959, which factors I shall attempt to refer to later.

In fact, one of the factors to which I should refer finds me a plagiarist, for I am borrowing words from the Hon. the Financial Secretary's statement which he made in 1959. As I understood him, the Suriname Government was not merely piously hoping that foreign industry would find the country attractive but, first of all, it has an overall Planning Unit coordinating the efforts of planning units set up in each sector, then advertised the potentialities of the country and studiously sought the favour of the Alcoa Company. In cases of under-developed and undeveloped countries, the Government has to court foreign investors in the same way as a young man seeks to court the love of his lady friends. It must be remembered, first of all, that to say we have not the industries to buoy up our economy is not enough to inspire those who are in a position to help us. Secondly, so far as I know, there is not a surplus exportable and expendable capital in the world and, furthermore, British Guiana is not the only under-developed country which seeks to attract capitalists and investors to its shores. But more of that later.

We join in the shouts of joy with respect of the success story on diamonds for the year 1959, and we note with pleasure that the Imbaimadai area was thrown open to "*pork-knockers*" during the past year by the present Government, but we bemoan the lack of foresight on the part of the Government in merely throwing open the area without making available such transport facilities as are necessary if "*pork-knockers*" are to take full advantage of the area thrown open. It is an incontrovertible fact that "*pork-knockers*" cannot get to Imbaimadai. It is only the man with the deep pocket who can reach there. It is not that we grudge the deep pocketed man the right to get into that area to mine diamonds, but one would have thought that the Government would have sought to make the facilities such that both the rich investors and the small "*pork-knockers*" would have been able to take advantage of mining in this new area. Perhaps someone may say that the absence of foresight in this particular question is typical of this Government.

We note with the same amount of sorrow as the Financial Secretary, that the B.G. Consolidated Goldfields, Ltd. has left these shores, and that the production of gold has suffered. But what does this mean? "*That there must be still some gold in those hills and rivers, and if there is, the "pork-knockers" will undoubtedly find it,*" to quote the Financial Secretary. I should have thought that first of all we would have known why the Company left; we should have ascertained exactly what were the potentialities with respect to gold in that area, and if we were satisfied from the reports of our experts, both financial and geological, that we would have publicised the fact that there is a workable reserve of gold, and as would have been done by other countries in our circumstances, gone out and sought to interest would-be investors. We admire the "*pork-knockers*"; they are the backbone of our mining industry, but the existence of the B.G. Consolidated Goldfields, Ltd., is proof of the fact that we cannot depend entirely upon "*pork-knockers*" if we are to increase our output of gold and /or diamonds.

We note that the Manganese Company will go into production, and we are happy about it. We suspect that one estimate of this Government with respect to revenue for 1960 is likely to be pretty near right, that is, the estimate of reality to be obtained from manganese mining and exports from British Guiana.

The Financial Secretary, in paragraph 9 of his Budget Statement, proceeds to deal with imports. He points out, as I have already remarked, that there has been a drop in the unfavourable balance for reasons which I think are bad for the economy of the country. It is interesting, however, to note with regard to consumer goods, that there was a decrease in 1959 in imports of beverages and tobacco, but food imports were virtually the same. That again is part of the gloomy picture. The year 1959 found more people living in British Guiana than in 1958. If this decrease in imports of beverages and tobacco and this standing still in the volume of food imports were reflected in an increase in the domestic product then perhaps it might have given us less bother, but from the lips of the Financial Secretary himself we hear that there is no significant increase in domestic products, and consequently, the conclusion which I draw from this fact, which is narrated at paragraph 9, is that this is another piece of evidence that there was less money in circulation in 1959.

The gloominess of the picture deepens when one considers the Financial Secretary's account in paragraph 10 of his Budget Statement, of gross capital formation during the past year. After remarking on the increase of \$8 million between 1954 and 1955, \$2 million between 1955 and 1956, \$15 million between 1956 and 1957, and then \$5 million between 1957 and 1958, he says:

"There is unlikely to have been the same increase between 1958 and 1959 but no significant falling off in the level of savings or investment."

Perhaps in his reply to the debate the Financial Secretary will tell us on what facts he bases this belief that there will be no significant falling off in the level of savings or investment in 1959 as against 1958. Then in paragraph 11 he says:

"It is encouraging that consumer prices have risen little over the past three years: the British Guiana Consumer Price Index for September, 1959 was only 2.9% above the 1956 level – an average increase of less than 1% per annum."

That is indeed encouraging to the point that there has been an increase of less than 1% per annum, but what does it really mean? Does it mean what we find in paragraph 11 –

"This relative stability over the past three years of consumer prices and also, despite recessions in our major exports, of production generally, is quite an achievement."

I would have thought that the stability of the consumer prices, if we accept the figures given by the Government, which for present purposes I am prepared to do, really represents the absence of increased spending power in the community. If there was a mild inflation, if there was more money floating around to buy those consumer goods it is likely that the index would have risen. This stability I cannot see in the circumstances connoting anything else than the fact that there was not an extra splurge of spending; that there was not an extra amount of money to go around. I cannot see that this happened in spite of recession; it happened because of recession. Because there was recession there was not the money. Perhaps there is a difference of prepositions between the Financial Secretary and myself.

The prospects for 1960 are then outlined by the Government spokesman. There will be the large construction programme at the Bauxite Company for the erection and completion of the alumina plant, and the labour force should be substantially increased. I understand that labour force now stands in the vicinity of 850 or 900. It is expected that the construction of the plant will be completed within the next year, and that the labour force required for the operation of the plant will be 400. So that the sooner it is completed the greater will be our problem, unless something happens, because the labour force required after completion will be 400 or 500 as against 850 to 900 at the moment.

We find that the Government has given tax concessions to a number of new industries. That is very good; that is something to be supported, something to be admired and something for which I think the Government should be complimented, but I do wish that the Government, through its spokesman on the Budget, would give some idea as to the number of such industries which have been given tax concessions, the nature of the industries and the expected amount of capital expenditure. A number just means a number; 1 is a number and so is 2. We would really have been most grateful if we had much further and better particulars on this particular point. Nor is it enough to allude to the fact that there have been tax concessions. In a country like British Guiana we want to know that the Government not merely grants concessions to those who come, but that the Government makes efforts to attract those who have not yet heard of British Guiana, or who do not yet know, but merely to sit here in the slips, so to speak, instead of being at the bowler's end, is what we deprecate from this side of the Table.

Agriculture, we are told, for its success will depend on our having reasonable weather conditions. We agree with that, *pro tem*. And we are informed that,

“For rice there will be an increased acreage as large areas of additional land come into production from the efforts of individual farmers in extending their cultivation, and from the drainage and irrigation programme.”

Mr. Speaker, at this stage it is apposite for me to make some observations on the rice industry in British Guiana, and say whether this expected fillip from the rice industry is really one that we can have great faith in.

In the first place, let me say that I appreciate most deeply and earnestly the contribution which the rice farmers have made to the economy of this country. However, I cannot under-estimate the contribution – we should not under-estimate the contribution which the rest of the community makes towards that industry. Of \$24 million to be spent during 1960 on development, over \$7 million will go to drainage and irrigation. Drainage and irrigation, as we find here in the Budget and in public statements by Members of the Government, were meant primarily to bring under cultivation more land for rice.

To drain and irrigate one acre of land in the Black Bush area costs approximately \$500. We all agree that it takes about 15 acres to set up one family. That means that for drainage and irrigation alone, for one family, the cost is \$7,500. What about the clearing of the 15 acres? It will be conservatively estimated at another \$2,500. The result of that: it costs about \$10,000 to set up a family. Apart from that, it must not be forgotten that there are concessions to the industry – I say reasonable concessions, I say deserving concessions – such concessions as duty free gasoline. One has to ask oneself, what proportion of that contribution to the setting up of one family is repaid or repayable?

I am not saying it is wrong to subsidise an industry. I am saying it is wrong not to recognise that you are subsidising an industry, and at the same time it is wrong not to recognise that that industry represents only a small percentage of your domestic product. And the profit of that industry, as has been admitted by the Minister of Trade and Industry, is comparatively small.

The question is, therefore – and we expect the Government to pose an answer – is it worthwhile to spend so heavily for the direct purpose of increasing the rice production? Maybe the answer would have been, yes, but we see no evidence of the fact that they have thought it out.

And having produced rice, the next question is the selling of the rice. We have it on authority as high as the Chairman of the Rice Marketing Board that the world price of rice is falling. We have it on very high authority – Miss Carleen O’Loughlin – that a problem facing those responsible for planning the industry’s future is *“Can British Guiana remain a competitive seller to West Indies markets?”* In which connection she states, at page 116 of Volume 7, No. 2 of *Social and Economic Studies*, in her paper on **‘The Rice Sector in the Economy of British Guiana’**:

“Clearly at certain market prices it may be cheaper for the West Indies territories to import Far Eastern rice.”

I am reminded that this was published in June, 1958. But the validity of the proposition has not changed with the passage of a paltry 18 months.

Another question posed by Miss O'Loughlin was, "*Should long-term economic planning and government investment be geared to an expansion of the rice industry?*" She added:

"For the present the government appears to be firmly committed to an expansion of the industry, and a considerable part of development expenditure is going to provide drainage, irrigation, and land clearance with a view to rice cultivation. The immediate need for such action results from the lack of alternative employment for British Guiana labour, which shows itself in the form of land-hunger on the part of rice farmers and their families. It is perhaps pertinent to ask however whether such a policy is, in the long run, likely to further significant economic development."

Can rice production, as a major national industry, ever provide the regular employment and high average levels of income which are two of the main objectives of economic development? If it is admitted that rice production is unlikely ever to be a high standard of living industry, should not capital expenditure be geared to providing other outlets of employment rather than the expansion of rice?

After investigating the statistics with respect to the income from rice, Miss O'Loughlin stated, and may I finally quote her:

"...the estimate ... indicates that the valued significance of rice industry is extremely small as compared with the significance in the political and social fields."

If the Government had said, "*we have considered the relevant questions and we have decided for political and social reasons that we should expand nearly one-third of the development capital for 1960 for the purpose of putting more lands under rice cultivation*" I would have understood, but we have not been favoured with the reason. For my part, I would have thought that efforts would have been made in the uncertain circumstances of today to switch that development expenditure to another field in which results were likely to be less uncertain. I consider it a grave wrong, not only to those who have to bear the cost of servicing the Public Debt, but a grave wrong to those who are going to fashion to increase the area under rice production when (a) you do not have a proportionate contribution to the domestic product, (b) the margin of profit, which is at the moment low, is likely to be lower if the prices in the world continue to fall and we have to compete against countries which produce rice more cheaply. It would mean that these people will fool themselves that they are employed, and in the end we will find that they will put in more than they can possibly get out to their gain. As Miss O'Loughlin remarks, the emphasis may be for political and social, rather than economic reasons.

There is, however, a gleam of hope that the Government is beginning to bestir itself in the field of agriculture; we find there is reference to the fact

that there will be an attempt to diversify the agriculture of this country. I agree with that. Who is he that would not agree with such a plan? But what do you find? We just find a few lines. There is not enough detail of the plan for diversifying of agriculture and the repercussions upon the rest of the economy after we have diversified our agriculture. We do not even find an attempt to strengthen the education personnel of the Department of Agriculture, which is the Department that will see that agriculture is diversified.

To what extent is there an increase of personnel? A few? Yes, a few. In this mighty project in which all Guianese must be involved a few extra Agricultural Officers will not be enough. It is not a question of growing crops, it is a question of teaching people how to grow other crops, and it is a question of having the maximum assistance. And at the moment I can say from my personal knowledge that the Agricultural Officers in the Districts are over-worked and physically incapable of undertaking all the tasks which they are asked to undertake. But, of course, such wide vistas are only possible if you see the entire picture, if you see the plan as a whole. And as the Hon. the Financial Secretary winds up his assessment of the prospects for 1960, he says:

"We are still in the position that sugar, bauxite and rice account for 90% of our exports, and if anything untoward happens to one of these, for climatic or external economic reasons, our expansion is held back."

With all seriousness, I would have thought that it is unnecessary to repeat this. So far, it is repeated three times in his Budget. We agree. We are *ad idem*. But what we want to see is that attempts are being made to remove the country's economy from being dependent on three products, the prices of all three of which we cannot control; and in the case of one we have to battle with the elements.

We are reminded that the 1959 Budget proposed that \$1.7 million was to be transferred to the Development Expenditure for 1959. There, of course, was a shortfall. The main shortfall of revenue was from customs and excise. Would you believe, Mr. Speaker, that the error on customs and excise was as high as 8%? What type of Government do we have here that makes an error of 8% in \$22 million? I did not think the task of Government was the ability to guess. Certainly, the trends of 1959 were recognised at the beginning of 1959 – the recession, the fall in sugar price. Why, then, has the Government come to this Council in 1959 and over-estimated so terribly a revenue which was likely to come from customs and excise?

But may I remind this Council, when we come to deal with the question of beer, of the words of the Hon. the Financial Secretary, uttered here in 1959. He said, here, in one of his hopeful moments: *"I have no hesitation in assessing the additional revenue yield at \$250,000."* That was on beer. This

year, the yield on beer for 1958, he estimated a \$250,000 increase; we see \$2,000 less. Then we have the explanation that since the tax on beer is paid two months after it is brewed, there was collected in 1959 tax on beer that was brewed in 1958. Why wait until 1960 to recognise that which you should have known in 1958? Why over-estimate by \$250,000?

Of course, it is not for me to say that the failure of beer to yield the large revenue which was anticipated can be explained by the fact of the tax. I have not considered it sufficiently and closely. There may be others more *au fait* with all the relevant facts. You may say it is because you put on an extra tax; but what else was the reason? And now I am not questioning the fact of the tax. Whatever was the reason to find an error of 33 1/3% is to find proof of gross incompetence on the part of Government; and may I make haste to say that the incompetence of which I speak in this context, as far as I know, is not the incompetence of an individual. It is the incompetence of the Government. Of course, as I had reason to remark last night, in some places unpleasant facts are beautifully passed over.

We are told that there was a substantial increase in tobacco duty. What was that increase? There was the suggestion of \$450,000 which was anticipated for the whole of the year. But still, what was this substantial increase? Substantial can be a very subjective word. To the pauper one dollar is substantial; to the millionaire one dollar may not be substantial. So we are entitled to know how far does the shortfall go? We must however, admit that the Government confesses its manifold sins and wickedness, for in paragraph 16 it says:

“It is clear that the original import duty estimates as a whole were based on too optimistic a view of the speed of recovery from the local recession of 1958.”

We must say they had admitted that, but it is one thing to admit one's fault and another thing to have either the intelligence or desire to learn from the mistakes of the past. And I do not see any evidence of this Government learning from the errors of 1959.

I hope to do that, I proposed to seek the wishes of the Council to continue my examination of the Budget.

And I wonder, at this stage, whether the absence from the Government of economists and statisticians, an absence to which I made reference way back in 1957, does not, in some way, explain the error which led them to be so optimistic over the speed of recovery from the 1958 recession.

There is a reference, here, to a *“temporary reduced spending and general cautiousness in the commercial world which followed the pattern of 1958.”* But it would appear that by the time we reached the end of 1959, the proof of caution shown by the commercial world was justified. There is a peculiar thing towards the end of paragraph 16 of this Budget Statement. It reads:

“It must be remembered however that the collection will still be over a million dollars more than in 1958, and as regards the actual figures for 1958 and 1959, I think it is true to say that the picture has been somewhat distorted by the large amount of extra import duty received towards the end of 1958 as a result of accurate divinations of some of the increased duties which took effect from January, 1959.”

That seems to me – if I am wrong I am prepared to stand corrected – that there was a Budget leakage at the end of 1958 and as a result of that the Budget for 1959 was affected, which was a serious thing for a Government. It means that the security measures – an admission by the Government – are not sufficiently stringent. Is it that the Executive Council Members are so dishonest to commit a breach of the Official Secrets Act by divulging Executive Council secrets to members of the public? For the Financial Secretary to stand up here and virtually admit that there was a Budget leakage –

The Hon. the Financial Secretary did not say so in so many words, but I am entitled, though my ability to interpret polysyllabic may be poor, to interpret what I read here; for you did not collect what you had hoped to because of acts of divination.

Mr. Speaker, are we to assume that the men of the commercial world are obeh men?

I have already alluded to the fact, which appears in paragraph 18, that there was a shortfall of \$2 million on the estimate for Customs and Excise, and there was a very interesting observation made by the Financial Secretary in paragraph 19 in referring to his Budget Speech of 1959 –

“I emphasised, however, during the course of the debate that my instinct was that the customs duty was over-estimated and the income tax revenue under-estimated.”

Every year that has happened. That is one of the things which lead me to say I doubt whether this Government is learning from its errors of the past. It is all right to under-estimate one Head and over-estimate another, and hope that the under-estimate would make up for the over-estimate, but I have a penchant for accuracy. I have a high admiration for ability, and I think that neither my penchant nor my admiration is satisfied by this recurrent error every year. You make a guess of Customs revenue and your revenue from Income Tax, but although both guesses are wrong, together they work out not so badly. But the art of guessing is not a prerequisite for governing. From these guesses and hopes which we find besetting these Budget Speeches I am led to believe that those who are responsible for our fiscal and general policy would do better if they turn their skill to the poker table and use dice.

Let me give the Government its due. There is a very sound suggestion in this Budget – the suggestion that we should give serious consideration to

changing the financial year to some more appropriate period. I think that in certain instances and at certain points they do deserve a measure of praise, and this I willingly shower upon them so far as it pertains to the suggestion of a new financial year.

We note – at least so it is alleged – that there was strict economy in expenditure during 1959, and as a result we made a saving on expenditure. But is that an appreciable amount? Is it really worthwhile mentioning? The mention of it in the circumstances which I shall examine seems to suggest that the Government is seeking to pat itself on its shoulder wherever it possibly can. The saving under Public Debt was \$562,137 in an overall saving of \$776,899, but the saving under Public Debt was really a temporary one, as the amount has been transferred to this year's Estimate. But the picture that the Financial Secretary attempts to reveal is that there was a saving of \$776,899 in a Budget of \$47 million, when in fact it is a mere \$214,762.0

We agree with the Government when, through its financial expert, it says:

“Taken as a whole 1959 must be regarded as a rather discouraging year from the Government revenue point of view, for total receipts will not have been very different from 1958.”

We were told previously that we are merely at a standstill. In 1959 we were told that the figures proved that we were progressing. But I will continue quoting:

“However, we had only budgeted for an increase of \$200,000, and from this point of view the result is reasonably satisfactory.”

My comment is: poor consolation to the people of British Guiana.

There is not much that is really controversial or worthy of comment so far as the other section of the Budget Speech which deals with the General Revenue Balance is concerned, except that I look forward to hearing the Financial Secretary tell us what there is against Treasury Bills for short-term borrowing of the day-to-day business of the Government – short-term borrowing for which, in my humble opinion, Government would find enthusiastic support from the public who would have an opportunity to make a bit of profit very quickly and over a short period.

We come now to consider Government's proposals for expenditure in 1960. In paragraph 23 of his Budget Speech the Financial Secretary says:

“Honourable Members know by now that the Government's aim is to peg its recurrent expenditure where it can, in order that as much as possible can be applied to an investment programme which will strengthen the economy permanently as well as provide employment in the meantime. We have had perforce to strengthen

this policy for the 1960 recurrent budget. It is obviously an inevitable concomitant to a large investment programme which is dependent to a high degree on borrowed money that the annual debt service should increase. The rise of the Public Debt Head by \$1.4m accounts for almost half the recurrent expenditure estimates. The next largest increase is on the Education Head which rises from about \$6.4m in 1959 to over \$6.8m in 1960."

Apologetically and sorrowfully we are told that the increased expenditure in 1960 as against that of 1959 is accounted for by the rise in the Public Debt by \$1.4 million and a rise of \$4 million under Education. There is no doubt that in the recurrent estimates there is an extra \$4 million allocated to Education. There is no doubt also that this Government adopts a wrong attitude towards the spending of money on education. I have heard my Hon. and learned Friend, Mr. Rai, speaking publicly at the Speech Day at Queen's College, and telling the public something to this effect – fortunately my friend writes his speeches; I do not share his good fortune – that he does not recognise the need for any extra expenditure on Education; that the emphasis is to put money into what may be called the productive sector of the country's economy. So that by inference and implication education is not productive so far as this Government is concerned.

My friend is entitled to make a personal explanation. Are we to accept his *ipse dixit* that what I am saying is not correct? It is for the Speaker to decide, since the Hon. Minister has not condescended to tell us what he did say. I am insisting that my conclusion was the only one that could be drawn, and it is borne out by the facts and figures contained not only in the Recurrent but also in the Development Estimates with respect to Education.

I accuse this Government of propagating the fallacy that education is not productive, for while it spends millions of dollars on drainage and irrigation to grow rice under the Development Estimates, it spends about one-third of a million dollars, \$820,000, on Education. The old school of economists used to think that education was not productive because you could not sell it and make profit directly. But you can sell rice at a loss! In an under-developed country like this, in a country which at the moment is seeking constitutional advance, and quite rightly so; in a country that seeks to impress upon the world the fact of its nationhood; a country the leaders of which are clamouring for independence, are we going to neglect education? Who will run our industries? Who will run the Administration? One of the most productive sectors, I submit, is the sector of Education, and that cannot be overemphasized. I observe shaking of heads, but I see no increase of votes under the Head Education.

During 1959 Government built no schools. Can the Minister of Education deny that not a single school was built by Government last year? Where are the schools? I know that the erection of six schools was started

later in the year, and I know that a school was built at Strathcampbell, but it was not built by the Government. If the Hon. Minister can give me a list of schools that were built, I will apologise immediately, I will do obeisance. What good has been this transfer to the Public Works Department of the building of schools? That they should start building in October?

Mr. Speaker, this question of education runs further than building schools. Primary education is something towards which I think this Government has taken a parsimonious attitude. Schools are to be built. Teachers are to be trained. I hear schools are being built in 1960. I do not consider that they were being built in 1959. I hear teachers are being trained, but at what rate are these teachers being trained? Are they being trained at such a rate as to be able to take care of the loss? (The Hon. Minister of Community Development and Education no doubt wants to speak twice, both from his chair and on his legs.) Secondary education: this is, in its broadest sense, and the sense which I am sure will find support from the Hon. Minister, not merely secondary academic or classical education, but secondary technical and vocational. What plan have we for that?

I tabled in this Council over a year ago a Motion for an extensive scheme of training which would enable Guianese to take up all the higher posts in the administrative and technical branches of the Public Service. This Government should adumbrate a plan immediately to have Guianese trained to take over all administrative and technical posts in the higher brackets. I have not had the courtesy of having the Motion debated. At least, if you disagree with the Motion, come here and throw it out. If you have already implemented what I have said in the Motion, do me the courtesy of coming here and saying, "*You, the Member for Georgetown Central, are living in the past, for we have done this already.*" But not a word. That is Government's attitude.

Cut the University vote. Spend a few more dollars on primary education, and pat yourselves on the back – "*because we have spent an extra \$400,000, we have done well.*" In public speeches you say that emphasis is laid on the developmental sector, the economic sector, the productive sector, and by implication you say that education is not a productive thing. You must have education to train your nationalists, unless you are going to depend upon people coming here, out of the largeness of their hearts. In Nigeria there was no farsighted educational programme for training from top to bottom, and that country is going to be much more dependent upon administrative and technical staff from abroad than other territories which recently got their independence from the colonial yoke.

It is all right to talk about independence, to blow your trumpet about independence, but if it is going to be all right, you have to train intelligent, competent persons to take over. Ordinarily I would not have emphasised that so much, but it seems necessary in the present atmosphere.

Mr. Speaker, I submit that this Budget, the responsibility for which must be the Government's the Majority Party's, expresses the Government's view

point. They have been in office since 1957, and they must have learned by now to see that the Financial Secretary does not recommend anything with which they do not agree. Therefore when the Financial Secretary comes here and says:

“As Members know the Government has already agreed to pay a minimum wage of \$2.75 a day as against the former \$2.52 and to make adjustments in related daily and weekly wage rates and related ‘B’ and ‘C’ scales.”

And goes on further to say,

“It is hoped to be able to make economies in most of the departments to accommodate this rise within the figures which are being presented to Members.”

We must understand that he speaks for his Government, because it was only last night that we received the very gratifying information that their colleagues, all eight of them, got on well with each other. All eight of them, I would say, are brothers-in-arms for the suppression of workers in British Guiana. As I understand it from the newspapers here – and there was no denial by the Government – the minimum of \$2.75 per day was intended to be provisional. I remember that days before the dispute was settled Government did not want to put in that word. I would not say it was rascality; I would say that it arose from ignorance rather than rascality. I would prefer to put a more favourable construction upon it.

It is clear that the workers on the one side, through their representatives, accepted a minimum of \$2.75 on the condition that it would be discussed in Whitley Council and the other paraphernalia provided, but now I see Government has gone back upon its word and does not mention *“provisional”* in its reference to this decision. There is no provision for any possible increases. The Government spokesman come here and says that they have decided to give \$2.75 and no more. That is the Government that is pointing its finger at industry which is employing people at a minimum of \$3.12 a day.

[Cries of *“Not true!”* and *“Shame!”*]

Mr. Burnham: Mr. Speaker, I say it was publicly stated by the President of the Federation of Unions of Government Employees that the employees of sugar get \$3.12; the figure was not made up straight off like that, but taking into account the benefits which accrue to sugar workers it is calculated to amount to \$3.12. If I err, I err because of the F.U.G.E. It was not denied by anyone, neither by Government nor the Sugar Producers. If I err, I prefer to err on the authority of the President of the F.U.G.E. rather than on the authority of those who know not and know not that they know not. I do not for one moment say that the figure of \$3.12, is a good or sufficient wage. I am not here to defend sugar.

I am here to make this point that a Government, which never tires at pointing a figure at sugar and saying "*you are exploiting people*", is saying to its own workers, "\$2.75 and no more. On the waterfront \$3.36" –

They are making profits, I hear, *sotto voce*. This is not a question whether you are making a profit or not, but whether a man can live on that wage. I still recall that over the years, going back to the early fifties down to the last election campaign, Members of the Majority Party were saying that the minimum wage of \$2.52 fixed in 1952 was seriously inadequate, and agreeing that \$4 should be the minimum. Those are the people who forget what they have said in the past and come here and say "\$2.75 and no more"; and then we are obliged to listen to some incoherent excuses and explanations from the Hon. Member for Berbice River, who has turned spokesman for Government in this robbery of the workers.

Of course, some of the more sophisticated will put forward the argument that Government cannot afford it. Some of the more sophisticated will put forward the argument that if Government paid more than \$2.75 that it would cause the wage rates of other employers to go up. With respect to the first possible argument of the sophisticates –

As I was saying: there are two possible arguments that may be put up against a higher minimum wage than \$2.75, which is only five cents more than that recommended by Mr. Gorsuch, which everyone considered inadequate. The two possible sensible arguments or apparently sensible arguments would be (1) that the Government cannot afford more; and (2) that it would cause the wage rates in industries to rise.

But the first question to be decided would be whether or not, on the diet which had Government's authority and sanction prior to 1957, it is possible for a man, his wife and two children to live on \$2.75 per day? I am not here arguing their case because the trade unionists are their representatives, but the first answer must not be whether Government can afford it or not. The first answer must be whether it is a decent wage. I do not know what the trade unionists are asking for, eventually, as their minimum. At least, I do not know as a legislator and if, perchance, \$2.75 is insufficient, it is for Government to find ways and means of raising it.

However, I contend, with the extra amount of money in circulation at the disposal of the workers, if the minimum wage is to be carried up it would inspire a certain amount of spending. There would be, so to speak, a temporary or mild form of inflation, but for an economy like ours it is nothing wrong or nothing bad; and the services and commodities which will be purchased by the increased wages will, eventually, ensure to the benefit of Government which collects the majority of revenue from imported duties. I cannot understand how the Party that claims to be the working class party can come here and say "*we cannot afford it.*" That is the type of answer they would never have taken from the Interim Government. That is the type of answer which the Leader of the Majority Party told workers on the cricket ground not to accept. For it was in 1950 that, that same Party

told the workers not to go back to work and encouraged the workers to threaten the physical well-being of their leaders.

There is no politics in this issue. It is a question of whether a man is entitled to a fair wage or not; and Government, I contend, must be the leader in this field to provide a decent wage for the people to live on. A minimum wage has been fixed by this Government in many industries, and unless my recollection is incorrect, there is not an industry in which they fixed as low as \$2.75 a day for workers.

Not only does Government mean to stick to \$2.75 a day. What is significant is that the Government does not even propose, as at present advised, to seek any supplementary votes because, says the Hon. the Financial Secretary, *"it is hoped to make economies in most of the departments to accommodate this rise"* – that is the rise of \$2.75 only, not more. They go on further to say, even for that \$2.75 there are going to be economies. What does that mean? All it means is that there is going to be retrenchment to accommodate the increase. Of course, Government has another answer coming up. The other answer which is sometimes given in reply to the workers' contention that \$2.75 is inadequate is that if more than \$2.75 were to be paid, other employers will have to pay much more or be forced out of business, and they cannot afford it.

As at present advised, there are very few big employers that pay as little as \$2.75 a day. Of course, there are employers who put on the envelope that you receive so much and you received much less, as far as I understand it; but I am talking about what they actually put in the envelope.

The workers, under this Budget are in for a tough time. They are in for a terrible time. And what is more depressing is that those who have been dependent, in the past, on the workers' votes to get into power; but now they are in power they kick away the ladder, up the steps of which they climbed. If any other Government had done it – if the Interim Government had done it – it would have been inhuman and immoral, but now that this Government has done it, it is difficult to find words in the dictionary properly to characterise Government's attitude.

But not only is the lonely worker faced with a gloomy future. What about the civil servants? We read in paragraph 24,

"That there are virtually no increases in establishment in the recurrent estimates thus continuing the process of stabilising the size of the Civil Service which has been going on now for several years."

Is that all we can hear or know of Government's attitude towards civil servants? In the past we have heard Members of this Government saying, publicly, that the civil servants are instruments of imperialism; but we have heard now, the Members of the Government paying tribute to the civil servants. It seems to be a New Year resolution.

There is, obviously, uncertainty in the Civil Service. There are talks of whether the leave passages are going to be taken away, etc. Cannot

a decision be made which can be promulgated in this Council, or do we have to continue to hear of Government's attitude towards the civil servants over the radio or have to attend meetings at Windsor Forest on the West Coast of Demerara? The civil servants in this country, in the majority are Guianese, and it is not sufficient for civil servants merely to render efficient service.

The civil servants as I recognise in places like Jamaica and Trinidad, can be inspired to render more than efficient service. But how can you expect all this great efficiency, this great sacrifice, if the people's situation or position is uncertain? What have the civil servants of local origin to look forward to – creeping up to the top when their hairs begin to grow grey?

Back to the Motion which I tabled a year ago: What scheme is there, on the part of Government, that civil servants can, by training, qualify to hold the highest posts? When civil servants will have at their disposal, a planned training scheme that would qualify them in modern techniques, whether of administration or technology? It is my conviction that unless and until civil servants are made to understand that they are part of the community; that their interest is the Government's interest; and that there are new vistas opening to them, I am afraid that civil servants' efficiency would not be improved or increased. And if you do not have an enthusiastic and loyal Civil Service all your talk about independence, self-government or nationhood is mere sounding brass. Instead of telling us in this Budget Statement about economizing and stabilizing let us hear what is your attitude on the important question of leave passages. Do not let us hear you going to Windsor Forest and saying that you are going to do this and that before you meet the representatives of civil servants.

Not only is there no dispensation for the Civil Service but there is also nothing to note with respect to Local Government, nothing is forecast in this Budget, by allocation of funds or otherwise, for the implementation of the Marshall Plan. I am not referring to the Sessional Paper which was circulated some months ago; I am talking about this Budget Statement of 24 pages which was read by the Financial Secretary. The Greater Georgetown Plan should have come into being long ago; the date is being changed from time to time. No legislation has been brought before this Council for the implementation of the Greater New Amsterdam Plan or for the Local Authorities which are to be set up under the Marshall Plan. All we have is the Valuation Bill which was passed long ago. Why is it? Is it that Government is no longer interested in what it has itself called a progressive plan? Is it that Government does not particularly want to implement the Greater Georgetown Plan before the General Election, because of certain psychological effects? Is it that Government is advised by incompetent legal advisers who cannot get out the necessary legislation? Is it that the draftsmen who were brought all the way from the United Kingdom are not drafting but doing something else? What is it?

We should like to hear frankly from the Minister of Community Development and Education, because I know that he would tell us if there is inefficiency in certain places, and we shall join with him in castigating the inefficient. My contention is that nothing is foreshadowed, nothing is said. Even if they are inefficient and have not yet drafted the necessary legislation, why cannot provision be made to get the work done and, if necessary, ask for more money? This is one instance in which economy will not be sensible. To say the least, it would be criminal.

We are, of course, told about the revenue of 1960. That is an essential part of the Budget, but tell us something about the money to be raised, how it is going to be raised and where it is going to be raised. We understand that the postal rates will go up – no quarrel with that. That does seem to be increased taxation, but there is no opposition to that from this side of the Table. But what concerns me somewhat is this statement with reference to the Post Office:

“To meet part of the growing loss, the Government proposed to introduce certain increased postal charges, some of which could be well described as overdue. It is hoped to announce these shortly, but I may say that the most important one will be an increase in the internal letter rate from 4c. to 5c. which in itself should produce additional revenue of \$60,000 in a full year.”

I would like to have an explanation from the Financial Secretary why in January, 1960 he cannot tell us what the proposed increased rates are, and what they will fall on. Unless there is a very good technical reason, like international agreements or things like that, I say that the Financial Secretary has been unfair to this Council. But since I am not sure I shall merely mention that I require information on this particular subject. It would be unfair to blame him if he has a proper excuse and explanation.

Then we hear the hopefulness of the Government again as the Financial Secretary says:

“As I have already said, the revenue position in 1960 still does not appear too encouraging”.

Towards the end of his statement he looks forward –

“The economic outlook for 1960 is brighter than retrospection to 1959 reveals.”

Let us examine the revenue he hopes to raise during 1960, and how it is going to be raised. The Financial Secretary says:

“As far as customs and excise duty is concerned, the import duty figure has been put slightly higher than the approved estimate for 1959 and \$1.3m more than the likely receipts for 1959.”

I am no economist, I am no statistician. I am a simple man with a modicum of common-sense. In 1958 you over-estimated customs and excise duty, in 1959 you over-estimated again, but for 1960 you hope, without increased prosperity, to obtain \$.13 million more than the likely receipts for 1959. In other circumstances I would have accepted the estimate of this Government, but experience has proved that the estimates in this field cannot be relied upon, and are only rosy pictures painted in January which cannot be seen in December. I am sure that a 8 percent increase is a reasonable estimate. The Financial Secretary hopes for increased circulation of money in 1960, but what in this Budget indicates that things are going to be better in 1960? What uncertain policy is shown here?

There is some belated anxiety shown in the estimate of revenue to be obtained from rum which is \$300,000 less than the estimate for 1959 but \$100,000 more than the actual receipts in 1959. To wind up on Customs and Excise we hear that the estimate is \$24.7 million, which is about \$260,000 less than the original estimate for 1959, but \$1.7 million more than the actual receipts in 1959. This Government continues to live in the ethereal regions of faith, hope and charity. Year after year you under-estimate, but year after year you hope to get what you have not planned for.

Income tax, we are told, is more realistically estimated this year than it has been for a number of years, but may I observe here that for years one has heard discussions about the P.A.Y.E system. Year after year it is mentioned, and in the year 1960, after a number of years, we hear nothing about Government's plans to introduce P.A.Y.E. As I understand it, and subject to what the experts have to say – and some of them have spoken to me on the subject – the P.A.Y.E. system will make your collection of income tax more evenly divided over the year and, therefore, there will not be the difficulty which is experienced at the moment. It has been pointed out by the Financial Secretary over and over again that there are difficulties sometimes about the middle of the year with respect to the day-to-day expenditure of the Government, because the Company Tax comes in late, because one does not pay until the end of the year, were P.A.Y.E introduced income tax would be collected early, thus saving Government expenditure on short-term loans.

There is a discussion of the 1960 surplus by the Financial Secretary –

Mr. Speaker, in dealing with the estimated 1960 surplus the Hon. the Financial Secretary has to rely on his estimates in fields like imports, excise, telephone rents, and so on and, therefore, I cannot quarrel with him and I cannot dispute his estimated surplus. I can only note that his failure to take fully into account, as he himself admits, "*the minimum and related wage increases agreed in 1959*" or "*the effect of the revision of transport allowances to civil servants made late in 1959*" leads him to believe that the 1960 surplus will be less than he expects.

That is a thing of the future; the future will be there to prove how inaccurate this Government has been once more in estimating its revenue

and the surplus which it hopes to have. The Government has estimated \$3 million per year, and in 1960 we find that the allocation from the revenue surplus is much less than \$3 million.

In dealing with the Development Estimates (Paragraph 43) the Financial Secretary seems to have some fear as to whether or not the \$110 million originally proposed for the Programme over the five-year period will be raised. I shall not at this stage say his fears are justified – for fears they are – because as far as I can see, it is proposed to raise the greater part of that sum by borrowing internationally and locally, and it is hoped no doubt that the Colonial Development and Welfare Fund will come to assist in raising \$110 million.

It is true that Development Programme for 1960-1964 was passed by this Council – nothing else was expected but that it would be passed. But I would like to know this: where is Professor Berrill's report, on which we understand this Programme is based? What is all this secrecy about this Berrill Report? No doubt we will hear from Government if it is worth anything, if it has been scrapped and if it will be published, but from certain information at my disposal, I understand that the Berrill Report is not worthy of the paper it is written on. But I would prefer to rely upon my own judgment. That is why I ask the Government to put the Report out, so that we can see it for ourselves. The emphasis is placed on drainage and irrigation. If we were to be assured either that we are certain of the markets or the prices for our rice, I would offer no criticism.

May I return to the question of the absence of planning units in this country – and I believe this is the stage where I shall deal with it fully. Why can't the Financial Secretary, who will no doubt wind up this debate, tell us why? Why? Is it that the Elected Ministers believe that they can do without competent economists and statisticians? For what purpose do they travel to places like Jamaica, Puerto Rico and Suriname? To come back as empty as they went? Why is it that three years after this Government went into office we can hear nothing of planning units? What hope is there for the future generation? We have heard a homily about communism. I am calling no one a communist – I am not God to judge a man's heart now, or ever.

What I am saying is, instead of paying lip service to private investment, local and foreign, let us have a definitive attitude, let us have planning units, let us have proper research carried out, so we can advertise our wares as Jamaica, Suriname and Puerto Rico are able to do. As I said before, it is no sense sitting and waiting and hoping for people to come along.

Last year, in dealing with the revenue and public debt position, and the general revenue balance, the Financial Secretary in his Budget Speech criticised those who predicted that we would borrow more in 1959 than we would ever repay, and he went on to say:

"I do not know how seriously meant this was, not too seriously I imagine, but it is the sort of humour which cannot possibly help in the quest, which is as difficult or more difficult even for us than for others."

I am reminded of the local saying, *"if houri tell you trench bottom got plimpla, you must believe um."* Here is the Financial Secretary, a close colleague of the Elected Ministers, saying that the raising of money outside is a very difficult thing, more difficult for us than for others. What conclusion must we be left with?

Without attempting to categorise the political persuasions of the Government, I would submit that they have run into this difficulty: they have no clear policy with respect to foreign investors; they have not made it clear by word, action or deed that investments will be perfectly safe; they have not made it clear that when concessions are granted they will not be taken back circuitously.

There is this investor who is now in Barbados with the wood factory. I am not saying he was acting logically when, because of the increase of the excise on Banks, he said he decided to go to Barbados instead of investing in British Guiana. I am not saying he was acting rationally, but I am saying his action, however irrational it may be, is the type of action we sometimes find among people whom we are seeking here to help develop our country. There is no doubt that Government borrowing cannot develop this country. The Financial Secretary has said so and the Ministers have said so. Well, if you consider that, the best thing is to prepare the atmosphere to invite foreign investors. When I speak of encouraging foreign investors, I do not envisage circumstances where all the wealth will be placed at their disposal and the right given to them to take out all they want without leaving anything, or for them to pay the workers less than subsistence wages. There are other countries where workers did not get subsistence wages and investment benefited the countries. I have made reference to those countries already.

I must also deplore the attitude of Government to housing. As far as I can see, \$5 million will be spent on housing over the next five years – I mean \$1 million per year over the next five years. I believe that the difficulty into which this Government has got itself with regard to housing is the difficulty which flows from the fallacy that housing is not a productive sector. We have it on the authority of Miss O'Loughlin on the economy of British Guiana – and we need not go to Miss O'Loughlin. It is obvious that if you spend money on housing you generate employment directly on housing; you generate employment on the materials which you need to get for the houses – you use local materials and local products. The furnishings on the houses also cause you to use up materials, either local or imported and when you sell those houses to credit-worthy persons you are increasing their savings. And if, furthermore, we were to do, in this country, what was suggested by the Secretary of State for the Colonies, that

is, keep a revolving sum for housing you will see that we will be able not only to provide social services in terms of “freeness”, but social services in terms of the fact that it is a social amenity – houses for people to live in. We will be injecting capital into the economy and will be finding employment for people.

I might have put it rather ineptly or in a layman’s way, but this is what Miss O’Loughlin says in the *Social and Economic Studies*, Vol. 8 No. 1, March, 1959, in her study of ‘**The Economy of British Guiana 1952-56**’, at page 83:

“Although housing loans are often considered as non-productive capital, they expand income. So long as there is a flow of credit-worthy applicants for housing loans, the fund will continue to revolve, employment in house-building and repair will at least be maintained, if not increased, and local saving will be stimulated. Thus in the first thirty years, if the fund revolves three times, the initial grant will have been matched by approximately twice as much of local saving. It is not entirely true that the capital resulting is non-productive, as apart from direct incomes being created by letting house ownership releases more of the personal income for other expenditure which may stimulate other local industries. The increase in land values arising out of expansion in building, moreover, may lead to concentrations of wealth and expansion of domestic saving.”

I can do no more than to repeat and adopt the arguments in that particular paragraph; and I make the point, perhaps without quarrelling with the Government for the expenditure of \$5 million, overall. And I cannot, for the life of me, see why Government is going to use only approximately \$1 million a year. There are some persons who would say that there may be political reasons for not accelerating the housing programme. I am not, at the moment and from this place, prepared to say so. I mentioned it only to dismiss it. But what I am saying is this: That Government’s allocation of that small amount per annum leads me to believe that they do not consider housing a productive sector, and they consider it merely a social service which has to be subsidised.

The general emphasis of this Development Programme is in the agricultural sector. Where is the plan for the towns, and where is the plan even for the villages? What happens to the decaying villages? But if I were to attempt to re-read Goldsmith on the ‘**Deserted Village**’, I would not pay tribute to the Government for developing wealth because this Government is throwing money here and there for social and political motives. No industry for the villages; no plan to get an industrial area and see whether it is possible for Government to erect factories. If this Government were to get down to it; if this Government, instead of spending its time talking about confiscating small rice mills, or Land Bonds Bill –

My opposition to a particular section of the Land Bonds Bill is well-known – the section which gives power to the Government to declare a land settlement scheme even if the greater part of the acreage is

productively occupied. If this Government were to get down to the business of governing; if this Government were to show that it is not made up of a number of pseudo-experts; if this Government were to allocate substantial sums for planning and research as was done in the Suriname Budget – in Suriname, I understand, it is 10 million guilders – if this Government would realise it is not a Government of part of the country but it is a Government of the whole of the country and that employment cannot be stimulated and the problem of unemployment cannot be solved unless there are more industries; if they would realise that no amount of money spent on drainage and irrigation in the rural areas would help the people in the township; if this Government were to learn its lesson from other under-developed countries now developing apace, I would say that this Government would be good for the country for, then, its word can be relied upon. Then and only then its word can be relied upon. There will be no question of ideological clearances or else.

Too often, from the other side of the Table, there has been the talk about cooperation, and the necessity for cooperation. As I understand it in the democratic system, the greatest measure of cooperation which an Opposition can give a Government is to criticise its programme or its absence of programme or policy. But I am afraid that those who yell most for cooperation too frequently behave like *prima donnas* and too frequently interpret criticism as hostility. This Government must understand that it does not know all and can never know all. I believe that that is one of its weaknesses – a combination of conceit and frivolity – and I would wish that the criticisms which we have made on this Budget may be understood. I wish they may understand that we, on this side of the Table who have been born here, are interested in the progress of our country. We may have different ideas, but I would plead with this Government to tell me what are their ideas? What are their plans?

May I, at the risk of being repetitious, just refer to rice once more? You lay all the emphasis on rice. There is a price stabilisation fund for sugar. What have you done about a price stabilisation fund for rice? It is unfair to the country. It is unfair to the rice growers. This Budget will be passed because it is a democratic practice that those who have the majority will carry what they want, but I do hope that this Government will learn from the errors of its past and do something which will ensue to the benefit of the people of British Guiana.

Motion on the Second Reading of the Cinematograph (Amendment) Bill 1960: 26th January, 1960

Mr. Burnham: I am mildly surprised that the Hon. Minister, in setting out his reasons for the Bill, condescends to mention only that lone reason which appears in paragraph 1 of the Objects and Reasons. For, certainly, the Hon. Minister must know it is illogical and without substance. We are told about persons who reside in the country and who do not normally have an opportunity to visit the city on weekdays. This Bill does not seek to give persons the opportunity to go to the cinema on Sundays, when it is already known that those persons who cannot go on weekdays can go to the cinemas on Sundays. If that reason had come from another person I would have pardoned him, but not from the Minister of Education.

Perhaps, the Hon. Nominated Member, Mr. Fredericks, got closer to the reason when, rhetorically, he said that he hoped that the first part of clause 2 was not being put forward in the interest of any particular group or groups.

Now that we have disposed of this unrealistic reason, perhaps, we may consider whether or not all of the amendments are worthy of support, looking at the matter objectively. May I immediately say that I, too, like the Hon. Minister, have visited the cinema in the United Kingdom, the United States of America, in Europe and all parts of the world on Sunday afternoons. May I say that so far as I, an individual, am concerned I have no objection to a Sunday afternoon show, for amongst other things there is the fact that I am not a cinema fan and I am as likely to go on Sunday night as I am likely to go on Sunday afternoons which is hardly more than once in 12 to 18 months. But I feel when one sits in this Council one must not be guided only by one's opinion or preference. I feel that the representatives and spokesmen of the Christian community feel that an amendment of this type is directed against that section of the community or, at least, the results are likely to affect those things for which the Christian community says it stands.

I am grateful for the observation made by the Hon. Member for Eastern Demerara about the unwarranted attack by the "*Hon. Member, for the time being for Georgetown South*" on the Christian religion. As a Christian, I am grateful to the Hon. Member, Mr. Beharry, for his defence of the faith which I profess. If this large section of the community feels strongly on the suggested amendment remembering, also, that the Government which seeks to promulgate this legislation has so frequently been asking for more cooperation from every section of the community, I would have felt this way if I were in their place: If this legislation offends the sensibility of a large section of the community since, contrary to what might have been thought originally, it is a controversial measure – a measure the results of which are rather likely to be fissiparous than cohesive – this bit of legislation should not be proceeded with.

It is unfortunate that the Hon. Minister found himself in such difficulty to justify, not only in this Objects and Reasons but in his speech, this bit of legislation. For instance, he says in England and in other parts of the world it is possible to attend an afternoon show on Sunday at a cinema. I do not know what is the system in Trinidad. I accept his word that in Trinidad one may attend a Sunday afternoon show, but this I do know of the United Kingdom that there is automatic and strict censorship on films. Films are marked "A" and "B" for adults and children; so far as the United Kingdom is concerned, there is an added precaution. So that even if the cinemas were to be opened on Sunday afternoons, children cannot go to shows which are not meant for children.

In British Guiana we do find films advertised specifically for adults and not children, but too frequently when we go to see a film not so advertised we find many parts not suitable for the young and impressionable minds. So to tell us that in England there are Sunday afternoon shows is not enough. And furthermore, it hardly lies in the mouth of the spokesman of the PPP to point to something which happens in England and have us copy it in a most servile form. That is England! You tell us boys also exist in England. Hooligans molesting coloured people also exist in England; so it is not good enough to tell us that 'X' exists in England unless you tell us that the same thing would serve British Guiana well. In this instance, since this is not a matter of political ideology or otherwise and since the Minister, with his usual decency, did not condescend to abuse the Christian religion like the "*Hon. Member, for the time being, for Georgetown South*" –

All of us are Members for the time being until this Council ceases to exist; so I can see it is a question of "*who the cap fits, draw the string.*"

Since the Hon. Minister did not condescend to the attack on the Church, which we heard coming from the Hon. Member, Mr. Jai Narine Singh, I hope I can impress upon him the advisability of not proceeding with this legislation so far as the changing of the time on Sundays at which cinemas may open their doors.

May I now consider that amendment which seeks to keep children from the cinemas during certain periods? Like "*the Hon. Member, for the time being, for Georgetown North*", I agree that the Government is to be commended for that particular amendment. May I urge upon them, that so far as that amendment is concerned, that they raise the prohibited age from 15 to 16 years. At the moment, the maximum age for compulsory education is 14 and, no doubt, the Government, when contemplating this amendment, thought that to give an extra year for keeping the youth from the cinema during certain hours, would be a good thing. But may I attract Hon. Members' attention to the fact that the attendance goes up to 16; therefore, I feel that the maximum age in subsection (b) of clause 2, should be raised to 16 because school children can continue to attend school up to 16 years. And since the contention is that children normally at school should not be permitted to go to the cinema during certain hours, it seems logical that

there should be a change of 15 to 16 in subsection (b) of clause 2. The spirit of that amendment finds my support, but may I end up with an appeal to the Minister to reconsider the advisability of not proceeding with the amendment which seeks to open the doors of the cinema at four instead of 8.30 p.m. on Sundays.

Motion on the Constitutional Delegation to London: 5th February, 1960

Mr. Burnham: Mr. Speaker, when the Motion which, so to speak, gave birth to that series of discussions ending in the appointment of a Constitutional Committee was debated, I remarked that there were some things which were above Party loyalties and above Party divisions and differences. Over the past 48 hours I have been considerably disturbed by what, in the main, appears to be an obvious injection of these said Party differences and divisions, which we thought we had got rid of since the 11th of June, 1958, when discussing this particular subject.

Naturally, between the different Parties there must be differences so far as the details and mechanics are concerned. These are not the differences to which I refer. It seems to me that so much of the disagreement that has been evident over the past two days, can be traced back to the desire of various Parties or individuals to maintain the prestige of the particular Party or group to which they belong; and that, Mr. Speaker, I think, is most unsatisfactory and for me, most depressing.

May I remind Hon. Members of the fact that the Resolution spoke of a representative delegation chosen by and from the Council; and it is a little difficult to understand how the amendment moved by the Hon. Minister of Natural Resources can possibly result in a delegation which can be described as a representative delegation of this Council?

It is, of course, true and admitted on both sides that, so far as the People's Progressive Party is concerned, there must be and there is no doubt, objective unanimity so far as the world is concerned. All the Members of that Party in this Council are unanimous. I am not concerned that there may be internal differences. As I understand a political Party, a Party must have one policy on certain important matters. I know there are differences between them, but that is not a matter for us. So far as we are concerned, they are of one mind.

As objective unanimity also must and does exist so far as the People's National Congress is concerned, but certainly we must have contemplated the Constitution of this Council and the divergence of views when the Motion was passed on the 11th June, 1958. If you take away from the west side of this Council the three Party Members of the People's National Congress and one of the Nominated Members, who by his conduct in this Council has shown that he always agrees with the People's Progressive Party, it must be admitted that on this side of the Council it is difficult if not impossible, to find unanimity on all the questions relating to the Constitution. In those circumstances, I do not see the constitution of this delegation as being a question as to who will have a majority and who will not have a majority.

The delegation which is supposed to leave, is supposed to be representative of various points of view as represented in this Council. The Hon. Minister of Natural Resources seemed somewhat disquieted yesterday afternoon when he spoke of the constant maligning of the People's Progressive Party. Not only will I observe that to categorise criticism in a Legislature as maligning is a misuse of the term, but I would say this; if even his choice of language were accurate, he and his Party would have themselves only to blame in the present circumstances of this debate and the choice of the delegation.

May I say this with the greatest amount of modesty: it is quite obvious in spite of the "*loud silent*" remarks being made across the Table, that I do not have to plead my own case. It is inconceivable that any delegation of this sort should go without my Party being represented on it. But I think we should look further, not merely whether our particular Party is represented or not, but whether or not opportunity is given for representation on the delegation of the main differences of approach and opinion represented in this Council.

Before I attempt a rather cursory analysis of what may be recognized as differences, may I observe that unless Her Majesty's Secretary of State for the Colonies and those who advise him are guilty of the most extreme opacity, they cannot afford to disregard the views as expressed by the Majority Party, even if the Majority Party sent only one person.

It is true that the Majority Party, as some have observed, did not obtain in 1957 an overall majority of votes at the polls, but certainly they obtained the largest minority. So far as the election results are concerned they, notionally at least, had the largest minority or the largest group of persons going to the polls.

May I also observe that though the People's National Congress cannot lay claim to having got the largest minority of votes in 1957, with pardonable immodesty I would contend that the views of the People's National Congress cannot be discarded by Her Majesty's Secretary of State for the Colonies and his advisers. Without letting the cat out of the bag or speaking out of turn, I would say that that had been conceded even by the Majority Party.

If we are realistic, those two Parties can be described as together representing the views of the majority of the population of British Guiana. Those two Parties can be so described; and if you agree that they can be so described, what are the fundamental differences between them on the question of the Constitution? One Party – the Majority Party – says it wants independence now. The other party favours independence, and it wants independence, but in the context of West Indian dominion.

Regardless of which view eventually gains an absolute majority support in British Guiana, the fact is that we have to pass through the stage, as I see it, of full internal self-government. I have read that an authoritative individual in the People's Progressive Party has said that that Party favours

full internal self-government now and independence within five years. The difference between that attitude and the People's National Congress is a difference of words rather than a conviction.

But what do we find here? We find the Hon. Member for North Western District saying he will have nothing to do with full internal self-government or anything of that sort. So far as he is concerned he is afraid. So far as he is concerned he would like merely an improved colonial constitution. I disagree with him vehemently. But the Hon. Member has a different view from mine. He has a different view from that of the Party which I represent. He has a different view from the body of political opinion to which I subscribe. I have no fear if an individual like the Member for North Western District were put on the delegation. The essence of democracy is for people – the minority – to have their say. You may, in your wisdom, reject the views of the minority, but give them an opportunity to speak.

I do not think the Secretary of State for the Colonies would have the temerity to grant a Constitution like that which the Hon. Member for North Western District wants. But in the context of British Guiana today, when we hear the Majority Party pleading for cooperation, what greater generosity and largeness of approach than to say "*We wish to have all of you represented; your views will be heard*" if only to have an opportunity to shut you up. I cannot, therefore, see what is the objection to having these various points of view put forward.

You will find a different point of view put forward by the Hon. Nominated Member, Mr. Davis, if you read the Constitutional Committee's Report – a view which is much too conservative for me and which I would not accept. All his fears of checks and balances in any forum, I would object to. But there are other Members who are just like Mr. Davis. The same applies to the Hon. Nominated Member Mr. Fredericks. As we came down this Table on the western side we have the Hon. Member for Georgetown South who wants independence, complete independence with a severance of ties with the British Commonwealth. I do not agree with him at this particular time or in this particular context, or at all. He has a different point of view, but what is the objection to his point of view? This is not head counting; this is not an election in which, depending on the number of heads you have, you can decide whether or not you can carry a man. This is merely a delegation which will be going forward to enter into discussions with Her Majesty's Secretary of State for the Colonies.

The Majority Party has been accused of being dictatorial; of favouring One Party Government, and of having no tolerance for views other than those which it holds. I am not at this point prepared to offer any comment on whether that accusation is right or wrong. At a reasonable time, and in the correct circumstances I will offer an opinion on that accusation, but when it insists on narrowing down the delegation to seven isn't that

Majority Party seeing that its own point of view will be expressed by at least three members of the delegation, with at least one of the three Elected Members it proposes on this side of the Table giving to its points of view a majority of four out of seven?

So far as I am concerned, and my Party is concerned, on certain principles we are closer to the PPP than we are to the NLF, but I would insist that views like those of the NLF, must be represented. I always think that it is a weak man who is afraid to allow his opponent to be heard. It is a coward who is afraid to give an opportunity to the other man to speak out what he thinks. British Guiana at the moment is not only, to use a *cliché* at the crossroads so far as constitutional development is concerned, but there is a lot of division in this country, and I think the Hon. Minister of Trade and Industry has admitted this division by his frequent pleading for cooperation. Here is an opportunity to give in earnest of your desire to cooperate. I think I am being quite accurate when I say that what may be described as a conservative or narrow point of view in this Council is not represented by the best or more competent debaters. It is to give all the conservatives an opportunity to say what they have to say. Allowing a man to be heard does not mean accepting his point of view; it means merely giving him an opportunity to put forward his point of view.

You decide that you want a delegation of seven, and that you will use your wealth of numbers to ensure that you get at least four of that seven, and what will you hear? There will be a loud noise that you want to have only your point of view heard, and it will be said that you have a packed delegation. Some people suffer from a fallacy of believing that numbers mean everything, but they are making a mistake by not seeing that different points of view are represented on the delegation.

We must not under-estimate the skill and ability to manoeuvre which is inherent in any Secretary of State for the Colonies and his advisers. It is true that Britain has shown much more liberalism in recent years so far as the Constitution are concerned than she has shown prior to the war, but we must not believe everything we insist upon as our right will be handed to us on a platter. They may not give you whatever you ask for. You must not under-estimate their ability to find a pretext. Go to London with a delegation which has on it little or no representation of the conservative point of view and see all the rationalising that is going to be done afterwards in order to suggest something much more illiberal than either of the two major Parties contemplate.

The more I think of this matter the more I am concerned. Let us face realities. I am not particularly attempting to castigate or criticise the People's Progressive Party. At this particular moment I am not particularly interested in political divisions; I am interested in what are the likely results so far as British Guiana is concerned. Of course we will fight the PPP at the street corners and the hustings. If they win we shall be as turbulent in our opposition as we have been, and if we win I expect we

shall find the same turbulence. But we must face the facts. I do not mean to besmirch, but what is the reputation, rightly or wrongly, enjoyed by the People's Progressive Party outside of this country? At the moment I am not offering a qualitative judgment because I think this is a grave moment. What is its reputation? Rightly or wrongly there are people who say it has tendencies towards dictatorship. Will not this action be seized upon as an example? That may be absolutely wrong in logic and reason, but if the world were guided by reason and logic we would not find countries in our position.

I am not interested at the moment as to whether the reputation is a reasonable conclusion on the facts. I am interested in the effect of the reputation, and however much, as a politician, I may fight and work for the disintegration and complete removal from the political scene of the PPP, I cannot but realise that at the moment they represent the Government of British Guiana. What hurts them in this context will hurt all of us. It is not that I have any solicitude for them at all. At the personal level there are many charming individuals who can be liked and appreciated as individuals, but in the political arena what they stand for is undesirable to me. But they are the Government, and any impression in certain fields hostile to them is going to ensue to the disadvantage of this country.

As I have said before, I do not beg of them to go on the delegation. My Party does not have to beg for representation because, whatever may be the faults of the PPP, I do not think they are that naïve as to think that the PNC must not be represented. But I will at this moment assume the role of always pleading for cooperation. I would beg him to understand what is at stake. I would beg him to see that he has nothing to lose by letting every Tom, Dick and Harry who has a different idea, go. Words like "*desirous*" and "*desirable*" are difficult to define, and I would plead with the Majority Party to let it be said that all that has been said about the dictatorial tendencies of the PPP is wrong; that all that has been said, that Members of the Party only want to hear their own views even if they may have to use some metallic substance to get their voices coming back to them, is wrong. The conservative section of our community – big business, the Chamber of Commerce and so on – would then have the satisfaction of knowing that they have been heard.

As I said during the debate in June, 1958, and as I said when I began my remarks on this Motion, this is a matter in the consideration of which we must banish from our minds narrow Party loyalties. Of course, no one is asking, no one dare ask the People's Progressive Party or the People's National Congress to change their respective stands on matters concerning the Constitution. One merely asks that the several points of view being represented, and it does not matter if, in order to have those points of view represented, you take more persons than the PPP and the PNC combined, because, as I said before, this is not an election.

I cannot out of conscience or conviction support the Amendment moved by the Hon. Minister of Natural Resources. And let me say this right now,

Mr. Speaker, I am not seeking for my Party more representation. I am not seeking to get in for my Party any individuals who come close to our point of view. I am convinced that the People's National Congress, so clear-cut are its views, can have those views put forward by one or two persons. I am not speaking for greater understanding. As I said before I have nothing to get. My Party has nothing to gain from a larger delegation.

It is a little short of facetious to come here and say that the reason you are not carrying 11 or 12 delegates is that it will cost too much. A few thousands of dollars – will that matter? How long have the profligate become parsimonious? Little British Honduras sent a delegation of 15. Is their economy more buoyant than ours? I see some people emulate Shakespeare. They do not repeat themselves for fear that what they said at first was not as sensible as they thought at first. If little British Honduras can send 15, what is the argument about British Guiana sending 10 or 11?

I am informed by someone – whom Mr. Speaker cannot hear because he is sitting – that Trinidad sent four – four or five. I have always said that some people do not repeat themselves for fear that what they said might be inaccurate. Does it really matter? The Trinidad Government or the Trinidad Legislature must know what to decide. They might have been wrong or right. We must think for ourselves. All right, let us have the heckling, but let us also have what is coming. We have minds of our own. They have a mind of their own. I am saying that...

Mr. Speaker, I am grateful for your remarks. May I say that I do not complain. I never complain about any remarks coming from the other side. If there is one thing the other said, I will admit, it is that I can answer them.

Mr. Speaker, you have ruled. As I was saying, the Amendment moved by the Minister of Natural Resources was not based on the example of British Honduras, which sent 15. I alluded to British Honduras to make this point, that if they could have reasons, best known to themselves, to send 15, British Guiana cannot use as an excuse the lack of funds if it decides to send less than 10 or 11. But it all depends on whether British Guiana feels that, without considerations of finance, 10 or 11 persons should be sent on such a delegation.

As I said before, the fact that Trinidad sent "*four or five*" – to quote the usually inaccurate Member – is no argument for us sending four or five. If in our context and in our circumstances, we feel it is desirable or expedient – with emphasis on the latter term – to send more than seven, then we should do so. If one is merely going to copy from Trinidad, then we should conclude that in view of the fact that Trinidad has a population of 750,000 and sent four, British Guiana, which has a population of 500,000 should not send more than three.

Mr. Speaker, this is a serious matter. I do not know what will be the final decision. It may be that a spirit of compromise may prevail. It may be that those who have a preponderance of Members will be hardened in their attitude, but let us understand this: (a) that if compromise does not prevail

and there are untoward results, it is not those who are here that will suffer, it will be our country; (b) so far as even those to whom the Majority Party concedes the right to representation in the delegation are concerned, they could have second thoughts as to whether or not to accept the generosity limited only to one group.

We must think and act as Guianese not as Members of Parties. We must behave with the realisation that it takes all types of people of British Guiana; it takes all kinds of queer political ideas to give you a sum total of political and constitutional thought in British Guiana. We must remember that when we unanimously – or at least *mem.con.* – passed the Resolution in July, 1958, we said that we wanted a delegation that would be representative. In that context it meant a delegation representative of the Council. Take it or leave it. Some might think there is nothing in the point of view I urge. I should hate to be in the position afterwards to say, “*I told you so.*”

At the beginning we started with an exchange of ideas. At the beginning we had a Motion by the Member for Demerara River which, to my mind, is a ridiculous Motion. But I think that out of that Motion he has moved we have had a fair compromise from the Member for North Western District. As far as I am concerned, the increase or reduction of the number he suggests by one either way does not matter to me. So far as I see it, the Hon. Member for North Western District has put forward a reasonable compromise, and it is not a matter here of who want to be slaves or who want to be stooges, or who are irresponsible or harebrained. What matters at the moment is, what compromise can we work amongst ourselves.

Motion on the Second Reading of the Workmen's Compensation (Amendment) Bill 1960: 12th February, 1960

Mr. Burnham: By and large, I have no particular criticism of this Bill, its objects and/or its reasons. The comment I am about to make is largely a technical one, for I believe, having experience in the case of Gibbs vs. Bookers Shipping (Demerara) Ltd., that Subsection (2) of clause 3, which seeks to repeal and re-enact Subsection (3) of Section 8 of the Principal Ordinance, will not have its desired effect when one considers the judicial interpretation of Subsection (3) of Section 8 of the Principal Ordinance.

As I understand it, it is the intention of the Government that periodic payments made under Section 8 should not be deducted when a lump sum is to be awarded on application by the employer awarded on application by the employer or employee to the Court. In the recent case of Gibbs vs. Bookers Shipping (Demerara) Ltd., it was held, and no doubt the Hon. Minister is aware of it that it was within the discretion of the Court whether or not there should be any deductions or periodic payments made. One of the arguments in that case rose from the application of the maxim, expression *unius est exclusion alterius*, and they said since Section 6 was specifically mentioned, it would then mean that the Court was competent to take into account and deduct from the lump sum any periodic payments made under the same Section 8.

In these circumstances, therefore, I would suggest that if the Government wants to make its point of view palpably clear, that it should be stated that, in fixing the amount of any compensation, the Court shall have regard to any payment, allowance or benefit, not being a periodic payment under the provisions of this Ordinance; so that it will be palpably clear that periodic payments under the provisions of this Ordinance will not be deductible and there will be no discretion of the Court. The point of view which I express is based on present experience, because I was on the losing side in the case of Gibbs vs. Bookers Shipping (Demerara) Ltd. That is the only observation I desire to make. I think that the Government would be well advised to make its language more explicit.

Motion on the flag, etc., for an Independent British Guiana: 20th May, 1960

Mr. Burnham: The spirit behind the Motion enjoys my unequivocal and unstinted support. I should like, however, to observe that the designation of a flag and the appropriation of a name are matters of national concern and interest, and in the circumstances I feel that, since it has been accepted time and again that this Council is representative of the various opinions and attitudes in the country, a Committee should be drawn from this Council and that it should be a representative Committee. Otherwise, there is the possible accusation, it is not a reality – I prefer to stress the former – that the Government of the day has selected a partisan Committee. In the circumstances, I beg to move an Amendment to insert after the word “Committee” in the second line, the words “*from this Council*”.

They can ask Members of this Council to serve on a Committee and they can say that they will limit the Committee to persons who are Members of this Council. I am most grateful to Your Honour for pointing out my weakness in my earlier proposal.

Motion on the Training of Guianese for All Higher Public Service Posts: 2nd June, 1960

Mr. Burnham: Mr. Speaker, this Motion which was tabled some time ago did not enjoy the good fortune of coming up for debate, and it has to be re-tabled this year. I imagine it should not be a controversial one. Consequently I do not propose to speak at any great length on it today as I do not anticipate any opposition. Because I take it the object it seeks to achieve is one which is shared by all Members of this Government. It seeks to have a native Guianese Administration when British Guiana achieves self-government and/or independence.

It is not that with the coming of independence we would not have persons from other countries and other places, but it is my feeling that with the achievement of independence we must have personnel – our own personnel available. Next year will see constitutional advances as a result of which a great deal more power will be put into the hands of the Elected Representatives of the peoples of British Guiana and I further see a timetable for independence within a period of no more than two years after 1961.

I have always thought that the achievement of political independence is an ideal devoutly to be wished for, but it is my further contention that it would be an empty mockery unless we have our own people to man our machine of State.

There may be some from abroad with the greatest amount of sympathy for Guiana and things Guianese, but I do not think the sympathy of the foreigner can possibly replace the enthusiasm and vision of the native.

From time to time we have instances which surround the appointment of persons such as, for instance, the Post Master General (now renamed Director of Posts and Telecommunications). From time to time we have palpably unfair solutions like that found by the Governor of the day.

And I feel now we have in office an elected nationalist Government something should be done to prepare an elaborate and comprehensive scheme to train Guianese to hold every type of post, whether it be administrative or technical. I am fully aware of the fact that in some Branches of the Establishment, the Technical Branches, the courses which Guianese will have to do be completed before we have independence. But, to my mind, we should start immediately and even if we do not get our full complement by the time we achieve independence, we can see in front of us our being able to secure Guianese to fill top posts.

I do not know what the Hon. the Chief Secretary will say as to what is being done so far, or what has been done so far, but it does appear to me that even if something is being done there seems to be no overall plan or picture. Sometimes you hear of a few police officers going to Scotland Yard; a few school teachers going to do a course for the Diploma of

Education at some American University; and a few going on I.C.A. courses. But one gets the impression that these things are not part of a proper scheme – a scheme aimed at complete Guianisation of the Public Service of British Guiana.

I do not necessarily feel that all of the persons trained will be absorbed into the Public Service. To my mind there will be nothing wrong with the expenditure of Government funds for the acceleration of educational training in branches which are not necessarily part of any Government Department. We shall need chemists, engineers in the various industries which we are seeking to attract to British Guiana, and I do not see that the training of personnel for such purposes is necessarily outside the scope of what I have suggested originally in the Motion. In this 20th century, Government cannot take a sort of neutral attitude so far as industries are concerned. Government must take an active part in encouraging and, if necessary, set up industries in this country. Therefore I think that the Government of the day should take an active part in having trained the necessary people to do certain jobs.

When I speak of having Guianese trained to fill all posts in the administrative and Technical Branches, I include the training of such experts as economists. I know that there are some people who think that economics is not a science, but I do not think that they would publicly put forward that point of view.

Finally, there is a particular branch of the Service which did not occur to me when I originally penned the Motion, which occurred to me very shortly after I had done so. It is the question of having personnel trained for the Foreign Services. I should not like to see British Guiana in a position where it does not have a Foreign Service of its own. I should not like to see British Guiana represented, as somebody said, by the UK or the United Nations when we achieve independence. I feel that British Guiana must be represented by her sons and daughters, and I feel, therefore, that this Government, in adumbrating a scheme for training Guianese for top posts, should bear in mind the training of people for entry in the Diplomatic Service. If we are going to have such a scheme, then I feel sure that political independence will be a reality and not an empty mockery.

I have heard the view expressed by an eminent West Indian that a particular African State which will be achieving its independence in 1960 will have great difficulty in finding native persons to fill high posts. This commentator feels that it is something to be bemoaned, and that independence may not work as smoothly or as well as a lot of people think. He may be right; he may be wrong, but I feel that we will be right if we set about making preparations immediately for the proper training of our people. As I have said, this, to my mind, is not a Motion for a long speech because I cannot imagine opposition in this Council on such a Motion.

Motion on the Training of Guianese for All Higher Public Service Posts (cont.): 3rd June, 1960

Mr. Burnham: (*Replying*)

I have had the advantage, Sir, of listening to the report which the Hon. the Chief Secretary had made. That report is in some respects enlightening, and perhaps in other respects heartening, but the basic fact is that it is a mere report on what I contend is a plan-less and harum-scarum scheme.

It is all right to tell us how many scholarships are available at the moment; how many people are away on scholarships; and that they are pursuing 37 different courses and are students in 37 different faculties. It was not a report on what has happened in the past that I desired to have; it was an acceptance, in the words of my Motion, of the need and necessity for "*the immediate preparation and implementation of an extensive and thorough scheme for the training of Guianese with a view to the latter's filling all the higher posts in the administrative and technical branches of the country's Public Service.*" I have not been impressed by the extensiveness or the thoroughness of the scheme that exists at the moment. I have not, for instance, heard whether Government is taking active steps to have people trained in the faculty of economics, so necessary in the context of British Guiana if we are to develop our resources. Unless we are going to claim to have supernaturally inspired Governments, we shall need men like economists.

I have not heard, for instance whether this Government has adumbrated a scheme for the training of industrial chemists. I have heard nothing about their being part of the scheme, the education programme of the country. I referred to an acceleration of educational training. It is something that must be comprehensive. It is not something that should be limited to persons who are already members of the Civil Service, or who are about to enter the Service. It must be something much broader. I cannot blame the Chief Secretary because, after all is said and done, he has grown up in a certain school where you dawdle here and fix a little thing there and another thing there, but I am surprised to see the Minister of Education obviously unlike himself, not even getting up to say one word on a matter like this. Isn't it a shame that while some of us bawl here about independence and talk about using all methods to get rid of our "*British oppressors*" the elected Government sits down here and does not offer its views on such an important matter?

It is not a matter for the Chief Secretary, who is a nice gentleman, but his days are numbered; he will soon be out of here. Although we appreciate and admire his personal charm, it is not something in which he is involved. The more efficiently he does his work the sooner he goes, under this new scheme of things. It is disappointing, to say the least, that Ministers of this elected Government have sat down there and not said one word as to what they plan to do.

It is not good enough to tell us that the subject of the Public Service falls within the Portfolio of the Chief Secretary, because the Chief Secretary has only one vote on the Executive Council. He is one of a minority, therefore, whatever policy is adumbrated comes from the elected Ministers. There are some who seek to educate without being educated. The elected Government has a majority on the policy making body. In my opening remarks on this Motion I said I thought it was not going to be controversial. Indeed, it is not controversial, but we have seen the vacuity on the other side. I suppose absence of opinion does amount to its being non-controversial.

I am grateful to the Hon. Nominated Member, Mr. Tasker, and to the Hon. Member for Georgetown North who have amplified some of the thoughts I have, and pointed out the necessity for in-service training. All that was very good, but we want something better; we want something more comprehensive, and I would have expected the Government to show that breadth of view which is necessary for the Government of a country on the threshold of self-government.

As at present advised, I cannot forecast what will be the result of this Motion. I should hope that if it is accepted and I cannot imagine its rejection, we will shortly have a White Paper issued, not by the Chief Secretary, but by the Minister of Community Development and Education, now absent from his seat.

Motion Government Housing Estates -Rent Restriction Proposed: 3rd June, 1960

Mr. Burnham: I beg to move the following Motion standing in my name:

“Be it resolved: That this Council recommends to Government that the Government Housing Estates be brought within the provisions of the Rent Restriction Ordinance, Chapter 186.”

This is another Motion which, I submit, does not require any lengthy introduction. As most Members are aware, there is in existence a Rent Restriction Ordinance, Chapter 186, which gives a certain amount of protection to tenants in British Guiana. It provides protection in the form of giving tenants the right to have the maximum rentals of premises occupied by them assessed by a Rent Assessor. There is another form of protection which specifies the only grounds upon which a tenant may be asked to give up his tenancy, and in any case, if the tenant insists, it is for the Court to decide whether or not he should give up his tenancy where the ground has been established, and further what is the time during which he may be allowed to remain even though the Court has decided that he should go.

There is yet another form of protection which is not very well known to members of the public, and that is the protection given to a tenant by virtue of the provision which makes it necessary, before a distress warrant for rent is issued, that the tenant should be summoned before a Magistrate with the landlord and be given an opportunity to be heard.

The Rent Restriction Ordinance, Chapter 186, which gives this form of protection to tenants, however, provides that the Ordinance should not be applicable to premises owned by the Central Housing and Planning Authority, under Chapter 182, and that exception, therefore, means that a person who is a tenant on any of the Government Estates owned nominally by the Central Housing and Planning Authority, really the Government, does not have the protection which tenants of properties owned by private landlords enjoy and have.

It means, for instance, someone – whether he be in top echelon or low grade – in the Housing Department, as long as he is in proper charge, may decide that a tenant should get out. He may not, according to the actual meaning of power, have the power, but he may use the circumstances of his position to get the tenant out because when the tenant is taken to Court for possession in the case of a house or premises owned by the Authority there is no necessity to give any ground: there is no necessity to provide that the premises are required for use by the landlord or that his family requires them or that they are required for repairs or reconstruction – nothing like that at all.

One has to be in Court to see how many of these tenants are taken there and a possession order has to be made *ex mero motu*. Furthermore, tenants on Government Estates have disputed the amount of rent they owe – and I have seen this as a practitioner in the Courts; and there may be some mistake in the Housing Development as to the amount owed or whether the amount has been paid, yet the bailiff is there moving the furniture and the tenant finds that his furniture is taken to be sold. Furthermore, in ordinary cases between private citizens – between private landlords and tenants – one finds that if the landlord takes the tenant to Court and asks for a distress warrant for rent the Rent Assessor invariably hears what the tenant has to say, what extenuating circumstances there are and, very frequently, gives time.

Now I am not unaware of the fact that the Housing Development in many cases does not levy as soon as the amount is owed, but what I am aware of is this one: when they move against you for rent their attitude is firm, their attitude is unbending and they are not concerned with the human considerations exercised or exercisable by the Rent Assessor.

And it does seem to me, Mr. Speaker, that if the private citizen, that is, the landlord, has got to be subjected to these considerations by the Rent Assessor where the tenant gives reasonable excuse why he is in default and why he should be given more time; if the private landlord is subjected to those, why should the Government, which is responsible for housing and various social services, not be subjected to the same considerations?

I am afraid I would prefer to see the discretion with respect to time to pay rent and with respect to time of ejection exercised by one who is trained to exercise that discretion.

It may, of course, be argued by those who may be opposed to this Motion that in the case of premises owned by the Central Housing and Planning Authority it may not be the correct time to give the protection to the tenant of being able to have his maximum rental assessed, for in that case he may go on to argue that the rental paid to the Central Housing and Planning Authority is not economic and not the same rental which may be paid to private landlords for comparable accommodation. That may or may not be so. If it can be established – and I am not saying it cannot be established – that the rental for these housing estates is lower than that charged for comparable accommodation offered by private owners that does not offer any difficulty to our law-makers who are most competent.

Because what will have to be done in those circumstances is to redefine standard and/or maximum rent, and I am willing to accept the honesty and goodwill on the part of the Government and say that so far as assessment is concerned, Chapter 186 should not be applicable to Government housing estates. I will grant you that. I will also grant, as at present advised, that Government may be exempt from Chapter 186 as far as assessment of rentals is concerned; because I know Government does not from year to year step up its rents. That is a fact. Let us give the devil his due.

What I am concerned about is the application of orders so far as ejection is concerned and also distress warrants for rent. It may be urged as far as ejection is concerned that the Government may decide, after investigation of a particular tenant's means, that although when that tenant originally entered the premises he fell within the definition of a 'working class' person under Chapter 182, at a particular time some time after, by virtue of increases in salaries, emoluments or wages, he no longer fell into that category, and that it may be proper for him to be ejected – since the idea is to provide persons who fall within this definition the opportunity for accommodation not easily available otherwise at the rental charged.

I can see some merit in such an argument and in such a point, but I will say this, Mr. Speaker, if you want to add a special ground in the case of Government Housing Estates, you can add it. You can say that as far as Government Housing Estates are concerned there is no ground for protection under Section 16 of Chapter 186 if the tenant no longer falls within the definition of a 'working class' person as set out in Chapter 182. Those are not difficulties which the legal mind cannot surmount. Those are the only two exceptions which, on present advice, I see.

I am not satisfied that every time possession is sought it would have been granted by the Rent Assessor. I know as a Member of the Central Housing and Planning Authority that there have been cases where officers set themselves up as judges. Tenant 'X' says tenant 'Y' is a nuisance, and an officer says, "*We will proceed to get tenant 'Y' out of the premises*". 'Annoyance' and 'nuisance' are legal technical terms. If an officer wants to know whether someone is a nuisance or an annoyance he should get some advice on it and go to the Court and prove it. But what do we find in these cases? An officer is elevated to the status of a magistrate. This is undesirable. We cannot have one yard stick for one group of people and another yard stick for another group of people. It may be that the judgment made by an officer or officers in the Housing Department may be identical with that of a magistrate. Maybe. But what guarantee have we got?

Furthermore, we must not expose our public servants to the suggestions of partiality. We must allow tenants on Government Housing Estates to have some sort of freedom and most of the advantages of the tenants of the private landlords.

Turning to the objections of those who oppose this Motion – I see some legal work being done by two legal Gentlemen – no doubt why they want to see what Chapter 181, 182, 185 and 186 can throw up – yes, Mr. Speaker, all these Ordinances are relevant – Chapter 181 – Town and Country Planning, Chapter 182 – Housing; Chapter 185 – Landlord and Tenant and Chapter 186 – Rent Restriction.

Mr. Speaker, contrary to what you may believe, I have a certain amount of psychic ability! I see two legal Gentlemen delving, and I am waiting to see what they will get out of these Ordinances to urge against this perfectly fair and perfectly reasonable Motion.

Mr. Burnham: (*Replying*)

May I first of all deal with the remarks of the Hon. Minister of Community Development and Education. As I heard him speak I felt grateful for the advice once given by a learned member of the Bar that in preparing your case you should spend three-quarters of your time preparing your opponent's case and that is just what I did.

What are the points which the Minister made? He said that the requirements in Section 44 of Chapter 182 are such as to give preference to members of the working class. I said – and may I repeat it slowly and deliberately for the advantage of my friend – that when a person by an increase of wages, income or emoluments comes out of that definition it may be a good ground for his ejection from a Government Housing Estate, and I said that such a special provision is not beyond the competence of the Hon. the Attorney-General and his staff. They are lawyers and draftsmen, and they have done more intricate drafting than this. So I did not see the difficulty, and I said it.

The Minister has discovered that the rents with respect to Government Housing Estates are subsidised. I admitted that, and I want to say that if he is going to read the *Time* magazine and not listen to me he will always take points that I anticipated and answered ahead of time. I admit that the rents are subsidised and that this amount applies to maximum rents. I know that Section 44 makes provision for a revision of the rentals from time to time by the Central Housing and Planning Authority, and I conceded very clearly that so far as the minimum standard and maximum rents are concerned I was not seeking to have Chapter 186 made applicable to Government Housing Estates. But I have to repeat, because some people absorb slowly or not at all. That is the sum total of the Minister's contribution – a repetition of criticism which I had anticipated and answered.

The Attorney-General's arguments, however, fall into a somewhat different category. They give evidence of a number of fallacies. He says that the Rent Restriction Ordinance is what it says – an Ordinance to restrict rents. If the Attorney-General, like me, had to make a living by studying the Rent Restriction Ordinance from the first section to the last, he would realise that the sections which deal with the restriction of rents are not one-half of the Ordinance. It may be that what originally inspired the draftsmen or the legislators in the United Kingdom was the fact that they wanted to restrict the right of a landlord to throw out a tenant. It may be that one of the reasons for which landlords threw out and still attempt to throw out tenants is the fact that tenants would not pay increased or exorbitant rentals, but there are other reasons for which landlords seek to throw out their tenants.

Why it is then, that even in the U.K. legislation there is special restriction on the ability of a 'landlord by purchase' to get possession? A landlord by purchase cannot get possession even on those strict grounds. There are other criteria and other considerations of arbitrary ejections for other reasons. A landlord may want to accommodate a wayward son in a

house which he owns, and for that reasons will throw out and cause injustice to a tenant. A landlord may want to get vacant possession so as to be able to sell his property, or he may want to eject a tenant because he does not like the colour of his eyes, or the friends that he keeps. He may want to eject a tenant because he does not like the colour of his politics. That happens in British Guiana.

That has nothing to do with rents, and even if I concede what I consider the false argument of the Attorney-General, I would like to say that the other provisions in the Ordinance aimed at protecting tenants from arbitrary ejection are not all dependent upon the original intention to restrict rents merely. Therefore with the greatest respect to the Leader of the Bar, I see no merit in his argument on that point. The Attorney-General fell into the same trap into which the Minister of Education fell when I said that it would hardly make sense to have the whole canopy of Chapter 186 spread over the Government Housing Estates. That is not what I said in the course of my remarks. I pointed out that there were certain provisions which were not applicable. Fortunately for the Attorney-General, he did not press that point too far. Like a good lawyer, he did not press a bogus submission too far.

He went on to observe that if there are mistakes or hard cases, those are administrative matters. I do not know what he means by that. Does it mean that you have to go to the Commissioner of Housing to make representations? Does it mean that you have to telephone some friend at the Housing Department to make representations? In these days Heads of Departments, as soon as a lawyer says something, they answer "*Oh no; the Standing Rules and Regulations make no provision for representation by lawyers.*" Some of them are crude and rude in their ignorance and obtuseness, and it is no solution to tell me that these are administrative matters.

I have been reading a book recently, *Judicial Review of Administrative Action*, and the point which the author sought to make was that there should be always the ultimate sanction of the Court, though the Court sometimes has wandered from what is its duty. If that is the tendency now, in the law, are we going to leave everything to administrative decision? There are some Heads of Departments, notably the three who sit on the other side of this Table, who, when representations are made to them, listen carefully, but there are many Heads of Departments who do not listen, and when they listen, do not understand. Are we going to make the tenants of Government Housing Estates victims of such individuals?

It is not a waste of Government time to use the process of the Courts. Imagine so preposterous an argument, that for the protection of people's rights the use of the time of public servants is a waste of Government servants' time! That is what it amounts to. I say that these things must be taken to the Courts because it is the means of ensuring justice for those people, and it is no argument to tell me about wasting Government time. Look how much Government money is being wasted in these days. The Boerasirie scheme – millions wasted – and trips abroad to get money but

nothing got. To do justice to poor tenants is a waste of Government funds and a waste of the time of the almighty Government servants! Nor is it the answer, as it was attempted by the Attorney-General, to say that there may be about six cases in a year. There may be more or there may be less. If six citizens every year are denied justice in our country it is time that we take action by means of legislation to see that those six persons are not denied justice. I am surprised to find that one trained in the law should place such little store by the denial of justice to six persons.

I see a distinction without a difference between what I said and what the Attorney-General had said, and what he now says he said. But those six persons – they may be more or they may be less – whose tenancies were terminated on grounds other than non-payment of rent, may have had their tenancies terminated on the ground that they were a nuisance or annoyance. In the case of a working class man who is a tenant of a private landlord who alleges that he is a nuisance because he has a preference for another tenant, the Magistrate, with his usual impartiality, hears the case, and there can be no preference shown. That is the point I am trying to make. I am a Member of the Central Housing and Planning Authority – not by nomination – and if there is one such case in a year, Mr. Speaker, it is time that it is seen that it does not occur. That is all I am saying.

Let me repeat the answer to the only two critics – I would not say that they are the only two Members of the Government who would understand what I am talking about – I am not asking that the assessment section should apply, and I am conceding that a good ground for possession may be that a person has passed beyond the limit which would make him a member of the working class under Section 44 of Chapter 182. Apart from that, give the people the protection of having applications for ejection warrants heard by the magistrate. Give the people protection by compelling the landlord, if he wants possession to come within the grounds recognised by the law.

I do not want to be critical of the Public Service, but I know of a lot of these cases which the Hon. the Attorney-General does not know about. I live in a different world; not in an ivory tower.

I pray this Council to apply the proviso with respect to assessment and the new ground for possession, and to accept this Motion if it wants to give some security, some sense of being cared about, to these members of the working class who are tenants of the Government. This is not a matter for emotion; this is a matter for hard headed reasoning. I am not by nature extremely modest, and, therefore, I do not apologise for saying this: that there is no Member of this Council who has had as much dealing with the possession cases as I have, and it is out of my personal legal experience that I have raised this matter. This is not a matter of politics or emotion.

Yes, Mr. Speaker, I will ask the other side of this Council not to make a political issue of it and not to come forward with such faltering arguments as have been adduced by the two Hon. Ministers.

Motion on the Second Reading on the Ffrench-Mullen Pension Bill 1960: 20th October, 1960

Mr. Burnham: It is appreciated that sometimes the necessity arises for doing violence to the provision of the Pensions Ordinance, but I hardly think that the Chief Secretary can on this occasion justify the violence which he seeks to have done. As I see it, Mr. Ffrench-Mullen was transferred to a post with the Berbice Fibre Research Company. We have not been told by the Hon. the Chief Secretary that what he was doing there was of great service to this country. We have not been told that he worked for a lesser salary on his transfer. We have not been told that there was any contract between him and the Government that during the period of his secondment his service would count for pension.

I cannot understand this preferential treatment for this gentleman, for whom a special post in the Department of Agriculture was created. This is the man. Government suddenly found when Mr. Ffrench-Mullen was no longer connected with the Berbice Fibre Research Company, that it needed a Deputy Director of Agriculture (Administration), and when Mr. Ffrench-Mullen, obviously as a result of strictures in this Legislative Council, did not see before him a picture of the Directorship of Agriculture, we understand that he accepted a post outside of British Guiana. Since Mr. Ffrench-Mullen left the Service it was found necessary, in the interest of economy and in the interest of efficiency, to abolish that post. I shall be against this Bill. We are not here to give any preference to blue-eyed boys of some individual or individuals. This gentleman has already had preferential treatment. He had no right to be made Deputy Director of Agriculture (Administration), but while he held that post he enjoyed certain privileges for some time.

So far as I am concerned, this would be a waste of taxpayers' money. Mr. Ffrench-Mullen is not one of those indispensable experts who, from time to time, we may have to bring into this country to help us in our development programme; he is not one of those experts who are so difficult to find. That a Government like the present Government should have the temerity and inconsistency to bring this Bill before this Council is unworthy of words.

Motion on the Second Reading of the Civil Law of British Guiana (Amendment) Bill 1960: 21st October, 1960

Mr. Burnham: So far as what this Bill intends to do is concerned, I am in agreement with it. But I still have to observe that it does not go far enough. The Hon. the Attorney-General has informed us that it is a complicated Bill, and that I can see. He has also informed us that it took a lot of time to be drafted, and I appreciate that. What I would like to know is why the Law Officers spent so much time on it, and still failed to cover two of the greatest difficulties with which the would-be heirs and next of kin are faced on the death of a man of some means or competence.

I remember when the Hon. Member for Central Demerara, as he then was, moved a Motion for the establishment of a Law Reform Committee, I alluded to the difficulties which arise in the case of illegitimate children who have always been treated by the deceased as children who have always been fully dependent on him or her as the case may be, and who could ordinarily expect the deceased to make provision for them.

The Bill proposed today does not cover that criticism, because its provisions become applicable only when there is a question of *bona vacantia*. What happens in a case where a man has formed a common law alliance - I do not call it marriage - and there are children as a result of that alliance? Some brother or sister of the whole blood or half blood, with whom the deceased was not on friendly terms and who could in no circumstances have anticipated any largess, gets the goods of the deceased because he dies intestate, and those persons who are in fact dependents are left out in the cold. This Bill does not assist such people, because the estate escheats to the Crown who passes it on to the next of kin.

I wonder why, after this particular difficulty was raised and discussed in the Law Reform Committee and a Motion was debated, after all of these months the Law Officers of the Crown should have toiled and brought forth something, I would not call it a mouse, which merely touches the surface of the problem?

I should have expected that the Law Officers of the Crown would have been *au fait* with the decision of the Federal Court in the case of Zuleika White. In that case the Federal Court held that "*although an illegitimate mother can inherit collateral, if the claimant is tracing through the illegitimate mother he cannot get anything.*" There are some of us in the legal profession who feel that the Federal Court's decision was not right, but it is right until upset by the Privy Council. It is not very easy to take the question to the Privy Council, though one can go there in *forma pauperis*.

I often wonder why the Law Officers did not think fit to amend the law as interpreted by the Federal Supreme Court. I agree that the provisions of this Bill are rather complicated. I would say that the Bill is largely a

lawyer's Bill. I would recommend to the Hon. the Attorney-General, in the circumstances, that he agrees to the Bill being referred to a Select Committee for consideration. Perhaps out of that Committee may come a product which, instead of merely scratching the surface, makes a valiant attempt to solve the problem.

Motion on the Second Reading of the Pharmacy and Poisons (Amendment) Bill 1960: 28th October, 1960

Mr. Burnham: Mr. Speaker, I must concede that the Bill which is before us today, to amend the Pharmacy and Poisons Ordinance, No. 36 of 1956, has been carefully prepared. It must be conceded that its provisions aim at comprehensive amendments. But may I say, at the outset, that the explanations given by the Minister, though in many instances plausible, are hardly convincing. Hearing the Minister toiling through her brief, I was quite convinced that this is hardly the type of legislation that a layman can put over or that a Council like this should pass without careful consideration.

It has been alleged, on behalf of the Bill, that it is intended, by these amendments, to meet the greater convenience of the public, and then later we are told it is not entirely or at all a question of convenience. But may I deal with the question of convenience? There is no doubt that it would be more convenient to the public if such members of the public as wanted to buy patent and proprietary medicines were able to get them very easily. But it does not seem to me when one is dealing with medicines; when one is dealing with compounds which contain poisons, that convenience should play such an important part or be such an important consideration. It is most convenient to the would-be suicide to have Lysol or some dangerous poison easily available. So it does not appear to me that in considering a matter like this that considerations of convenience, as put forward by the speakers, are more important than the safety of the public.

Before I proceed further, let me also concede that in certain remote areas it may be necessary to relax certain restrictions which would work undue hardship in such areas, but that, of course, is no reason for relaxing such restrictions in those parts of the country where there are registered and competent pharmacists. It is all right to talk about liberalising. These chameleon terms like liberalising, democratising, emancipating and all that, can be most attractive but can work havoc when they are merely used to defend the otherwise indefensible.

We have heard the Minister say, for instance, that there are some proprietary medicines which are a humbug granted. For what reasons are they a humbug? She says because they can do no good and in some cases it can be stated they can do no harm. Is she sure that all those proprietary medicines which are contained in the Schedule and which every Tom, Dick and Harry who has a shop, as I understand it, will be able to sell, do not contain poisons? As I understand it and I do not set up myself as an expert; I am prepared to take advice from those who are experts in the field in the United Kingdom, there is no question of whether a compound or a medicine contains a great deal of poison or a small amount of poison. There

is no distinction between a compound which contains a well-known and dangerous poison and a compound which does not contain such a well-known and so dangerous a poison. As I understand it, a poison is a poison and, as I further understand it, what may not be a fatal dose in one case may be a fatal dose in another case; and furthermore, if people willy-nilly were allowed to purchase medicines containing small doses, from time to time, the accumulative effect may be dangerous.

I am also going to admit that there are many registered and trained pharmacists who do not exercise the supervision which it was hoped they would exercise under the terms of the Pharmacy and Poisons Ordinance of 1956. But that is no reason for putting forward what I contend is a fallacious argument, that since pharmacists under the 1956 Ordinance do not exercise that control which they ought to exercise, there is no harm done if the right to sell these medicines and drugs was to be given to unqualified persons. The fact that there has been a dereliction of duty on the part of certain members of the profession cannot be used as a test for throwing open the right to sell these things by all and sundry.

I am not prepared to put up a plea for monopoly; but it does not appear to me that the objections raised to this amendment by the trained pharmacists in British Guiana are based upon the desire to have and maintain a monopoly. It may be true that some individuals look upon it from that point of view, but I would not believe, I refuse to believe that the body of pharmacists is really seeking to perpetuate a monopoly. For that reason, the reference to the case which was heard by the Restrictive Practices Court, is not applicable, which the Minister had, at one stage, to admit. In that case, it was restriction whereby the sale was restricted to a particular group. In this case, as I understand, the grouse of the pharmacists who are opposing this amendment is that after they have taken the trouble to qualify in a technical field in a technical profession an attempt is being made to offer the same facilities, of selling certain medicines, to persons who are not qualified and to the detriment or possible detriment of the public.

If I can be convinced, number one, and I am not saying that I am beyond conviction that there is not likely to be any detriment to the public at all; and that, number two, this would not be an encouragement for persons to enjoy the facilities of pharmacists without qualifying as such, I would be in full agreement with the purposes of this Bill and with the Amendment.

For instance, during the course of her remarks on the Bill, the Hon. Minister said this: "*that it must not be imagined that there is any intention on the part of the Government, by this legislation to permit the sale of any but harmless patents and medicines.*" "*Harmless*", that is a matter of opinion. It has not been said "*patents and medicines not containing poisons*". "*Patents and medicines that are harmless in the opinion,*" she continued to say, "*of those who know.*" Well, first of all, I would like to know who are those persons who know? Can one individual or two individuals have their opinion

accepted in preference to the opinion of a larger body? I have seen in Court, the Government Analyst coming forward with a great deal of self-confidence and stating categorically that the particular exhibit which was sent to him for examination contained "XYZ", and under cross-examination the Government Analyst suddenly losing his self-confidence and that is putting it mildly and out of consideration for the profession.

I have seen, on other occasions, that Government Analyst in a violent dispute with an equally well trained individual. Therefore who are these people on whose opinion Government is prepared to rely? If it is the Analyst, I do not think, in such an important matter, that would be enough. I see a Member of the Analyst Department or Government Pharmacist advising the Minister, but let me observe that at the same time as Government is proposing by this legislation, to allow the sale by unqualified persons of certain drugs and medicines, it is taking away certain powers from the Board which consists of professional men.

Why, for instance, in the universities is there an Examination Board instead of just one man to decide whether or not a student has passed? When Government is at the same time taking away certain powers, I am becoming worried. If Government wants to release certain proprietary medicines which it says are absolutely harmless, it should be left to the recommendation of a Board of qualified persons to decide whether or not particular patent and proprietary medicines are in fact harmless.

May I say at this stage a word about the remarks of the Minister on these statutory Boards, and also a word on her proposal to take away from the Board the power to initiate changes. Firstly, it is not sense for a Minister to come here and castigate a Board within his or her Ministry. Clearly one does not expect a Board to consist of a number of automatons. If the particular Minister or the Government feels that a particular Board is not necessary, it could have that Board abolished by law. Do not come here and complain about the opposition you find from Boards.

The Members of Boards are individuals, and it may be well for the Minister to tell the public that the particular Board, the Central Housing and Planning Authority, is a Board chosen largely by herself with her Party members. It is true that there has been a defector from the Majority Party who still continues to be on the Board, in the person of the Hon. Member of Demerara River (Mr. Bowman). That is true. Your humble servant is one of the few persons on the Board not a creature of the Minister, but by virtue of being appointed by the Georgetown Town Council. So that it is unfortunate that the particular Minister should have that reference at all. Of course, on the particular instance which she mentioned I am not prepared to dilate, because she and the Board knew that I took no part in the decision because I was always interested in the matter in my professional capacity. I understand that the Minister was nearly called as a witness. In fact I think I saw my solicitor sign a subpoena for her. For once the Minister and I were on the same side. I think she should congratulate herself as she is doing now.

The point is this: that the Minister must not expect a Board to rubber stamp his or her point of view. You have a Board of professional men; why do you expect them to rubber stamp your views? If you are not satisfied you can abolish the Board or make it an Advisory Board. Of course the Minister would like to force her opinions down the throats of the Members of the Board, and by certain packing of the Tender Board she could have her way. I suppose that is her right as a Minister, but she certainly should not use the forum of the Legislative Council to castigate these Boards. She has the power to change the Boards, but the only point about it is that when she puts in some people others may defect, and then some of her cronies do not agree with her. Of course they are quickly removed and replaced by other Members.

It seems to me unfair to criticise the Board in this case because it did agree with the Minister's point of view. In this matter I have perfectly open mind. The Minister, or her adviser, may well be right, but one thing we have to be sure of is, first of all, has there really been this public demand for this drastic change in the Ordinance? The second thing we have to make sure about is whether or not it is in the interest of the public, even if there has been a public demand. The third thing and it is not unimportant, is whether or not there has been made an unjustified inroad on the rights and privileges of a group.

It is all right to say that if a pharmacist suffers he is not a good businessman, but that suggests that a pharmacist is primarily a businessman, whereas, as I understand it, he is primarily a professional man and a technician, and if as a result of his qualification he is able to judge of the efficacy of a particular medicine, or he is able to judge the contents of a particular medicine it is to his advantage. While others were selling salt fish and potatoes he was studying. Of course there is nothing wrong about selling salt fish and potatoes. As a matter of fact unless we had sellers of salt fish and potatoes many of us would not be able to get our meals, but the fact that we appreciate the service which the sellers of salt fish or potatoes render the community does not make us move swiftly over to say that the seller of salt fish or potatoes is entitled to sell patent medicines.

What encouragement will there be in the circumstances if an ordinary salesman could sell any of these things which a pharmacist should sell? I agree that they cannot dispense, but if you give all these rights to the ordinary salesman and tell the pharmacist that if as a result of this amendment his business flops, it means that he is not a good businessman, therefore, he should concentrate on becoming a good businessman? Where is the encouragement to people to qualify as pharmacists? Why does Government spend so much money on training people and in holding examinations for pharmacists?

There is no political issue involved in this Bill. At least that is the way I see it. I do not know what other people think, and in the circumstances I would commend a more careful study of the matter. We have been assured

by the Hon. Minister that she and her advisers have studied it carefully, and we have also been assured that the Law Officers have been working overtime on it. Congratulations to them. The more they work overtime the later their drafts come out. We have been assured that the Minister discussed the Bill with trained persons, and that she received a memorandum from the Board which we know represented the majority opinion, but that it was the minority opinion which she has chosen to accept. It is within her right to accept the minority opinion because it is not always that the majority is right, and in any case the final responsibility devolves upon the Minister. If there is any criticism we are not going to criticise the Government Pharmacist or the Analyst; we are going to criticise the Minister of the Government.

But since this is a Bill in which there is no major political issue involved, as I see it, are we sure that the Minister has had the advantages of hearing all the relevant points of view, and of being able to access the merit of every point of view? Are we sure that this Council, to which the Minister is commending this Bill, should merely take the *ipse dixit* of the Minister that she is satisfied that this is the correct course? She may well be right, but I think in circumstances where the rest of the Council has not had an opportunity to consider the points of view and the arguments, an opportunity should be given to the Council to hear those views, and when it is remembered that a Select Committee of this Council can hear the views of persons from outside, it does appear to me that the Minister would be well advised to let the Council have the advantage of hearing the views which she has heard expressed, so that the Council may come to her conclusion or may come to a different conclusion.

As I understand it, legislation of this sort in the United Kingdom is normally sent to a Select Committee, which is as it should be, because a number of laymen here, some lawyers, some farmers, some businessmen, some commercial agents do not and cannot understand fully the implications of this Bill in spite of the lucidity of the Minister's remarks on the Second Reading. And even those who have by careful study tried to master the intricacies of Ordinance No. 36 of 1956 and the proposed Amendment as embodied in Bill No. 16 of 1960, would still like an opportunity, before making up their minds finally, to hear what is the expert opinion on it, and be able to weigh the *pros* and *cons* more carefully than can be done in this Council at the moment. We have had the Minister's point of view. Who can speak authoritatively for those who are opposing the Amendment? May I, before I complete my remarks, say this: I have been critical of some of the remarks, statements and propositions of the Minister, which does not mean, so far as I am concerned, that I am opposed to the Amendment *in toto*.

As at present advised there are several parts that I am opposed to, but it may well be that my advice, as based at the moment, is not sufficiently profound. That is why I say, and people like me say, give the Members of this Council an opportunity to be fully advised by both sides.

We can hear the Government Pharmacist and the Government Analyst; we can hear the Association, Board or what have you, the Chairman or the President who, I understand, is not without his loyalties politically and otherwise, but let us hear all of them. Let us hear Mr. Rayman, President of the Pharmacist's Society; let us hear Mr. Eyre, Government Pharmacist Analyst; let us hear people like the Director of Medical Services, so that we can come to our own conclusion and not be forced to accept the conclusion of the Minister which may have merit. But we cannot be persuaded by this merit, unless we have at our disposal the same materials on which she came to her conclusion.

Motion on the Second Reading of the Local Authorities (Constitution, Procedure and Financial Provisions) Bill 1960: 28th October, 1960

Mr. Burnham: This Bill has been long in coming. As I understand its background, with certain changes it is based on Dr. Marshall's Report on Local Government which was published in 1955. There are certain aspects of the Bill, certain points about the philosophy behind the Bill, which find my ready and unequivocal support for the fact, for instance, that the franchise should be universal adult suffrage.

Unfortunately, there are still some in our community who feel that the right to vote should be the preserve of those who own property, or who are in receipt of emoluments over a certain figure. That point of view, to my mind, is entirely untenable in the second half of the 20th century, and in fact in the context of British Guiana at the moment. For if we have adult suffrage for elections to the Central Legislature it must call for a great deal of intellectual acrobatics to justify property or salary qualification for other elections. At present it is not even salary but entirely property qualification.

In fact, no matter how much salary a person earns he cannot vote in Local Government elections save and except in Georgetown and New Amsterdam where he can have a tenancy qualification. With that aspect of the Bill which seeks to correct that anomaly I am in entire agreement. In fact there is support from Dr. Marshall in his Report, for in the days of the Interim Government he very cautiously said that if adult suffrage is retained at the centre it should also be introduced at the Local Government level.

I also support the intention of this Bill to introduce a system of Local Government throughout British Guiana encompassing every square inch of British Guiana. It is not right, it is not sensible, and it is not equitable that large areas in British Guiana should not come under the Local Government Administration. I know that there is a great deal of uneasiness felt in certain parts of the rural areas where persons in the past have not been obliged to pay any rates or taxes, because the parts of the country in which they lived were not parts of any Local Government area. But in this time and age we have to face the fact that if we are to get certain services we must pay for them, and I want to remark that the Hon. Minister has shown a great deal of courage as a politician, so shortly before the general elections, to introduce a Bill as the result of which many people will be liable for rates and taxes who were not liable before.

But I want to ask, why has this Bill taken such a long time? I ask that question and I hope that Hon. Minister will give us a reasonable answer. Dr. Marshall's Report was published in 1955. The Minister's predecessor in office issued a White Paper in 1958, and this is 1960. The mills of the gods obviously have nothing over this Government so far as this Bill is concerned,

and it cannot be that the staff and the personnel were not there. We have had advisers; I see two of them here present to support their Minister. What have they been doing: holidaying, idling, twiddling their thumbs, wasting the taxpayers' money? It is not for them to answer; it is for their chivalrous Minister to reply. I understand that both of them are solicitors; both of them have claimed some experience in draftsmanship. Why, therefore, three years? When we shall see that there is a lot wanting. In point of fact at some points I shall be inclined to observe that the mountain, having travailed has brought forth a tiny mouse!

What is the other excuse? The Law Officers' Department, it has been alleged, is overworked. That is not a proper excuse; it was within the competence of the Government to provide sufficient staff for the preparation of this Bill. This Bill carries signs of hasty preparation at the last moment. It was proposed by Dr. Marshall and agreed to by the Government that the Municipalities were to be the subject matter of separate legislation and Ordinances, but they have now put everything together in a hotch-potch Bill and have done certain things which are most undesirable.

I must concede that all the blame should not be laid at the feet of the present Minister, but he must remember that his is not a personal responsibility but a joint one, and my references to the Minister's lethargy are not applicable to him as an individual. He must understand that and share the criticism of his colleague, now Minister of Natural Resources.

One of the weaknesses of this Bill is its attempt to deal with Municipalities in the same breath and in the same bit of legislation as that of villages, country districts or local authorities. It has lumped Georgetown with these local authorities outside of Georgetown in spite of the fact that the purpose of this Bill is to give greater responsibility where none existed before, and greater responsibility where some existed before. What this Bill now intends to do is to tie these Municipalities together and make them pawns in the not always generous hands of the Minister.

For instance, the Georgetown Town Council at the moment is completely autonomous so far as financial matters are concerned. It passes its own budgets; it levies its own rates and taxes. It is true that the budget has to be sent to the Governor-in-Council, but it is not sent to the Governor – in- Council for approval but for information. You will find all of that in Chapter 152. So far as the raising of loans is concerned, it makes its own decisions but it has to get formal approval. That is one limitation of the competence or autonomy of the Georgetown Town Council in financial matters.

Dr. Marshall in his Report recommended not only that there should be a special Ordinance for Georgetown, in this case it would be the Greater Georgetown, but he also recommended continued and increased financial autonomy. This Bill states that even Supplementary Estimates have to be passed by May, and they cannot be passed without the approval of the Minister.

Under this Bill it is left to the omnipotent Minister from time to time to decide what wards and boroughs there should be. His predecessors in the early part of the 20th Century were able to draw wards; it is again going to be in the discretion of the Minister. He cannot bring before the Council a description of the wards, but he will from time to time decide what wards and constituencies there should be. My present remarks are applicable specifically to Georgetown. Whatever may be argued so far as divisions are concerned with respect to the new area and districts that are created under this new Ordinance will not be applicable to Georgetown.

Georgetown was to be extended to Greater Georgetown years ago. Georgetown as it stands at the moment, already has an administration and so on. The areas which are to be incorporated into Georgetown to make it Greater Georgetown are already areas under Local Government administration. Where is the difficulty? Why does the Minister want to arrogate to himself the right to tell us what are the wards, what should be the wards and how many wards there should be?

We find, as I said before, there is a limitation on the financial autonomy of the Georgetown Town Council. We find that the Minister is going to be able to dither too much in the borough. What is this new democracy? We agree that we shall have adult suffrage, but at the same time as you are having adult suffrage you are imposing democratic centralism. This is the destruction of the democratic idea. The country itself is moving away from the paternalistic and dictatorial control by the United Kingdom Government and has prided itself in wanting to remove the country from the domination of the United Kingdom Government.

The new District Councils that are to be set up in places under the domination of the Local Government Board will now be dominated by the Minister. In other words, six of one and half dozen of the other. I concede that a certain amount of cooperation is necessary, a certain amount of correlation is necessary, a certain amount of a collation is necessary, but it is not necessary to have the Minister replacing the Local Government Board so far as the rural areas are concerned.

I cannot understand and I do not understand how these two officers who are from the United Kingdom could have advised this, because in the United Kingdom a borough is not subject to the Minister in the same way as the borough here in this Bill is subject to the Minister. But I shall give them their due and assume that their advice on this subject was not accepted, until I hear to the contrary from their Ministers.

This is a revolutionary bit of legislation. We are taking a new step forward. Are we going to start off by treating these District Councils and administrative entities in the same way as the Village Councils were treated under the Local Government Ordinance, Chapter 150? Even if we recognize the necessity for some tutelage so far as the new District Councils are concerned, are we going to apply the same measures and yardsticks to Municipalities which have been in existence for years?

The Georgetown Municipality has been in existence for a century and it has a charter. It has earned a reputation which is Commonwealth-wide, but this Government thinks that it must control the Georgetown Town Council. Perhaps what you cannot control by votes and by the winning of seats, you will attempt to control by ministerial and administrative actions! But fortunately for us this Bill has been so long in coming to this Council that its provisions are not likely to be implemented until after August next year, so these undemocratic parts which have found their way into this Bill, I can assure you, will be removed.

There are certain comments I would like to make about the structure of some of these Sections and Parts. These things sprung from what must have been an oversight on the part of those who drafted the Bill. For instance, look at the provision with respect to the vacancy in the office of the Mayor. Clause 12 states that the Mayor is to be removed from office if he is continuously absent except in the performance of any duty on behalf of the Council for a period exceeding two months. That does not, to my mind, make sense, and imposes a greater limitation than existed before. The Mayor may be away for two months, not on the duties of the Council, but he may be away on important duties.

With the old Ordinance, Chapter 152, the only thing that was necessary was to get leave; and it would appear that what would have been better here, rather than dismissing the Mayor because he is absent for two months, is to allow him the right to get two months at a time and let him reapply. Why and how this came into the Ordinance, I do not see and do not understand. And then, typical of the control that they want to exercise, they fixed the honorarium of the Mayor at a sum equal to one tenth of one per cent of the gross revenue of the Council for the preceding financial year in clause 11. What is the purpose of that? Can this Legislature decide what shall be the honorarium for the Mayor? Is it not for the Council concerned to decide what should be the honorarium? Is it to be assumed that because one city is larger than another that the Mayor is entitled to a greater honorarium?

Is it accepted that the duties and expenses of one Mayor are automatically greater than the expenses and duties of another Mayor? I know this particular idea is one from one of the advisers and I see him now advising his Minister but wherever he got this idea from to give the Mayor one-tenth or one percent of the gross revenue he had better get rid of it. In Georgetown it is all right because it budgets for a revenue of over \$2 million and to give the Mayor one-tenth of one per cent of that is not, in any way, something to frown upon. But what about little New Amsterdam which has not got a budget of \$1 million? It is the same sort of thing that got into the Minister's mind when the Mayor asked that the honorarium be raised to \$1,000, and he said "*why?*" It is the sort of thing that the Government wants to control by administrative action what one cannot control by votes. I cannot understand, either, why the responsibilities and duties of a particular Mayor

are going to be much greater than they had been in the past when there is going to be provision made for the Mayor to be elected for only two years, at the most.

First of all, in dealing with the question of the election of the Mayor, I would have expected this particular Government to be consistent with its statements. They used to say that the Mayor should be elected by the people; now they have changed their minds and say that the Mayor is to be elected by the Council. Perhaps, their advisers have advised them on that. But I still adhere to the view that the Mayor should be elected by the electors of the city, and I am surprised at this Government that it has suddenly swung without explaining the reason for its swing. Is it that they have been influenced by these two advisers into changing their former democratic stand that the premier officers or personages of the city should be directly responsible to the electorate? That is the essence of democracy; and it is no use telling me that in the United Kingdom this is not done. I am not prepared to be bound by the traditions of, and what happens in, the United Kingdom.

We will pass over the fact that the Government has switched from its former democratic stand of having the Mayor elected by the people. When the Members of the Government were agitators, they thought differently from when they are in office. You have, there, first of all, one year at a time. Suppose you pass that; then you say: no more than two years. This is just a slavish copy of the UK law. Under the present system where the Mayor is elected for a two year term of office, the Mayor cannot serve more than two years in succession. Under this system where you are going to have a one year term of office they are still adhering to the two year period.

It seems to me that any person who is elected Mayor should be given the opportunity to see his or her policy through, which you can hardly do in a large place like the Greater Georgetown in a period of two years and remember that the Greater Georgetown is not going to be a little housekeeping estate where you just check files and argue about small points. There are lots of things to be done. There are lots of reforms to be carried out. For instance, there will have to be the introduction of a proper system of drainage and irrigation. A lot of engineering work will have to be carried out; and other things like training schemes. Is it fair that the Chief Executive should be limited to having just a two year term?

I know that the original provision, that the Mayor should not be competent to serve more than two years, came up after there were certain marathon mayoralities, one for eight years and one for seven years and, I think, one was approaching nine years; but one must not move from that and make the period too short. It seems to me that the term of office of the Mayor should be co-terminus with the Council's life.

As we are dwelling on the section or part of the Ordinance which deals with the Mayor, I just would like to direct the Hon. Minister's attention to this fact: that provision is made for the election of the Mayor, but no

provision is made for the person to preside. That is true. The adviser shakes his head. He says it is true. I do not know what sort of Bill these people are bringing here. How are you going to do it? Is it going to be in the manner of the ancient Greek states, of shouting: "We want "X" and we want "Y"? We want a little more formalism. All they say is this: "Where the person presiding at the meeting is nominated as a candidate for election as Mayor, he shall vacate the chair..." Now the Mayor of the previous year cannot preside at the meeting for the election of the Mayor for the ensuing year; therefore, who is to preside if the person is nominated for the election as Mayor? He cannot preside. More careful thought was necessary.

I see the Hon. Minister thumbing through his *Chef d'oeuvre*. I understand it is there. If it is there I am prepared to retract my observation. Clause 10 states:

"After making and delivering a declaration of acceptance of office as provided for in Section 17, the Mayor shall assume office and unless he dies or resigns or ceases to be qualified to be or becomes disqualified for being a councillor, shall continue in office until his successor assumes office".

In the first place, his successor has to assume office at the first meeting of the next year; secondly who is to preside when the first Mayor is to be elected? You can ask your advisers to advise you. The observation with respect to the Mayor, so far as leave, etc., are concerned, would also apply so far as the Deputy Mayor is concerned; and the difficulties which seem to arise so far as the election of the Mayor is concerned also apply to the Chairman and Vice Chairman of the Rural or Country District Councils.

As one goes through the Bill one finds questions arising like the acceptance of office and the validity of acts. I do not want to make any particular comments on those except, in Committee, to offer certain amendments.

What I want to observe, finally, is this: the Minister is given a great deal of power, and then as one goes towards the end of the Ordinance one finds the Governor-in-Council. There certainly seems to have been a confusion. I see you are going to have the Minister as the person responsible and you are going to have the Governor-in-Council as the final arbiter or authority. You have a mixture. You have a hybrid or what I may call, a drafting bastard.

Clause 227 gives power to the Governor-in-Council to remove difficulties. I would suggest that Government should reconsider the matter and decide once and for all whether it is going to be the Minister or the Governor-in-Council. The term "Governor-in-Council" will certainly be out of turn and out of step as from August next year, because from then there are going to be no Governor-in-Council and, we hope, no mis-advisers. What were these people thinking of? In 1960, a few months before elections after which there is going to be no Governor-in-Council, the whole Bill is littered with the term. What was the Minister thinking of? He has appended his

signature to the Bill, so that his is the final responsibility. Is he going to put us to the trouble to amend Ordinances like this after August, 1961, and provide that wherever "*Governor-in-Council*" is mentioned in our Statute the word "*Minister*" is to be substituted?

That is the final point I want to make about the Bill that this Government, the elected Members of whom are never tired of talking about constitutional advance and independence, is still dwelling in the intellectual and emotional environment of a colony, and that in the passing of legislation like this the Members of the Government are so taken up with the Governor-in- Council that they cannot emancipate themselves. It shows that they are nothing but a band of intellectual colonials. By the time this Bill passes through the Committee stage I hope we shall think of removing such terms as "*Governor- in- Council*", and that we should have a Minister solely responsible for the dealings with the various Local Authorities. I hope finally that this tight control as envisaged in the draft Bill will be relaxed and removed.

Motion on Timber Concessions to Cuba: 2nd November, 1960

Mr. Burnham: Mr. Speaker, normally I would have preferred to speak on this Motion after I had heard some comments or answers from the Government, but as I shall be asking you, Sir, to excuse me at about four o'clock to keep a 4.15 engagement, I thought I should speak now rather than miss the opportunity of speaking altogether; and lest some misguided person or persons think that I am trying to escape the debate on this subject.

It is particular interesting, Mr. Speaker, to hear from the Hon. Member for Eastern Demerara about the evils of the ideology of the Leader of the Government. I think there is a local saying which goes as follows: "*if houri tell you trench bottom got alligator you must believe 'e.*" The Hon. Member for Eastern Demerara is in a peculiarly happy position as a result of his long association with the elected Members of the Government, to tell us about these evils.

So far as I am concerned, to attempt to make a Communist State of British Guiana is unrealistic, stupid and unpatriotic. So far as I am concerned, to attempt to tie our economy to the communist sector of the world is equally stupid and unpatriotic. So far as I am concerned, I did not have to wait on the Hon. Member for Eastern Demerara to appreciate the evils of the communist system. I believe that I learnt these earlier than he and to stop pussy-footing with those who seek to bring them to British Guiana. In fact, there was some conflict of opinion as to whether he forsook the communists or the communists forsook him. That, perhaps, will be answered later but, looking at the Motion realistically, I feel that too many irrelevancies have been dragged into the debate.

I can appreciate the ideological re-orientation and the political sentiments of the mover of the Motion, as well as those of the last speaker. But the question of trade, I submit, is not a matter that we should weigh simply in an ideological scale. The Hon. Member, at last, having discovered the evils tries to persuade the world that we are the greatest non-communist country when, in the past, he agreed and posed with those who were communists. One false premise here, put forward by the Hon. Member for Eastern Demerara, is that in the world today a country like British Guiana has either got to tie its economy to the western free enterprise system or to the communist system. That is nonsensical and in the teeth of the facts as we see them in other places like India and Ghana. As a matter of fact, especially after the recent meeting of the General Assembly of the United Nations, it has become quite clear that there is no necessity, either political or economic, to take up the position of either being a pro-West or a pro-East. There is the intermediate position of the neutralist politically and economically, that can be reflected in the desire or plan of the nation or nations concerned to carry on trade with both blocs,

provided that on each occasion the particular trade deal tends to the advantage of the nation.

We have heard a lot about the free enterprise system of the west. That is particularly interesting, and though it may be a very good pass word or by word, I wonder how far it can be established, for there is no such economy in the world no national economy in the world, including that of the United States which can be really described as free enterprise. I think that type of economy has passed.

The next point is this: We, as legislators, must approach matters like these without cant and without shibboleths. The last speaker is guilty of the same type of behaviour as those whom he criticised are guilty of. If we want British Guiana to sell her surplus products we must consider the matter carefully. I will agree that the Minister of Trade and Industry has made a hopeless mess of this timber deal with Cuba. As a matter of fact I have, here, the typescript of his speech delivered over the radio where he states the amazing position thus.

In effect Dr. Jagan said in his broadcast *"I would not have gone to Cuba had I not been on my way to Venezuela, but I went to Cuba because I had two important matters to look into in Cuba."* What logic! It is here. In other words he had two important matters to look into but still he would not have gone to Cuba in the interest of this country, according to him, if he had not been en route to Venezuela. Of course it is his peculiar form of logic.

Furthermore, the Hon. Minister of Trade and Industry has been unfair to this Council on every occasion that he has gone abroad, allegedly to negotiate for loans or new trade relations. He chooses the street corners, or some place as far distant from Georgetown as possible, to tell the public what he did, what he did not do, or what he failed to do. So the best he can do is to use Government's time on the radio to do his politicking and to make some passing and far from relevant remarks to the particular subjects which are his charges and within his portfolio.

It is interesting, first of all in this timber deal, to notice that the Hon. Minister was trying to out-imperialist the imperialists, for when he went to Cuba he told them *"We are going to give you concessions. You come in."* But his new found friend had to tell him that smacked of imperialism. It is amusing to find the self-styled leader of the anti-imperialists being prepared to introduce a new form of imperialism. That is where I think he has opened himself to castigation. He always talks about imperialists coming in and milking the country. Quite rightly. He always talks about imperialists having concessions within a colonial territory, but Castro had to tell him that the proposal he was putting to him for Cuban concessions in timber in British Guiana smacked of imperialism. Let me quote from his typescript lest it be alleged that I have misquoted or misunderstood. It says:

"They said quite frankly to me that these proposals smacked of imperialism."

A little earlier in the typescript the Minister says:

"You will recall that I mentioned some time ago that we will be prepared to consider sympathetically, firstly, the granting of a lease to others, or, secondly, to form a joint company with the Cubans. The Cuban Government, however, do not want to take advantage of either of these two proposals."

In other words, this champion anti-imperialist had to be taught by the Cubans what imperialism really was. It shows that this Government is only opposed to one form of imperialism but not to another. I continue to quote the Hon. Minister:

"They did not want in any way to exploit our man-power or material resources. They were prepared to help as far as they could. They offered to make available over the next two years a loan to the equivalent of about \$8½ million. This loan will be repayable over ten years after the project gets underway. The rate of interest will be 2% and payment will be made in timber products. Technical assistance will be provided, if we require it, to help us to work out the details of such a project."

I should feel that if this Government had been able to negotiate this new trade agreement with Cuba, and in view of the fact that for the first time a local representative of the people of this country, as distinct from our British overlords, had been able to carry out negotiations, there should have been something much more thorough than this; there should have been a White Paper and more courtesy shown to the Legislative Council.

As regards this \$8½ million loan which is to be made to British Guiana, first of all Cuba has no money to lend, but so far as I am concerned, if a man is prepared to lend me money, as long as I am sure he has not stolen it I do not care where he borrows it to lend me. Cuba has no money; she has just got \$100 million from Russia and \$42 million from Czechoslovakia. I think that first of all we should have been told what form this \$8½ million loan which, according to the statement by the Minister, is offered at an attractive rate of interest, is to take. Is it going to take the form of actual money with which we can purchase commodities, machinery or equipment in the Cuban or other markets? If it is not going to take the form of money, what form is it going to take? What exactly are the things that are going to be sent here? We should also want to know if instead of money, equipment and machinery are to be given, that they are not prices at the price of those who are selling, because very frequently in international trade agreements between large and small powers, the large power prices what it sells and prices what it buys. Therefore there is no equality between the two bargaining parties.

I should have thought that the Minister would have condescended to detail. So far as I am concerned this country can trade with Satan as long as the particular trade deal which is put through with Mr. Satan, or Mr. Castro,

or Mr. Franco ensures to the benefit of British Guiana. Personally I do not believe in all this talk about not trading with X because X is a communist. Of course you also have to be consistent and say you must not trade with Franco's Spain because, so far as I am concerned, I cannot see that Franco's Spain is any more of a democracy than Khrushchev's Russia or Fidel Castro's Cuba. The question that must be considered at every twist and turn is whether we get out of the deal the best for the resources, the commodities or the items which we are sending to the other country. The Minister has brought on himself the criticisms from the two Members who have spoken so far, because if he had condescended to details and given us a clean idea of what we were to get out of this deal there would not have been this confused thinking.

I want also to observe that I cannot agree with the Hon. Member for Eastern Demerara, Mr. Beharry, who says it is good for Ghana to trade with communist countries, but it is not good for British Guiana to trade with communist countries, because the leader of the British Guiana Government is a communist sympathiser. As to his statements of fact I am in complete agreement with him (1) that places like Ghana trade with communist countries, (2) that the leader of this Government is pro-communist if not communist. But certainly that is no excuse for saying that British Guiana should not trade with a communist country or an allegedly communist country. That is to blur and to confuse the issues. If you think, as I do, that the present Government under its present Leader is a bane to this country and is carrying this country quickly down the hill, you must do something about it. I warned people like the Hon. Member for Eastern Demerara about that years ago, but he did not take heed. I warned him even before 1957, but he did not take heed. His argument has nothing logical in it. What is more is that people like him are doing their best in their own way to ensure that this same Government, a communist Government according to them, gets back into office. That is the contradiction of these political neophytes.

But whether the leader of the PPP is communist or not is not the point. The point is whether or not the item of trade is in the interest of the country and, secondly, whether or not the trade deal will tend to chain our economy to that of another country; in other words, whether we are going more into a new form of economic imperialism with a new economic imperialist master. The objection I would have to trading with communist countries would arise if a trade deal or bargain was such that a large percentage of our economy was dependent upon our relations with the particular communist country. I would object then because we would be making ourselves slaves to a new master, and in that context it would be no answer to say that Great Britain trades with Russia, because whilst Great Britain trades with Russia, only 2.6 percent of her trade is with the Soviet Union. Therefore there can be no question of the Soviet Union exercising an undue influence on the economy of Great Britain.

So far as I know, with a deal of \$8½ million we cannot shackle our economy to that of Cuba, but we cannot say whether it would be in the interest of this country until we know all the details and all the facts. It may well be that we may be able to supply what in the open market is \$8 ½ million worth of timber to Cuba, and Cuba may be able to supply us with so-called technical assistance. I would like to know more about this technical assistance; how long have the Cubans been forestry experts? It may be that in carrying through this deal with Cuba we may be robbing ourselves of the opportunity to supply other willing and better customers. Those are facts which are relevant and important. Whether it is trade with Cuba or with the United States it does not matter. The point you have to make sure on is that a trade deal is the best deal you can get in the circumstances, and what is more, that it is in the interest of British Guiana.

I cannot for one moment agree with the contention of the Hon. Member for Eastern Demerara that if we traded with Cuba those countries in the west which have capital to invest would not want to invest in British Guiana. That is *non sequitur*. I do not agree with some misguided individual calling another individual the greatest liberator in the world. But that is not germane to the problem. What is germane to the problem is whether or not trade with Cuba or trade with Russia or any communist country would necessarily mean that we would frighten investors away. It has not been the case in other countries, and I do not see why it should be the case in British Guiana. If, as is happening, investors are being frightened away, it is not because of any trade with Cuba. We have not started trading with Cuba or Russia. The reason for investors being frightened away is the attitude and known convictions of the Leader of this Government, not the fact of whom the Government trades with.

If the Leader of the Government goes around saying he is a Marxist and he hates private property, what do you expect? Any Marxist who says he did not say he hates private property is in fact saying that he is not a Marxist, or that though he did not say if he does believe it. That is what the "*Bible*" says. I agree that there is a lot that is attractive in Marxism, but I do not accept it as a whole nor would I be a Stalinist. These people are always ready with toys. I will tell you more about that when the quarrel between Soviet Russia and Communist China develops a little further. Fools rush in where angels fear to tread. It is not with whom we are trading that is going to frighten investors, it is the attitude and the known convictions of the Leaders of the Government.

I would say that trading with Cuba does not necessarily mean that we are tying our economy to Cuba or Russia. I would say further that we are not in a position to judge things, because of the incompetence of the Leader of the Government to tell us whether or not the particular deal to which he referred cursorily on the radio is in the interest of British Guiana and, therefore, we do not know what we have. Perhaps when one of the spokesmen of the Government replies, he will be able to tell us what the position is.

If a White Paper had been published the Council would have been in a better position to decide. This Government does not govern in the normal fashion, it governs on street corners, at press conferences and it governs during the 1 ½ hours per day the Government gets on the Radio Station. If this Government is embarrassed by this Motion it is its own fault, and I would seek to have the Government explain in full detail the terms and conditions of this deal with Cuba, so that we can arrive, after careful thought, at a decision as to whether or not it is in the best interests of British Guiana. If it is an unfair bargain, out with it. If it is a fair bargain, nothing is wrong with it.

Motion on the Second Reading of the New Amsterdam Town Council (Amendment) Bill 1960: 3rd November, 1960

Mr. Burnham: The Hon. Minister of Community Development and Education is to be congratulated upon seeing the wisdom in increasing the mayoral allowance in the case of New Amsterdam, but I submit that he is unworthy of congratulations because he has committed in another respect, two grave errors. In the first place he is parsimonious; in the second place he is flouting the wishes of the duly elected members of the Town Council of New Amsterdam. I have good reason to believe that the Minister was asked to increase the mayoral allowance to \$1,000 instead of \$700. It used to be \$500, and the request was to increase it to \$1,000.

Reference has been made by the Minister in his brief introductory remarks to the allowance paid to the Mayor of Georgetown. Let me remind him that it was \$1,000 for a long time, and it was increased in 1957 to \$2,400 nearly one and a half times the former amount. I see in this sum of \$700 an attempt on the part of the Minister to use the yardstick which appears in the draft Bill: one tenth of one per cent, because I understand that the New Amsterdam Town Council's annual budget is in the vicinity of $\$ \frac{3}{4}$ million. That was one of the things I alluded to when the Local Authorities Bill was being discussed. The responsibilities of the Mayor; the calls that the duties which he has to carry out are not necessarily dependent on the budget of the Municipality of which he is Mayor.

If in the case of Georgetown it was recognised that the mayoral allowance should be more than doubled, I cannot see why this Government should refuse to double the allowance of the Mayor of New Amsterdam. A lot of people believe that to be a Mayor is something wonderful. It may be something wonderful, but it is also something extremely expensive.

If there is going to be this parsimony on the part of the Government so far as allowances are concerned, it will mean that only persons with well-lined pockets can serve in the office of Mayor. Let us fact facts, and do not let us do things in an undemocratic way. Do you want only people with substantial private means to serve as a Mayor? I remember once the Minister observed that the actual allowance given to the Mayor of Georgetown is approximately one-tenth of one percent, but I can assure him that this is a mere coincidence. I was the person who, in 1956 in the Georgetown Town Council, moved the increase from \$1,000 to \$2,400. I had no such percentage or relationship to the budget in mind. I merely had in mind what I thought at the time would be a reasonable amount to place at the disposal of the Mayor. I shall ask the Government to take the word of the New Amsterdam Town Council who ought to know.

It is true that New Amsterdam is a smaller city than Georgetown, but the Mayor has important duties. As a matter of fact in a small place like New Amsterdam the calls on the Mayor by way of charity are likely to be more frequent. The smaller the city the better known the person who holds the position of Mayor, and I cannot understand why this Government, unless it is out to be cussed, should stop at \$700. In the first place, the ratepayers elect the councillors of New Amsterdam; the councillors of New Amsterdam are responsible to the ratepayers who are responsible for paying this money to the Mayor. In the second place, what is the difference, so far as the budget of the New Amsterdam Town Council is concerned, between \$700 and \$1,000?

It seems to me that the Minister in this case is merely attempting to show the municipality of New Amsterdam that he has the final word. Are we going to make an issue of \$300 in a budget of \$¾ million? \$300 may mean a lot in the budget of the Mayor. I think the Minister should reconsider his decision to limit the Mayor's allowance to \$700.

Motion on Radio Time to Recognised Political Parties: 10th November, 1960

Mr. Burnham: I beg to move the Motion standing in my name:

"Be it Resolved:

That Government make available radio time to recognised political parties."

In ancient times, in the days of the Greek City State when political communities were small, it was possible to have all of the citizens, that is, those persons qualified to take part in the Government of the State, in one place, and it was possible to have them take a direct part in the decisions of the Government. It was also possible to explain to them the issues involved and the reasons for decisions taken by those who had been clothed with executive authority.

Unfortunately or fortunately in the twentieth century with the increase of population and the expansion of the franchise, it is neither practicable nor possible for all those entitled to be enfranchised to be gathered together in one place so as to be able to take part in the decisions on the issues of the day. Democracy in these days operates in a sort of indirect fashion. Large numbers have been enfranchised and these persons who hold the franchise exercise that franchise in favour of one party or another, or one individual or another. An opportunity, however, it is submitted, can still be given to those in whose hands lie the final power to know exactly what the issues are and to have the maximum amount of material at their disposal before arriving at a decision.

It is for that reason that I have tabled this Motion, for in addition to the necessity which there is for giving the maximum amount of material and information to the voters and electors, there is this further fact that in British Guiana today there are many more issues than existed earlier. As I see it, in the late forties and early fifties there was a comparatively simple issue, an issue between those who were prepared to uphold the colonial system, and those who were bent on destroying it.

In this period, however, it is not merely a question of the upholders of colonialism against the anti-colonialists because, as I have remarked in another place, the colonial system or colonial rule in British Guiana is on its way out. If I may pause for a moment, I would observe that those who make a fuss about fighting colonialism now in British Guiana are in fact fighting a battle that is won. I cannot imagine in the present atmosphere of world opinion that the British Government will attempt to hold on to British Guiana as a Colony. If I understand the policy of the British Government, from my point of view, they are shedding the Colonies as fast as possible, although sometimes there is a mock fight here and there to keep some vital office or power. By and large the Colonial

Empire is breaking up; whether or not the Commonwealth of Free Nations is in fact superseding it is another matter.

The important point in British Guiana at this period is: what do the various political parties stand for? What is their prescription, so to speak, for curing the ills of British Guiana and for making a success of an independent British Guiana? There may be certain traces of colonialism which will have to be swept out, but there are no major obstacles in the way. The voters and electors of British Guiana, therefore, should be given the widest possible opportunity of deciding between the various philosophies, tactics and strategies of the various parties in the country.

I submit, as I did remark when introducing another Motion somewhat similar in content, that the newspaper is not a sufficient vehicle. To leave it to the newspapers is to assume a higher interest in reading than may, in fact, exist. But even if the newspapers were avidly read, there is the fact that very frequently in a newspaper one gets not only inaccurate reporting, but also the particular reporter's point of view which he puts over by the way in which he slants his report.

The *Hansard* which is supposed to be a faithful record of what is said in this Council is also not sufficient. In the first place the *Hansard* is merely a record of what is said here. What the party stands for and what is the party's approach to the problems of British Guiana and the solutions which the party will put forward for the ailments of this country cannot be embodied in the *Hansard*, because those things are not fully expressed in the Legislative Council.

In the *Hansard* we merely get what is debated in the Council. Although some of us at times will, I would not say with your connivance, but with your tolerance, indulge in irrelevancies, those irrelevancies do not give the representatives of the various parties' sufficient opportunity to give a full and fair picture of what the particular party or parties have been doing.

The other disadvantage from which the *Hansard* suffers, is that it is not a document that is in wide circulation. It is not easily obtainable by the public and, therefore, there may not be among the public a sufficient appreciation of what is said here, forgetting for a moment the limitations of what is said here, to which I have referred earlier.

The radio has gained great popularity in British Guiana as in other parts of the world. In fact, many of us know that the radio reaches some of the extremities of British Guiana where the post and telegraph services have not yet reached. We also know there are many people, most of us as a matter of fact, regardless of our station in life or our educational background who have come to consider the radio not as a luxury, but a necessity, and the number of radios have gone up in areas, in many cases, very remote. I would think, therefore, and would strongly urge the point of view upon others, that the radio is the best vehicle for giving members of the public some idea of what one party or another stands for, and therefore giving to the public some assistance in their formulation of loyalties and decisions with respect to the exercise of their franchise when the time or times come.

Those briefly, Mr. Speaker, are my arguments put forward in favour of radio time being allocated to recognised political parties. In this respect, it cannot be argued that it would mean additional expense to the Government. But even if it did mean additional expense to Government, it would be an expense well worth indulging in, because the education of people, academic and political, is such an important service that we should not approach it in a miserly fashion.

Fortunately, with the franchise under which the British Guiana United Broadcasting Company, Limited carried on, Government is allowed as much as one and a half hours per day free time and the company is compelled, on notice in writing from the Chief Secretary, to allow the use of that Government time as the Chief Secretary directs or thinks fit; and that is why I brought this Motion here. If it finds favour with the Government, as I hope it does, it would merely be an administrative matter to make the necessary arrangements. And apart from that it would not be averse from making available even more time if that becomes necessary, expedient or as they are so advised.

For instance, over the past week, one of the radio stations operating under the franchise to which I have referred earlier, B.G.B.S., has been re-broadcasting speeches made by certain political leaders who have been addressing the Trades Union Council of British Guiana. I would observe, I think these speeches were originally intended for the TUC, and the purpose, originally was that they should assist the TUC, which apparently needs assistance, to arrive at decisions as to whether that organisation should engage actively in politics or not and if it is to engage actively in politics which political party it would support or become affiliated to. Though that was the primary purpose of the talks or speeches, the fact is that these speeches have been re-broadcast by B.G.B.S. have been something that has been appreciated by many members of the public; and I have good reason to believe that the public would welcome the innovation on the radio station of having Political Parties broadcast from time to time.

I anticipate that a possible legalistic attitude would intrude into this discussion. I am aware that one of the clauses in the franchise refers to the fact that there should be no political broadcasts as such, but that particular clause is subordinate to the other clause which gives the Chief Secretary the right to stipulate that certain things should be broadcast; and furthermore, I would say that to take up such a stand or put forward such an argument would be most unrealistic in the present circumstances.

Every week we hear the Leader of the Majority Party ostensibly addressing a press conference, but on close listening to what is said it is clear that the Leader of the Majority Party speaks not only as a Minister of the Government and Leader of the Majority Party, but also as Leader of the PPP, one of the Political Parties which we find in British Guiana. Not only do I say that there is nothing wrong with that, but I say that should be further encouraged and the other parties should be given the opportunity

of putting forward their point of view as is done in the United Kingdom over the BBC. And the necessity for this becomes all the more urgent with our impending election and the new status which British Guiana will shortly enjoy.

I, particularly, in my Motion, referred to the giving of radio time to recognised Political Parties because I feel that there must be some limit to the freedom of the radio so far as political groups or Parties are concerned. Not every Tom, Dick and Harry who sets himself up as a political leader and leads a Party of one, as one Party was described by the Leader of the Majority Party at the Conference at Lancaster House in March, leads only himself with no electoral support and addresses a public meeting that runs into units and not tens, should be accorded recognition of being described as a political leader. I feel, if the Motion is adopted, that some criterion should be set by the groups or parties interested or by the administrative section of the Government.

Though it is usual, in arguing in another place, to anticipate some things in your opponent's defence that may be raised or the arguments that may be adduced against your case or proposition, I do not think that it is necessary nor is it advisable for me to adopt that attitude. I should prefer to wait and see whether there is any opposition, what opposition there is and whether there is the necessity of reply strongly and at length. But I find it little difficult to imagine that there can be opposition to a Motion of this sort because if the Government opposes it, it means that the Government does not believe in the freedom of the radio, which is one of the freedoms we talk about; because the Government Party already has the advantage of putting forward its ideas over the radio ostensibly at press conferences. If the Government does not oppose it, I cannot, in my wildest imagination, think who else would oppose it. I accordingly move the Motion.

The Electricity (Amendment) Bill 1960: 21st December, 1960

Mr. Burnham: Mr. Speaker, as has been admitted by the Hon. Minister who moved the second reading of this Bill, the question of the take-over of the Demerara Electric Company has been under discussion and consideration for at least six years. It would appear that the predecessors in office of this Government were responsible for three years of consideration and this Government responsible for the other half of the period. May I say, at the outset, that I do not share the views of the Hon. Member for Eastern Demerara in so far as he objects to Government running or being responsible for the management and control of a public utility like an electricity plant? It does not appear to be a little backward to suggest that in the second half of the twentieth century such an important utility like electricity should be put into the hands of private enterprise; and it is all the more backward in view of our most recent experience with the Demerara Electric Company. But I shall not spend time remarking on the shortcomings and the cynicism of the Demerara Electric Company which, I understand, dies with the old year.

On the other hand, however, there is some iota of reason in one of the propositions put forward by the Hon. Member for Eastern Demerara. Though it is absolutely necessary, in my opinion, for Government to have the dominant say as far as control is concerned, I do not think that precludes Government from making available to the public a sufficient number of shares to give the public an opportunity to take part in the undertaking while Government does maintain at least 51 percent, therefore, ensuring control and a final say so far as management is concerned.

We have seen that operating in other parts of the world, and I would have thought that this Government would have been sufficiently interested in attracting the enthusiasm and support of the public by making available to the public – the ordinary man-in-the street – a certain percentage of the holdings of this Corporation. Maybe, the Hon. Member for Eastern Demerara, who knows the Members of the Government much better than I, have given us the answer or the reason for their not embarking upon so progressive and obvious a step. I think he has given us the reason in his remarks that they are suffering from some ideological cancer.

The Hon. Minister indulged in some homely back-slapping, and he congratulated his Leader and his official colleagues for the success of the negotiations in London. I am afraid that after carefully studying the speech made by the Hon. Minister of Trade and Industry on the 3rd September, 1960, which was re-broadcast on the 4th September, 1960, Sessional Paper No. 8 of 1960 and the Bill which has come up for

consideration today, I find it difficult to be so full of confidence in those responsible for the take-over of the Electric Company as was the Minister of Communications and Works.

The Hon. Minister of Trade and Industry in the broadcast to which I have just referred said that the Government had now got the electricity problem licked. I concede that there was some licking, but it seems to me that the electricity problem licked this Government instead of this Government licking the electricity problem.

Now how did they lick the electricity problem? They have been able to get an undertaking from Barclays Bank to loan them a certain sum of money at the rate of 7 percent, per annum – a high rate of interest but, I suppose, in the circumstances, it was not possible to get the money at a lower rate. They succeeded in getting a consortium, which consists of a number of companies, the major shareholders being the International Power Company, to advance them this \$11 million. But at the same time as they succeeded in persuading them to advance that amount of money for the purchase of the equipment to modernise the undertaking, they have suffered a severe drop in national prestige. We are now made the objects of one of the worst possible insults in the circumstances.

What have we after the loan of this money? Outsiders are going to be able to decide who three of the directors on a Board of seven should be, and they will have to approve the appointment of the Manager of the Corporation. I recall that this particular Government, or the Members of this particular Government, in the past insisted that it was a piece of cheek with no support in logic on the part of Her Majesty's Government to think that, because the latter made loans to British Guiana by way of grants from C.D. & W. Funds, His Excellency the Governor should be empowered to nominate Members to the Legislature. That is a perfectly reasonable argument. The mere fact that you loan people money does not give you the right to control their affairs. That is typical of the Colonial system. If the British Government were to continue with their illogical argument that, because they have made available certain grants from Colonial Development and Welfare Funds, they should nominate people to the Legislature, then it would be a perfectly good argument that the President of the United States should nominate Members to the House of Commons, or the House of Assembly in France.

It seems to me that our negotiator has failed – I prefer to confine my remarks to the Minister of Trade and Industry – because he is the person who is responsible to the electorate, and I cannot imagine in what circumstances the Financial Secretary could have the temerity to go against what the Minister of Trade and Industry thinks is correct in this matter.

The Financial Secretary is an official and perhaps – with all due respect to the Financial Secretary who is a Guianese – an official may not be as sensitive to this national insult as a politician should be. It appears to me that instead of coming here to indulge in back-slapping between friends,

either say you are incompetent negotiators, or say that you accepted the best terms in the circumstances. Do not say that you are the best negotiators, for it may well be possible that if this Government had some imagination and offered shares in the undertaking locally, the question of borrowing so much money would not have arisen, and there would not have been the temerity and cheek on the part of the lenders to attempt to seize over one-third control.

On the 3rd December, the Minister of Trade and Industry said that the Manager would be free to consult the Montreal Engineering Company. That did not sound so bad, but the position as disclosed in the Bill before us today is very much worse. Not only may this Manager for a certain period at his discretion consult the Montreal Engineering Company, but the Corporation has to pay for this consultation. How do we know that the Montreal firm is the best group of consultants in the world?

No wonder the Demerara Electric Company are proud of this Government! They have given up the responsibility of running the Company; they will get millions of dollars for the machinery and control the directorate as well as the post of Manager. This so-called Marxist Government, through their incompetence and ignorance in taking over the Demerara Electric Company, has given the capitalist they abuse a Roman holiday. I suppose that we should show some gratitude to the Government for having recognised the error of their ways by having conceded that it would be necessary to reduce the proposed industrial rates.

I will apologise and ask pardon immediately, if my next statement is inaccurate. So far as I can recall the Minister did not say what would be the reduction of the rates. This is the year before the General Elections. The Members of the Government can make all sorts of promises now that they are negotiating and bargaining for the take over of the Demerara Electric Company, but there is nothing to prevent them from telling the public at a later stage that the industrial rates will be changed. They will either increase the rates or leave them at the same point.

There is another aspect of these negotiations which worries me. We are taking over this undertaking, and to quote the Minister of Trade and Industry: "*It is hoped that as a result of this take-over we shall be able to embark with expedition on rural electrification.*" In other words, we are going to expand our plant capacity; we are going to generate much more electricity; the undertaking itself is going to increase in size, and I hope, in quality. But neither in the White Paper, the broadcast nor in the remarks of the Minister of Communications and Works has an attempt been made to give this Council and the public some indication that Government have a plan, or that the plan will take seven, eight, nine, ten years during which time the loans are to be repaid – during which period, of course, we shall be the pawns of the foreigners.

This Government has given us no indication of any schemes they have for the Guianisation of such a tremendous undertaking. They claim to be a

Nationalist Government, and yet they do not seem to have the foresight to recognise that a tremendous undertaking like this must eventually be staffed by Guianese. You cannot Guianise the staff of the undertaking if you wait until five years from now to introduce a scheme for the training of Guianese for this particular undertaking. I would have thought that the Government would have taken this opportunity to insert a clause in the Agreement with the consortium whereby Guianese would be trained. These Latin derivatives are likely to confuse me. Some attempt should be made to get the Consortium to train Guianese to take over and maintain this undertaking.

We talk about industrialisation; the Development Programme, and so on. Here is an opportunity to make a declaration of policy, or to prove to us that you have been able to get the people who will continue to run the undertaking for at least the next 8 years to take Guianese and train them. It seems to me that this Government has got into a muddle. They have a good idea that the Government must control and manage a public utility like the Electric Company, but the idea is not original. That idea was based upon a Motion moved by the Hon. Member for Georgetown Central.

I repeat that Government has placed themselves in a muddle. Not only do we have the points to which I have referred a few minutes ago, but even the draftsmanship of the Bill leaves much to be desired. I do not think the Elected Members of the Government should take any consolation or pleasure from that, because the signature at the bottom of this Bill is "*Ram Karran*" and not "*Austin*". If the Minister of Communications and Works promulgates the Bill, he must take the blame. He cannot say that he is not a lawyer; it is for him to have a proper draftsman; it is for him and his colleagues to provide the funds whereby proper draftsmen can be employed.

It seems to me that this sort of piecemeal repealing or amending which has become typical of Government measures in recent times has met its Waterloo in this Bill! First of all we have this: we are introducing the "*Minister*" in the Bill for the first time. Congratulations to those who thought of it. But having introduced the concept of the Minister who will have some say in the appointment of the Manager, they still left in the Bill the provision in section 5(1) of the original legislation:

"The Corporation shall consist of seven members to be appointed by the Governor".

This is a split personality. I remember in 1957 the Hon. Leader of the Majority Party in the Government did say that there was a marriage of convenience. It seems to me that one partner of this marriage is responsible for the degeneration of the other partner.

It will be remembered that when we were discussing certain legislation last year this Nationalist Government said that the "*Minister*" should be inserted for "*Governor*", yet they are now going to leave in the hands of the Governor the power to nominate the members of the Board. I wonder if it

is a case of forgetfulness, indifferences, bad draftsmanship, or an oversight on the part of the draftsman. If it is an oversight on the part of the draftsman, then we can move the substitution of the word "*Minister*" for "*Governor*".

When we go through the Principal Ordinance we find that in section 12 (2) it is the Governor "*who may at any time by instrument under his hand ...*". Let us substitute "*Minister*" for "*Governor*". And when we come to section 21(1) of the Principal Ordinance, I suggest that "*Governor-in -Council*" will be an obsolete term by the time this legislation is put into operation.

Why did the Minister not get his drafting staff to sit down and draft a new Ordinance? I am sure that the redrafting of the original Ordinance would have been less trouble. As we move into Committee I propose to move certain amendments, but I would wish for the delectation and education of this Council that both the Attorney-General and the Minister of Communications and Works would tell us why there are these contradictions in the Ordinance itself. Is it that the Corporation is going to be subject to hybrid control? Is it proposed to continue the Governor's powers after August, 1961, so far as an internal matter like an electricity undertaking is concerned? I believe I have my answer from the Minister of Community Development and Education – the Governor, one Part, and the Minister one Part.

The Government has my support so far as the control of an electricity undertaking is concerned, but I should ask them to show some competence. I cannot see the need for hurrying through this Bill, because you pass it today and the Governor assents tomorrow – so what? When you look at Parts 2, 3 and 4 you see that there are lots of things to be completed. Therefore, take sometime and draft a proper Bill repealing Ordinance 34 of 1957 entirely, and give us some indication that you propose to allow Guianese an opportunity to share not only in the investment but also in the running of the undertaking.

The Education (Amendment) Bill 1960: 23rd December, 1960

Mr. Burnham: Mr. Speaker, it was most interesting to hear the Hon. Member for Western Berbice accusing the "*Opposition*" of offering no constructive criticism over the past three years. But some memories are short, some are inaccurate, and some people, perhaps cannot understand what they hear.

For instance, in 1957 when I suggested to this Government during the Debate on the Estimates that there should be a Unit or Department to take care of the investigation of our resources. I see some hyenas in this Council. I was saying that there should be some investigation of our resources on a properly organised basis before embarking upon a Development Programme. I was told at the time, by a person who is now an Ex-Minister, that Government did not want bourgeois advisers. But, today we see that the Leader of the Majority Party is talking about the necessity for an assessment of our resources three years after I so advised.

The Majority Party is in the habit – at least I appreciate smiles rather than grins. That is why it is always so easy to get along with the Leader of the Majority Party rather than the Chairman. I was about to say that the Hon. Member for Western Berbice seems to misunderstand what is to be done in this Council. From time to time the "*Opposition*" in their wisdom may put forward counter-proposals or criticise something done by the Government. When a counter-proposal is put forward, it is rejected out of hand, and yet we hear from the Hon. Member that nothing constructive comes from the "*Opposition*".

It is the democratic right of any Party in office to believe that whatever it does is in the interested of the country. That conceit is part of the system of Democratic Government. I do not quarrel with the Majority Party for saying that everything they have done is in the interest of the country. But they are certainly carrying their conceit beyond the democratic limit, when they do not allow others whose point of view is *bona fide* the conceit that their point of view is also in the best interest of the country.

On this particular measure a great deal of heat has been generated. I must concede that it was no heat from one side, for heat appeared to come from both sides of the Council. In this debate there has been a great deal of confusion; there has been a lot of cant and hypocrisy. The first bit of hypocrisy evidenced was the suave manner in which the Minister of Community Development and Education sought to jump on my bandwagon by alleging that, in his desire to abolish dual control, he was merely relating it to a policy which I had adumbrated over seven years ago. On this question I make an apology. In 1953, I did say that I proposed to abolish dual control of schools by legislation. I am not afraid to admit what I have said in the

past; nor am I shamed to admit that, after careful thought, I have decided to change my approach to this problem.

Now that we have heard that vulgar giggle, may I remind this Council that these PPP political gymnasts won the last election with the main plank that the Rice Marking Board should be made a cooperative, but they came here and voted against it. They promised the workers \$4.50 per day, but their Leader said "*Not a cent more*" in 1959.

There can be no doubt that in spite of what people may attempt to say, in spite of the fact that every politician attempts to prove to his electorate that he has always been consistent, that politicians are the one group of men and women who from time to time adjust their minds and thoughts, and adjust and change their attitudes.

When the Government was passing the Land Bonds Bill its spokesman said, "*It is not we who started it, it is Sir Frank McDavid. It is his idea for the acquisition of lands not beneficially occupied.*" We have heard that the justification for the attitude of the Government on the question of dual control of schools can be found in the fact that in Mexico there is no religious teaching in the schools, and that the same applies to Puerto Rico. To my mind apart from the fact that the Education Ordinance and the Regulation do not make religious teaching in the schools compulsory, it is not sufficient for us to say that because in Mexico and Puerto Rico there is no religious teaching in the schools, that the same thing is good for British Guiana.

The same may be said of some of the arguments from this side of the Table. Not because something is happening in certain Latin American countries both sides of the Council are arguing from false premises. The question of dual control of schools is an old one. We are grateful to the Minister for doing a certain amount of research and reminding us of how many years ago the problem raised its head, and the difficulties which have presented themselves. I have no doubt that a system which has been in existence for over a century must have some very unsatisfactory features.

I am a son of a schoolmaster of a school which was under dual control. I know of the hymn singing and organ playing that teachers have to do to get promotion. I know that teachers have to conduct vespers if they are to remain in the good books of certain managers. I know of a recent instance in a certain school in which a third class untrained teacher was given preference to a first class trained applicant for some post. The Hon. Minister is not being original when he discloses that there are certain disgusting and unsatisfactory features about the system of dual control of schools.

The British Guiana Teachers' Association some years ago was in favour of the abolition of dual control. It was so in favour in 1953 when I adumbrated my policy for the abolition of the system. Let us consider what is the attitude of the Teachers' Association now. Before we consider it, however, may I observe that it is necessary to consult the trade union of a group of workers, but the People's Progressive Party and its political gymnasts say

at one time that it will consult the union provided that the union agreed with them, but when the union disagrees with them they send questionnaires to individual teachers within the union to see if they can persuade those individuals to change the point of view held by the union.

As far as I am aware at the moment, the Teachers' Association, through Mr. Williams, said a year or two ago that something must be done. The Minister will have an opportunity to reply, and his time will be unlimited. He need not be so nervous. The Teachers' Association and the denominations apparently came to some agreement that a system of Schools Control Committees would answer the problem. What was to be the constitution of those Schools Control Committees? As I understand it, they would have a Chairman from the denomination, a Member of the legislative Council, a senior official of the Education Department, two nominees of the Governing Body, and a paid non-voting Secretary. One from outside may say that such a Committee is weighted in favour of the denomination, but that is what the B.G. Teachers' Association accepted, not under pressure so far as I am aware, and I understand that they were prepared to work that system as they thought that the presence of a Member of the Legislature and of a senior official of the Education Department would ensure fairness in the appointment and promotion of teachers. We must not assume that such a Committee will not work satisfactorily; we have not tried the system yet. If we had tried the system and found that it failed to work, then we could have revamped the system and no doubt changed it.

What is the basic opposition of teachers to the system of dual control? I know it better than the Minister. I am the son of a teacher, and I was a teacher myself. I was also legal adviser to the Teachers' Association. Their basic objection to the system is that not always are teachers promoted on the basis of professional ability and moral integrity. That is their complaint, and it applies all around. When the Budget Debate comes up I shall refer to certain Departments where professional ability does not seem to be the criterion in the case of certain people, and I am going to ask the Minister why he has held up the appointment of the headmaster of Cane Grove school for months, and why he has sanctioned the appointment of a head teacher to Augsburg school in a matter of minutes? It is a case of six of one and half a dozen of the other. Who is the man slated for appointment to Cane Grove and approved by the Education Department, and who is the man for Augsburg school? Take the beam out of thy own eye before thou takest the mole out of thy brother's.

The Teachers' Association did object to the unfairness with respect to promotion under dual control, and they are absolutely right. It is time that teachers be promoted because of their ability and not because they are prepared to kowtow to one person or another. I am not vote-catching now. The educational system of this country is much too important for vote-catching around this Table, but I ask if that is the major complaint of the teachers, whether the only way to adjust it is, as the Minister says, to

abolish dual control of schools entirely? This Government does not propose to abolish dual control in every phase. I think the Minister would be well advised to consult the Director of Education, because I am going to ask him later, while he is talking about the abolition of dual control, to tell us something about the Rama Krishna Dharmic Sabha School at Kitty which got a block grant last year and will get full Government aid next year. Let him ask his Director to give him the necessary information, if he has not yet ascertained it, as to why the Hindi school at Cove and John and the one at Reliance, Canje, were given grants when this Government says it wants to abolish dual control?

It seems to me that the contention of the religious denominations is not far off the point when they say that it would take an extraordinary amount of money to provide the managerial services which are at the moment provided by the denominations, and when we consider the fact that we do not have a sufficient number of schools to take care of the children of school age and to give them a proper education, it seems to me that if you can remedy the faults of dual control without undertaking the management of the schools in all its aspects, it would be better to do that and give yourself elbow room for the erection of more schools, as, for instance, the Trinidad Government is doing at the moment.

This Government which talks about its solicitude for education and the building of schools, voted \$616,600 for primary school buildings, furnishings and equipment for 1960, but of that sum it had spent only \$89,708 less than half up to other end of June. Instead of spending the money it has to do something constructive, Government is spending its time deciding, not so much to abolish dual control of schools but to take away schools from certain denominations.

The Hon. Member for Western Berbice says it is not a question of division. If it is not a question of division, if you are consistent that you want to abolish dual control of schools, why are you still encouraging people like the Rama Krishna Dharmic Sabha? Of course, the connection between that particular school and a certain individual who I know was instrumental in the purchase of "*Freedom House*" was purely a coincidence. But, Mr. Speaker, what does this Bill really propose? It proposes to take over the responsibility of control and management of schools built entirely out of Government funds.

I am going to assume, because I do not have the knowledge which the Hon. Member for New Amsterdam has, that it was perfectly true that it was public funds that were responsible for the 51 schools set out in the Schedule and Amendment thereto. We have heard the Hon. Nominated Member, Mr. Davis, giving us a history of the undertakings of a previous Government with respect to Kingston Methodist School. The Hon. Member for Western Berbice, who has suddenly become the spokesman for his Government and his Party has not told us anything about that.

I remember that when I stood here and opposed this Government honouring an undertaking of a previous Government with respect to Mr.

Ffrench-Mullen that the Elected Majority, ably supported by the Hon. Nominated Member, Mr. Gajraj, said that an agreement must be sacred and must be honoured. If you are honouring it with respect to Mr. Ffrench-Mullen, who left because he did not get the plum, certainly, if there was an agreement with the Methodist Body with respect to the Kingston School, tell me why it is not honoured? What principle are you going to violate?

I can see no principle being violated if an agreement by a previous Government with respect to the Methodist Schools were to be honoured; and I say this further: that if the expenses which will naturally follow from the implementation of this Bill were considered, any reasonable person would have gone ahead and built Government schools instead. No religious denomination would object to staffing the Government Schools without any attention being paid to the religious persuasion of the teachers. That is what the Government of Trinidad is doing. Leave them with their schools and vote more money and build more schools. Instead, Government would not spend what it has.

In 1953, I drew up a Memorandum recommending that each year five Guianese be sent away to do engineering courses. The Interim Government did nothing about it. What has the People's Progressive Party done?

More than what? You mean a few East German scholarships? As I was saying, Mr. Speaker, this Government says it is following my policy in one respect, and it ignores something else positive that I did. When we talked about training people for the take-over of the Electricity Corporation the Minister of Communications and Works told us about technical students. We want technologists, not technicians. Of course, the distinction would be difficult for the Minister to follow. That is why in 1953 I said: "*Send at least five Guianese away every year so that after six years you will have five engineers coming back each year, including electrical engineers*". Let me hear from them what courses they set out, apart from the East German scholarships which do not come out of Government funds? When I moved the Motion with respect to the training of Guianese, they sat there like mutes.

I am not surprised that the Minister of Trade and Industry – I am not surprised that the Minister feels I am outside the ambit of the taking away of the 51 schools. I remember that in 1953, I was writing Memorandum after Memorandum suggesting scholarship after scholarship. I was told, left to me, I would spend too much money on education; and I know this is the view of the Leader of the Majority Party.

The Hon. Minister of Trade and Industry: his attitude is that scholarships are a waste of time. The most he will do is to lend money for people to study; therefore, he cannot appreciate an allusion to this wider subject. Instead of taking away 50 or 51 schools, let us have a proper educational programme. Let us have a proper programme for Guianisation and let us not have such ignorance as a reply that you are going to train Guianese at the Technical Institute to run the Electricity Corporation.

When I look at Section 32A which is to be enacted under this Bill, I can see that it points to two incidents of which I read in the press with respect to the locking out of a headmaster by the Priest-in-Charge of the Moravian School. Let me observe, immediately, that in my opinion it was a piece of cheek on the part of the Priest to lock out the headmaster. Let me observe, whether you have dual control or whatever control, it was a piece of impudence to attempt to lock out the school master. But you do not have to seize 51 schools to remedy that. The Minister ought to know, under the Education Ordinance, Chapter 91, he has power to make Regulations, and Regulations such as envisaged in 32C can certainly be made under the Education Ordinance.

The only part of the Bill which seems to recommend itself to me, and I think it can be put elsewhere, is that which obviously seeks to prevent the Manager prohibiting people from going lawfully to the school or on the school land. It is most alarming that in these days a Manager should lock the doors of a school building. In my days it was the school master who had access and entry to the building. As I say, 32C can be embodied in a regulation, and all the more so since as it stands now, it does not have general operation. It only operates with respect to the 51 schools Government is going to take over. This should be applicable to all schools.

The second thing which I see this Bill sets out to do today is to end dual control with respect to 51 schools. We have heard the Minister bemoaning the fact that people who do not belong to one Christian sect cannot get promotion in a school which is control by another Christian sect.

We have heard the Minister say that Hindus and Muslims have a very difficult time. The Minister claims that he did not say that, but I am sure that my précis is accurate. I prefer to say that my précis accurately sets out what he said. We are going to take away 51 schools which have been built from Government funds exclusively, and we are going to take over the control and management of them. It is my view that, at this stage of our country's history, we cannot afford to take over these schools with all of the expenses and responsibilities that go with the take-over. It is only my view that this system, as I shall suggest later, can be so revamped that the ills of which it has been rightly accused will no longer exist.

As I had reason to observe earlier, there is an inconsistency in the attitude of the Government on this question. It is not that the Minister has come here and said that it is Government's convictions that schools which are built out of Government funds must be run solely and exclusively by the Government.

The Minister says that dual control is not a good thing; it is a bad thing; it must be abolished and condemned. Is this not the epitome of stupidity? If you decide that the system is to be abolished, why encourage people to build schools? I have already illustrated how other schools which have been built have been given Government aid. In other words, while you are saying it is a bad system, you are still encouraging people to build schools and making available certain grants to them.

Although the Minister talks about the ills under which the teachers labour, he is still giving grants to certain schools. The Hon. Member for Western Berbice says that the primary purpose of dual controlled schools is to convert rather than to educate children. The Minister says that he wants to abolish dual control of schools, but what he really wants to do is to get at the Christian schools. I say that without fear. What is sauce for the goose is sauce for the gander. Why do they want to take over these 51 schools when the Rama Krishna Dharmic Sabha School in Kitty will be the recipient of a grant as from next year?

No wonder the Minister found himself embarrassed when he attended Speech Day at the Bishops' High School. It must be remembered that these things have to pass through the Education Committee. No wonder also that this Minister found it necessary to make remarks about the standard of the work in certain Secondary Schools to which grants in aid were given. He gave a grant in aid to Tagore Memorial School, and he knows the quality of the work he got from its pupils. Of course it may be said that English is not their native language and they are not supposed to get along well with this subject. What do you expect from that school? Why get up here and say that you are shocked and surprised at the results?

It seems to me that in dealing with this matter of dual control, we must first of all recognise the ills. As I have observed before, one of the disadvantages of the system is that some Government Bodies are inclined to promote teachers who are prepared to do Church work. I know that when my father, who was a school master, could not keep evening service he used to get a rough time. I am a Methodist. The Hon. Nominated Member, Mr. Davis, need not look at me, because I can call names. I can call names. I know about Mr. Underwood. I know that if my father was unable to keep Evensong he was in trouble.

The job of teaching is a profession, and a teacher should not be appointed or promoted because he can do Church work. Secondly, I have not put professional ability alone as the criterion; I put also, moral suitability. It is expected that one must be sure of the integrity, quality and moral fibre of an individual before putting him to teach and instruct young children at a most impressionable age. If you agree with that, how are you going to achieve it?

It must be remembered that apart from the fact that some religious or moral training is necessary in schools there is the material consideration of the expense involved if Government were to take over all of these schools. The expense will be tremendous, and the money could be better spent in building more schools. The Minister says *sotto voce* "you have to appoint Managers."

I understand that one criticism of dual control is that some of the Managers are religionists and not sufficiently competent to manage a school. If that is one of the criticisms and ills you desire to get rid of, then you will have to appoint Managers who are competent educationalists and not Party

lackeys. What is the difference between the parson who handles things, and the layman whose only qualification is the fact that he is a lackey of the Government in power? You must look at the quality of the minds of the Managers, otherwise you will be going to make all of these schools Government Schools and the Management must be under the control of competent educationists. You cannot get competent people for 3 cents.

Therefore it seems to me that the tremendous expenses involved in taking over these schools at a time when we are so backward in our school building programme ought to be given serious consideration. We ought to see whether we cannot continue to enjoy the services of the Religious Bodies, while removing some of the grosser ills. I do not think the Government can say with justification that the quality of the work in dual control schools is poor, and that automatically the quality of the work in Government Schools will be of a higher order. As I see it, standards are set by the Government in the Education Regulations. If those standards are not observed, then the schools will no longer continue to be the recipients of grants. If standards have fallen, it is as much the fault of the Education Department as it is the fault of the Denominational Bodies.

I agree absolutely that in any system of education the final responsibility for standards must be in the hands of the Government. I have no compromise on that, but final responsibility for standards does not necessarily mean that non-Government agencies cannot participate in the management of the schools concerned. So far as the appointment of teachers is concerned, I feel that the Schools Control Committee system should be made to work. It has been accepted by the British Guiana Teachers' Association and by the Denominations.

I was saying that if it is found in practice that this system does not ensure promotion on the basis of merit, then scraps the system or changes it, but do not condemn it before you try it. When I first saw it my reaction was that there would be overwhelming representation for the denominations. If the B.G.T.A. feels that it will work, then let us try it. I feel that a Member of the Government and the senior member of the Education Department will ensure proper promotion. If the system does not work, we may have to embark on something like a Teachers' Commission in the same way as we have a Public Service Commission, where the criterion will be professional suitability and moral integrity. Let us try this system instead of rushing headlong and taking over the absolute control and management of these 51 schools, which will cost, for proper management, an extra amount of money.

Why not use the money for building better schools in remote areas in the country? The other day I saw a school in the Rupununi at Kato; my kitchen looks better than that. The accommodation for the teacher is atrocious; the sanitary conveniences are lower than rudimentary. Instead of taking away 51 schools, why doesn't Government take some of the money and improve the standards of some of these schools in the interest of

education and other things you profess here? My contention is that the interest in education you profess here is different from the interest in education you express elsewhere. Furthermore, let us get a proper programme for the building of Government Schools.

Let us build as many Government schools as we can find material and money for. Let us accelerate the teachers' training courses at the Government Training College. Let us have more trained teachers so that those Government schools can be staffed from the very beginning or at the earliest possible opportunity with competent teachers. If there still remains the complaint that a person's religious persuasion is more important than his professional ability, at least we will have sufficient schools in which such persons will find no difficulty of promotion. It is not that I for one moment condone religious persuasion as a criterion, because I do not feel that if taxpayers' money is used to upkeep schools, only people of a particular religious persuasion should be employed in those schools. But to point to one ill and condone the entire system is illogical, and I would recommend to this Government to leave these 51 schools alone. Be strong and strict in your standards to ensure a system whereby promotion is not denied people because of the religious persuasion, and accelerated spending of the money which you have voted year by year.

This Bill is rightly criticised by some persons because it appears to be aimed only at certain religious faiths. In a community like ours is it reasonable, is it intelligent, and is it in the national interest to put forward legislation which creates the impression on a large section of the community that it is being discriminated against? Let me concede for the sake of argument that in the Christian schools Muslim and Hindu teachers cannot get promotion. I heard the Hon. Nominated Member, Mr. Tello, reeling off some names. I do not know the names or the facts. He says one thing and the Member for Western Berbice, Mr. Saffee, says another. I am going to assume that Muslims and Hindus cannot get promotion as teachers in Christian schools, but what is the answer? Is the answer to take over these schools on the false argument that by so doing Hindu and Muslim teachers can get promotion, but you do not worry about the Hindu and Muslim schools which, obviously, are going to carry out the same policy that you allege the Christian bodies are carrying out, because I would like to see the Christian teacher who is going to be appointed to the Rama Krishna Dharmic Sabha School at Kitty and get promotion there. That is still possible even when this Bill is passed, because it is not abolishing the control which the religious denominations will have over certain schools.

Therefore I would urge the Government not to unnecessarily create confusion in this country, because that is what it is going to do. It is going to set the Christians up against the Hindus and Muslims. Let us face the realities of the situation in British Guiana. Let us face the realities of the support which it is said the PPP gets. Don't you see what is going to be the reaction of the Christians that the PPP is merely trying to squeeze

the Christians in favour of their supporters? And no amount of persuasion is going to convince the Christians into believing that is not so.

Since you say that your main object in bringing this Bill is to see that proper standards are kept, since you say that the main object is to see that a teacher's religious persuasion is not a stumbling block so far as his promotion is concerned, let us reform the system and spend our energies in a better fashion. My suggestions may not be acceptable to the Government because as I had reason to observe yesterday the Government always complains that Opposition Members do not make suggestions, but when you make suggestion there is a mulish opposition to every suggestion you make. In fact it is sometimes heart rending and sometimes amusing that if you suggest the insertion of a comma from this side of the Table it is stubbornly fought with a lot of irrational explanations.

I would ask Government to reconsider its attitude on this question. The Christians will not be persuaded that you are not attempting to apply pressure. Let us have an impartial body to go into the question of appointments and promotions of teachers, otherwise all your efforts will be wasted, this country will be further divided, and you do not have to get anyone to instigate a division. The situation at the moment is complicated. It is one thing to talk about being interested in British Guiana as a nation and as a people, but political reality should impress upon you that if any act which you commit is going to create further division, create suspicion, it is an act which should be shunned, otherwise all your efforts, allegedly in the interest of the country, will be in vain. But if you want to divide the country it is your democratic right to do so. It is said that one of the rights in a democracy is the right of the elected majority to ruin the country, and I am saying that if you persist with this measure as it is at the moment, you are threatening this country with deep dissension, division and ruin. It is a matter entirely for you. You can ignore; you can fail to heed the points of view of other persons. The blood will be upon your own shoulders.

I am opposed to this Bill, opposed because it does not tackle the problems of dual control of schools as set out by the Minister. I am opposed to it because it appears in the light of experience as discriminatory legislation; I am opposed because in certain instances it is a breach of faith, a breach of agreement made by your predecessors in office, and I hope that the Government will see some wisdom in reconsidering its point of view.

Order of the Day Development Estimates: 5th January, 1961

Mr. Burnham: As I understand it, these Development Estimates are but another annual phase of the Development Programme which was introduced in this Council in November, 1959 for the period 1960 – 1964, and which was dealt with in Sessional Paper No. 5 of 1959. I recall that there was a sort of perambulatory debate on that Sessional Paper, when the Minister of Communications and Works, Mr. Ram Karran, remarked that the absence of debate and criticism from this side of the Table was proof of the fact that the Programme was accepted and acceptable. Then I remember saying elsewhere that the Elected Members of the Government were patting themselves on the back for having produced such an excellent Programme, which they said the "*Opposition*" could not criticise or attack.

On that occasion, however, it is to be noted, there was some misunderstanding as to when the debate on the Development Estimates would start, and perhaps, too, some Members on this side of the Table did want to give them an opportunity to show their mettle, an opportunity to execute the Development Programme. Since then, however, we have had at least one year with this Programme, and many of its weaknesses have become more obvious, and many of the false premises and assumptions upon which the Programme itself was based are now apparent.

Reference has been made to the fact that the allocation last year was of the order of \$25,967,850 and up to the end of June only \$5,903,932 had been spent, and the Financial Secretary, on behalf of the Government which are showing some slight degree of realism on this occasion, estimates that the spending on the Development Budget for 1960 will be only \$16,810,455. I doubt whether that amount will have been spent, and if that amount is in fact spent, whether it will have been properly spent. I think that the Government has been unfair to this Council to ask for an allocation this year practically as great as last year's, an allocation of \$23,988,401, without explaining to us why they believe, after their record of the last three years, they can consume, so to speak, nearly \$24 million in 1961.

It may well be, though I doubt it, that the machinery is in such a position at the moment as to be able to absorb this sum of \$24 million, but I think that basic courtesy to our intelligence dictates that there should have been some explanation with respect to the under-spending last year.

I see no reason to believe that the factors which were present and causing that under-spending last year will not be absent; which absence will permit them as outlined in the Budget Statement and as set out in detail in the draft Development Estimates. Government cannot, for one moment, argue that it is unaware of its under spending because it is the Government that presented the figures to us.

The Hon. Minister of Trade and Industry, the real Head and Leader of the Government, is the real person responsible for the Development Estimates. At least I heard him say over the radio, certainly, a few months ago, that there had been terrific under-spending. In fact, I understand he got hot around the collar when two presses, one a daily and the other a weekly, got hold of information regarding the under-spending before the Progress Report was officially published; and in one of the Government's broadcasts, in one of his weekly press conferences where he is wont to explain Government policy he did say that he was going to ask the Financial Secretary to have the procedures overhauled. He did not condescend to particulars at that conference, and neither he nor the Financial Secretary has condescended to the particulars of any overhauling.

May I, *en passant*, express the view that it certainly smacks of incompetence or neglect that the Leader of the Government did not recognize that the procedures needed overhauling until nine or ten months of the year 1960 when this Development Programme was supposed to have been thought out and adumbrated since the year of our Lord, 1959. We are prepared I, for one, am prepared to pardon ignorance and to forgive incompetence, but I am afraid that I am not so tolerant when impudence intervenes, because this is nothing short of impudence to come here and ask us to vote \$23,998,401.

It is most useful to consider for a while, on the basis of the last Report presented to Members of this Council, what was happening last year and compare it with what they are hoping to do this year. But, perhaps, before we go into that detail, I may be permitted to observe that this Development Programme about which the Government had been crowing so much, is based on the Report by an itinerant economist named Berrill, whose suggestions were accepted "*lock, stock and barrel*". I think the Report was criticised by another itinerant, a Mr. Peter Newman; and then the Leader of the Government said that the Berrill Report was no good. He did not tell us that in November, 1959.

He told me Tuesday that he will say so tomorrow at eight. You will hear the Leader of this Government saying tomorrow that he does not agree with Berrill. Why did he not say that in 1959 when the Development Programme was being discussed and debated? Why did he permit his lieutenant, the Minister of Communications and Works, to expand his chest measurement and tell us that the Programme was so good that the "*Opposition*" could find no holes in it?

It is clear that the Berrill Report and its child, the Development Programme, are both based on the premise of the acceleration of our agricultural production *simplicities*. The Berrill Report starts off from the major premise, spoken or unspoken, that the economy of British Guiana not only has been agricultural in the past but, for a long time, will continue to be agricultural. I shall attempt to illustrate the thesis as I proceed to examine, not only the estimates which are before us today, but the

estimates with respect to the whole Five Year Programme. And it is disappointing to find that a Government, should allow itself to be bamboozled and misled by Berrill; for, certainly, I remember in 1953, during the short-lived Government of the People's Progressive Party of which I was then a Member, that the major criticism by the Elected Government then of the World Bank Report and the recommendations with respect to economic development in British Guiana, was that the latter were based upon the presumption that British Guiana's economy will, for a long time, continue to be agricultural, and it was in the best interests of British Guiana and its inhabitants, that British Guiana should be agricultural. It is, therefore, a little startling, in view of that earlier experience and discovery, that this Government was prepared to accept what were the major terms of Berrill's recommendations six years after.

If one looks at the Programme, one recognises that over 50 percent of the Programme is allocated to agriculture, and the greater part of that 50 percent allocation is intended directly to release more arable lands for rice farming. It was in 1960, I think on the 22nd January, that the Hon. Minister of Trade and Industry, in reply to certain observations by the Hon. Nominated Member, Mr. Tello, said there is no fear about the rice market so far as British Guiana was concerned because, number one, efficiency was hoped for; number two, we produce an infinitesimal amount of the total world's output of rice; and number three, our Eastern competitors in the very near future will not be able to get their workers to work for a pittance and so under-sell British Guiana's rice. These are the reasons he advanced why we should have no fear about our being able to sell our rice. That, of course, was in the teeth of an observation by the then Chairman of the Rice Marketing Board, the Hon. Nominated Member, Mr. Gajraj, that world prices in rice were falling.

Apart from that, it has been remarked by the Hon. Minister of Trade and Industry, on more than one occasion in this Council and outside, commenting on the profits that rice makes, that that crop is a marginal one. The statistics of our country for 1958 have disclosed that the contribution to the gross domestic product of rice was in the vicinity of 5 percent. In these circumstances, how on earth could this Government have embarked upon a Development Programme which spends 50 percent of the available funds on agriculture, and the greater part of that 50 percent on clearing lands or developing lands on which rice will be grown?

It would appear that the optimism of the Hon. Minister of Trade and Industry with respect to our markets has not been justified; but even if that optimism had been justified, one has to ask oneself; are we not laying up for ourselves a lot of trouble in the future as did Ceylon when, some years ago, the Government of that country accentuated agricultural development for the purpose of rice production? We have the lesson of Ceylon before us. I am led to the belief that Miss O'Loughlin was correct in her analysis that the extravagant spending from development funds for the production

of rice is expenditure not for economic reasons, but for political and/or social reasons. It may be attractive at the moment. It may be attractive for a year or two, but what is going to be the result?

There is noticeable in the Programme as set out in Sessional Paper. No. 5 of 1959 and laid on the Table on the 5th November, 1959, in the Estimates for last year and in the Estimates for this year, an important omission.

We have been told by the Members of this Government that, tied as their hands were, as a result of the concubinage between themselves and the Officials of the Colonial Office, they had to borrow money for the development of this country at high rates of interest. It is not indicated that they do not propose to pay back the money which has been borrowed; it is not indicated that they do not proposed to service these loans, but we are told how expensive these loans will be to the taxpayers of British Guiana. We are told that a large sum of money will be spent but yet we see no provision made for a Planning Unit to ensure that this expensive money is properly spent.

In Suriname, as I pointed out in my contribution to the Budget last year in January, it has been found necessary in the light of the country's own experience and that of other countries to have a Planning Unit of experts to advise them and to compile data. I pointed out that the major section of the Development Programme in Suriname also had their separate subsidiary Planning Units, and the work of these Units was coordinated and supervised by the Super-Planning Unit so to speak.

In 1957 from this exact position I suggested to this Government the necessity for a Planning Unit, and the necessity of having a team of experts, not peripatetic ones like Berrill who merely writes travelogues. I would like to see a team of experts employed for a reasonable period. Nothing came of my suggestions, and nothing has come up to now. No doubt if we are to be blessed with a reply from the Government we will be told that *"in recent times it has been able through the good offices of the United Nations and one of its Agencies, to have the services of an expert in soil chemistry, an expert in hydroelectricity, and several other experts."* However those experts came for a temporary period; their services might have brought a certain amount of good, but certainly not the maximum good in view of the fact that there is no continuation of the investigations and compilation of data.

Perhaps the Government will tell us why it has refused the benefit of the experience of other underdeveloped countries undertaking development programmes? Why should British Guiana, unique in many other respects, be unique in the respect of not needing a Planning Unit? It is assumed by some that the institution of a Planning Unit would necessitate a large army of expatriates. Such an assumption is not valid, and even if it were valid that is no reason for not setting up a Planning Unit.

It was observed by Mr. Newman, for instance, that no sufficient attempt had been made to utilise the expert services which are available locally, to use local material. I say this not to flatter, but the present Financial Secretary is

one of the persons whose services can be used instead of having him here explaining things about the structure of the Civil Service. He is an expert in the field of economics. There is other Guianese inside and outside of British Guiana who are qualified, but because of the absence of opportunity they have been seeking employment elsewhere. I am inclined to think that even the material which we have available and is not being used will be insufficient for the purpose which I envisage. But it does not matter if we should have to get material that is non-Guianese and that is expensive. It is a fact we shall have to face, while our Government should be making arrangements and preparations for the training of Guianese who can eventually take over the entire responsibility.

We will no doubt be lectured, if we are able to get a reply from the elected Government, on the evils of imperialism. There will be repeated the statements made in 1950 at Liverpool by Lord Trefgarne. We will also be told about what the economist, Castro, said about underdeveloped countries. We will be regaled with facts which we all know are unpleasant facts. I am sure, however, that this Government will not be able to tell us what positive attempt it has been made to institute an Economic Planning Unit, and what positive attempt it has made to ensure that there is a sufficient supply of Guianese to perform the duties that will fall upon their shoulders in the staffing of an Economic Planning Unit within the next 10 years.

I may express myself differently from the Hon. Member for Eastern Demerara, but there is one point on which we are *ad idem*: that the Government is more notorious for its ability to talk rather than its ability to do. How can the Government at this time - some are lawyers, some are dentists, some are transport workers, some are ex-teachers - undertake a big Development Programme? Is it not the epitome of conceited ignorance to undertake a Development Programme of this size without expert advice? That was done in Jamaica, Trinidad, Ghana and so on.

I should like to ask the Government, how is it that it is funding a Development Programme which is at least \$90 million smaller than the one which it originally proposed? In 1958 when the Hon. Member for Eastern Demerara was a member of a World Touring Team, he together with the Hon. Minister of Trade and Industry, with great fuss worthy of Gilbert and Sullivan, left these shores for the United Kingdom and said: "*We want \$200 million to develop British Guiana*". The Minister of Trade and Industry admitted in the debate on the Development Programme that he told the people in the United Kingdom that "*the situation is explosive*". He said: "*the situation is explosive, and unless something is done immediately and urgently we cannot take the consequences*". Excellent rhetoric of the highest order. They came back in 1958 and the titular as distinct from the actual Leader of the Delegation whom they congratulated for his services to the country, the then Governor Sir Patrick Renison, made a remark "*that you cannot get Development Funds on Guesstimates*".

In 1959 the Minister of Trade and Industry journeyed without his erstwhile companion to ask for \$200 million. Again he threatened to get money at 2 percent, 1 percent, or no percent. At the present moment I am not interested in examining the pros and cons of this percentage, for whatever interest you pay, or whether you pay interest or not, the essential things are (i) to recognise your needs; (ii) to set out a proper programme, and (iii) to execute the programme efficiently.

How was this Development Programme, part of which these Estimates are, drafted? There was a round robin sent to all Heads of Departments. I wonder whether the Chief Secretary received his round robin? Anyway, there is no development work to be done in the Chief Secretary's office; I think there is demolition work to be done there. Heads of Departments were asked to submit figures of what they wanted; these figures were then pruned and cut by Mr. Berrill and the Government, and then they arrived at this \$110 million Development Programme. We should have expected this Development Programme to lay the basis for the development of our economy along specific lines. The Programme which is not only short term in its aims but also long term as it has turned out merely to be a Programme that is intended to be a palliative. Grow more rice, give a few more people some more land, and hope for the best, trusting God. It is good to trust in God, but it is also good to make some effort. Heaven helps those who help themselves.

Those are the people who, first of all, had the temerity to ask for \$200 million when they cannot spend the allocation on the basis of \$110 million. Now for the statement by the Financial Secretary. Let me confess immediately that I am no economist. If there is one virtue I possess it is that I now when I know not. I am no statistician; I am no expert in the field of public finance, and, if sometimes I ask of the Financial Secretary certain naïve questions, I hope he will pardon my ignorance and enlighten my darkness.

For instance, last year it was proposed to spend \$25 million. It turned out that, apparently, Government could not consume the \$25 million, and the revised estimate is \$16 million. Can Government tell me where the \$9 million has gone? I would like to know. I ask where the \$9 million has gone because, perhaps incorrectly, I have made a false assumption that there was available the sum of \$25,967,850 when approval for that expenditure was sought. Therefore, if Government has not spent that \$9 million, what is its difficulty about financing this year's programme, which difficulty the Financial Secretary has alluded to on page 14 of his Budget Speech? The Financial Secretary says there that he can be sure of only \$20 million this year. He says that the funds immediately in sight are \$9.5 million from Colonial Development and Welfare grants, \$2.5 million from a local loan to be raised early this year, and \$8 million from the Exchequer loan. I am not interested in where the money comes from. I am not here to say whether it is blood money or not, or that we must thank the British Government for it. I am not interested in those moral aspects.

It is necessary to mention it in order to explain why I do not dwell on it. I see no mention of the unspent funds from last year, and I assume that the Financial Secretary will not come during 1961 with Supplementary Estimates, and say he wants some re-votes for work that was not done last year under the Programme, because he certainly knows now what works were not done, and there should be provision for doing those works in the Programme for this year.

At this stage perhaps it is apposite to remark that, assuming that the Financial Secretary is right that he can only find \$20 million, this Government is carrying on a policy of talking and fooling the public. For consecutive years Government has under-spent. Its highest expenditure under the Development Programme has been \$19 million. If Government can only find \$20 million, why does it talk about \$24 million which it cannot spend? There has been no explanation as to changed circumstances, increased expertise, greater efficiency, overhauling of procedure, to lead us to believe that what happened in 1960, 1959 and 1958, will not recur in 1961.

I am a firm believer in a country paying for a large part of its development. I think that too many politicians in under-developed and undeveloped countries are prepared to be mendicants. Too many want to be always borrowing money without making any attempt to raise the money. I agree, therefore, with the Government's policy which was set out to my knowledge at least three years ago, that part of the Development Funds must be provided by the country, by the Government from revenue surpluses. The Financial Secretary, carrying out the policy of this Government, would like to get his programmed revenue contribution of \$3 million, but is not realistic in the circumstances, for he says in his Budget speech:

"While for the reasons given in my discussion of the 1961 revenue surplus, there is virtually no 1961 revenue contribution to the Development Fund in sight, and the I.B.R.D. loan has not yet been negotiated to finality, there is a good possibility of financing an additional \$4 million, to make a total of \$24 million, from additional Colonial Development and Welfare grants, a larger drawing from the Exchequer Loan, a better revenue outturn than now budgeted, and the I.B.R.D. loan."

If it is Government's policy that this country should contribute to its Development Programme, and if it is agreed that the Development Programme will pay for itself eventually; that it will pay high dividends as a result of the development of the economy and the increased prosperity it will bring in the foreseeable future that should have been present in Government's mind when it was drafting its recurrent estimates. It is no sense coming here just eight months before the General Election and saying "look here boys, there will be no increased taxation except that we will

touch the pools a little bit, although we do not expect to get much more from them."

The Hon. Member for the North Western District, Mr. Campbell, remarked that we wanted less politics and fewer politicians. I think what he wanted to say and I would agree with him is that the mere political motive to appear popular should not be the dominant consideration when one is dealing with the affairs and future of a country. The fact that elections are likely to take place in August of this year should not in any way have contributed to the Government being satisfied with having no revenue surplus which it could contribute to the Development Programme. I am not suggesting that Government should tax potatoes again. I have clearly in my mind where Government could have raised extra revenue, but I am not here to advise Government in those respects. The role of the "*Opposition*" is not the role of the pedagogue.

I was going to deal with a comparison of the projected works, a comparison between the projected works for 1961 and those projected in 1960, and I was going to show cases where Government has not spent one cent or even made a beginning in 1960. I propose to deal with that, not Head by Head but running through the majority of the Heads.

Motion on the Development Estimates - Budget Debate: 6th January, 1961

Mr. Burnham: In his Budget Speech, starting from page 15, the Hon. Financial Secretary attempted to give some indication of what the Government proposed to do under the Head of Development in 1961. He attempted to give some meaning to the figures or, at least, some of them which appear in the Draft Development Estimates.

It is, perhaps, unfortunate that the second item to which he has referred in his outline is the Agricultural Training Centre at Mon Repos. In 1960 there was allocated for that Training Centre the sum of \$80,000, but up to the 30th June, 1960, not a cent had been spent on it.

For the Government to come here blandly and say "*We propose to make a start*" it is assumed that nothing has been done is not good enough. Why was not a start made on the Training Centre at Mon Repos in 1960? Why should they have asked us to approve \$80,000 for this purpose in January 1960, when they knew, or ought to have known that it was impossible for them to do anything about the matter?

Under the Head of Agriculture last year there was allocated \$1,467,175. Of that sum up to the 30th June only \$150,329 has been spent, slightly over one-tenth; and we note that the Revised Estimate for 1960 is \$982,800. They give us no explanation or facts on which they based their ambitions for 1961, but they calmly ask us to vote \$1,346,276 which is just about \$100,000 less than we were asked to vote last year.

The sum of \$583,000 was allocated for Civil Aviation last year. This year \$314,000 has been allocated. The Revised Estimate for last year was \$82,620. Up to the end of June, from the sum of \$83,000 only \$3,473 had been spent and that sum on the smallest item in the Programme for Improvement of Interior Communications.

The sum of \$452,500 was allocated for the Georgetown Airport, but not a cent was spent. For the Purchase of Aircraft \$50,000 was allocated, but nothing was spent. For Improvement of Interior Communications \$52,500 was allocated, but only \$3,473 was spent.

Drainage and Irrigation this year as last year is supposed to take a handsome share of the Development Funds. But it is to be noted that they anticipated under-spending slightly over \$2 million on Drainage and Irrigation up to the end of last year. Whereas the original Budget was \$7,896,382, the Revised Estimate shows \$5,866,552.

I have observed before that the emphasis on this Development Programme based on the Berrill Report is on agriculture. I have also observed that the object of the drainage and irrigation work was primarily to drain and irrigate areas for more rice growing. A certain part of it, if we are to accept the word of the Minister of Trade and Industry given here last year, is for the provision of land for the diversification of our agriculture. Yet

there is under spending to the tune of nearly one-third of the amount voted.

It seems to me that even the programme, as it is geared, is not being fulfilled, and that we still have no explanation for it. If they had told us that the rains had come; if they had told us that the money was not available, those would have been excuses, though not a proper explanation. But we have none of that forthcoming.

This year, under the Head, Education, we are asked to vote the sum of \$1,032,638. Last year we were asked to vote \$1,086,000, but up to the end of June only \$95,037 has been spent. It is to be noted that one of the items on which the sum of \$1,086,000 should have been spent last year, is the item Post Primary Schools, for which the sum of \$120,000 was allocated, but up to the end of June not a single cent had been expended. For Primary Schools Buildings, Furniture and Equipment the sum of \$616,600 was allocated, but when the year was half way through slightly over one-eighth \$89,708, had been spent. What is the reason for it? These are the same people who want to take over schools. They voted \$616,600 but they could not or would not spend it.

The estimates for Education for 1960 have been realistically revised, making the total allocation for Education up to the end of December, 1960, the miserly infinitesimal sum of \$504,344. The Head, Education, under the Development Programme last year and this year, accounts for something in the vicinity of 5 percent. Under the recurrent estimates it is 13.98 percent. The proposed expenditure on Education under the recurrent estimates and the Development Programme together amounts to 10.09 percent of the Budget, Recurrent and Development, and it is in that context that there will be under-spending to the tune of more than 50 percent of last year's draft Development Estimates.

In Malaya 20 percent of the budget is allocated to Education. In Ghana and Nigeria the percentage is even higher. In Jamaica it is 17 percent. I can imagine the facile answer that the percentage of illiteracy in some of those countries is higher than ours, but there are two arguments to that. If the Government's contention is that it should spend less on Education than those other countries, why has it under-spent by 50 percent even the little it allocated? The second answer is that Government must not be guided by the lowest standards, but by the highest. It is an accepted fact that a large part of the economic and technological development in the United States of America is due to the fact of its extensive education system. Russia has become a world power in the field of industry and technology largely because of the great emphasis placed on education and training. Primitive Turkey was made a modern power by Kemel Attaturk, and the greatest contribution to the modernising, if not civilising, of Turkey come from the large expenditure on education and training.

We hear that this Government says that the State must take command and control of "*the commanding heights of industry*". We hear the Leader of the Majority Party saying that he is a Marxist, but I cannot understand what

sort of Marxist is leading this Government, because even as a Marxist prototype, Russia, paying so much attention to education and training; here is his capitalist enemy spending a great deal on education and training. Where really does he or his Party come in? If he is a Marxist I agree that one of the articles of faith is that the State must control all the important means of production, but you cannot control your important means of production efficiently if you do not have trained people, and you cannot train people unless you expend money on basic education.

Even if you are not a Marxist you have to concede that with greater control over our affairs and full independence within a matter of months, that the necessity to run a modern State, that the necessity to produce the personnel not only for administration but also for the running of industry, whether it be public or private, that much more emphasis than has been placed by this Government on education is needed. Feudal Japan recognised this since 1850; Marxist Guiana fails to recognise it in 1960 – 110 years after. The Head, Education, I think, illustrates the greatest weakness of this Government. It talks about independence, it accuses other people of not wanting independence, and it has in its hands the material for producing educated and trained Guianese but it neglects to use that material, it neglects to employ the machinery it has at its disposal. It spends under 50 percent of the amount allocated to Education under the Development Programme. What excuse can there be? What rationalising can be presented here? By any standard it is ridiculous, whether you are an old world reactionary capitalist, or an allegedly modern progressive communist.

There is no civilised country in the world which behaves in the same way as this Government is behaving in neglecting opportunities to expand and give new life to our education system. We find the Minister of Community Development and Education, Mr. Rai, getting up at Queen's College last year and saying that Education must yield place and priority to subjects that are in the economic sector, in the productive sector, meaning by implication, in fact he said the words, that Education is not in the productive sector. That mode of thought is so pre-historic that it can find support neither in the east nor the west. Where is the Government taking this country? I am not here inveighing against its ideologies. This is no time or place for it, but sheer commonsense, basic intelligence, basic literacy to read, should have dictated to Government first of all, a higher allocation than 10 percent of the total vote for Education and secondly, the necessity to spend what is allocated?

Under Head V – Industry and Credits: It was intended on the 1st January, 1960, to spend \$500,000 on Agriculture and Housing, and under Industrial Loans and Credits it was proposed to spend \$1 million, but up to the 30th June, Government had not got down to spending anything of those sums, but there is a revised estimate of \$700,000 up to the 31st December, 1960. In other words, the allocation has been cut by more than 50 percent.

I would have thought that when the Members of this Government spoke about diversifying the agriculture of this country, that part of their scheme was the use of controlled credits to assist persons or farmers who were prepared to venture into new fields, to encourage peasants to stop growing the conventional quick-cash crops which do not make a proportionate contribution to the economy of the country, but to concentrate on growing more permanent crops. The details of the Development Programme and the allocations for 1960 were well known before the beginning of 1960. The general form was set out on the 5th November, 1959, but up to the middle of last year nothing has been spent, and I wonder how realistic the Financial Secretary is when his revised estimate is put up to us in the sum of \$700,000.

Geological Surveys: An allocation of \$576,154 was asked for at the beginning of last year. This is one field in which the Government spent more than half of the amount allocated up to the end of June. Congratulations! The Revised Estimate for 1960 has been at \$601,248; and we have been asked to approve \$517,133 for 1961. We have heard a great deal of the mineral wealth of this country, but most of it remains doubtful - the extent. There has been no proper and thorough survey; and I would have expected that there would have been a greater allocation than the one, now. For instance, under the Programme proper, I think it is something in the vicinity of \$4 million or thereabouts out of the total \$110 million Programme, allocated for geological surveys, but a careful breakdown shows that not all the surveys are, in fact, geological surveys. There are portions for topographical, aerial and hydrological which are mainly for the purpose of agriculture. It would appear, therefore, that the little over \$2 million of the \$4 million for geological surveys was, in fact, intended for geological surveys; and I would have urged upon the Government and hoped that it would have accepted this point of view, that the allocation for geological surveys was much too small if we were to discover and assess, properly, our real wealth in this country.

It may well be that there is an insufficiency of trained staff at the moment. If that is so, I would then turn and ask Government: Have you made any attempts (a) to start having Guianese trained; and (b) to acquire the services of trained persons who are not Guianese until such time as you can have your own Guianese responsible for your survey units in their entirety? I am looking forward to some type of answer on that. It makes no sense to get up and say that a country of 83,000 square miles has no right to have poor people and that we should not be poor. Let us, at least, discover and assess our resources, so that we would be able to turn them to good in the interest of the country and the community.

Health: last year they asked us to approve \$492,102.

Thank you, Mr. Speaker. For 1960, the request was \$492,102 for Health. The Revised Estimate for 1960 fell short by over \$100,000. Perhaps, the Minister responsible for this aspect of our community's life will tell us why

the estimate was revised downward; whether it was that the Cottage Hospitals were erected at a cheaper cost or the poliomyelitis vaccination was cheaper or what. But, as I understand it, the Government, before it proposes to spend a particular sum under a particular Head, should examine what is needed, the amount of money available and the amount of work that can be executed during the given period. Are we to understand that these Development Estimates for 1960 were in the tradition of this Government mere "guesstimates"? With no exception have they gone anywhere near what was originally budgeted except in the case, as I pointed out, of geological surveys where the revised expenditure is a few thousand dollars more than originally proposed.

Housing – rural and urban: We heard of the interest of this Government in housing. In January, 1960, the housing allocation of this Government was \$1,239,711; and then it crawls back into the Council in January, 1960, revising its estimate down to \$631,000 or less than 50 percent, of what was allocated. Can it be that it does not have the material to proceed with the housing programme? What can be the reason? There are some persons who suggest that it is typical of the Government's lack of interest in the un-housed. In 1953, the Minister of Trade and Industry, then Minister of Agriculture, reinstated someone in a private landlord's house after an order of the Court had been made. In 1960 and 1961 he is part of the Government that refuses to spend its allocation for housing, part of the Government that sends up rents in Government estates.

I hope the Minister would explain her shortcomings on her feet and not on her seat. The Leader of this same Government who in 1953 was commandeering a private landlord's house is today refusing to spend by over 50 percent the allocation for housing, and makes it more difficult for people to remain therein. Today, bailiffs are throwing out people. I say that today people are being thrown out of Government houses.

I said before that the proper place to answer a question is on one's feet and not on one's seat.

Land Development: Another aspect of the emphasis on agriculture, this Head was allocated a sum more than education of \$1,760,623. Up to the end of June, 1960, only \$96,000 was spent, and the Revised Estimate for 1960 is \$563,000 or less than 1/3 of what it asked for. Why did the Government ask for \$1,760,000 when it knew it could not spend it? What about this promise Government made to the people about giving them land? To fool the people, at the beginning of the year this Government asked for \$1,760,000 and at the end of the year it sheepishly says it cannot spend more than 1/3.

In the public speeches of Members of the Elected Government they say it is inexplicable and unfair that a country with all this area, with a population of half-a-million, should have people suffering from land hunger. It has at its disposal \$1,760,000 which it asked for. It was not the "Opposition" that forced that sum upon the Government; it was not the Governor who forced that sum upon the Government; it was not, as I

understand it, the three officials, because they are three against five, it must have been the Elected Government's responsibility for that sum; and how on earth does the Elected Government hope to satisfy this land hunger if it cannot spend 1/3 of what is asked for in 1960?

Public Works: The sum of \$360,000 has been allocated for the Parika-Bartica Road; \$9,825 had been spent up to the end of June. The total allocation for public works was \$5,576,770. Slightly over 1/5 was spent when half the year had passed or \$1,466,898; and the revised estimate is \$3,552,600, an under spending of over \$2 million. And it is to be remembered that the emphasis was on the Parika-Bartica Road, the Bartica-Potaro Road, the Potaro-Lethem Road, the East Bank Road, sea and river defences.

This Government deliberately said that with the limited funds at its disposal, it was not going to undertake the East Coast Road in this period. There is a lot to be said for that, that the concentration should be on roads into the Interior but we had, however, an undertaking from the Minister of Communications and Works, in his contribution to the debate on the Programme on the 22nd January, last year, that the Government would do its best in the meantime to keep the East Coast Road in a state of repair. I do not think there is anyone in British Guiana who does not now recognise that the East Coast Road has never been, within living memory, in a worse state of disrepair. I pity those persons who have to travel on the East Coast Road twice per day. The amount for roads was under-spent by \$2 million. They did not repair the roads.

The Government promised to repair a part of the East Coast road, yet it permitted the road to deteriorate. Ask this Government, and it will tell you that it inherited 150 years of misgovernment; it has inherited a policy which has been directed not in the interest of the inhabitants of Guiana but in the interest of colonialists. But it has carried on the same policy of neglect and incompetence as its predecessors, and its Members have been gallivanting around the world spending the few paltry cents the Government has received from C.D.&W. funds. The Government says that \$110 million was inadequate, but under every Head there has been under-spending. And Government is trying to impress people that it can handle a bigger Development Programme than the one before us!

The sum of \$201,360 was allocated to Miscellaneous, but only \$45,901 was spent by the end of June, 1960. I am convinced that it is sheer incompetence on the part of this Government, the Members of which are not backward as politicians. The bulk of the money is being spent on agriculture in the rural areas. They get their political support primarily from the rural areas. The sum of \$150,000 was allocated for Rural Self-Help Schemes, but only \$13,396 had been spent up to the end of June, 1960. The Revised Estimate shows that up to the end of 1960 exactly one-third has been spent.

The sum of \$170,000 was allocated for Social Welfare, and the Revised Estimate shows that \$55,880 has been spent.

There is one bit of under-spending I do not quarrel with this Government about, and it deals with an item under the Head of Local Government. The sum of \$120,000 was allocated for Temporary Specialist Staff, and the Revised Estimate shows that up to the end of 1960 \$43,300 has been spent. In spite of the pendency of Local Government Elections; in spite of the pendency of the new system of Local Government, it could not spend the full amount allocated on Temporary Special Staff it could not employ or find, and for whom it had no work. Why was no attempt made to allocate the money to those Local Government agencies, like Village and Country Authorities to assist them in preparing for the new system?

Of course, you cannot expect this Government to think of everything. I agree with the remark made by the Minister of Labour, Health and Housing that we expect them to do too much. I agree with that; we should recognise their limitations, and not call upon them to behave like people who understand what they are doing so far as the art of development of a country is concerned.

So far as Amerindian Development is concerned, I recall that very nice words were said on the introduction of a Bill to amend the Amerindian Ordinance some months ago. We were told of the necessity to integrate the Amerindians with the rest of the population; the necessity to bring everybody closer together with a view of equality, and that the hallmark of equality was the right to Amerindians to drink alcohol like other Guianese. I am not questioning the correctness of that approach. I am repeating it without commenting on it, but I am reminded of all these laudable sentiments which have been honoured in the breach when I look at Head XVIII of the Development Programme.

Last year the sum of \$208,800 was allocated for Amerindian Development. In the first place, this amount is totally inadequate to take care of Amerindian and Interior Development for the indigenous population of this country. We forgive the Members of the Government that trespass, and we forgive them the trespass of spending \$43,000 out of \$203,800 slightly one-fifth of the money, on Amerindian Development last year. I am not only going to say that the Members of the Government are only full of words, but I am going to stress the fact that words are wind.

For the Extension of the Good Hope/Karasabi Road \$19,500 was allocated, but not a cent had been spent up to the end of June, 1960. The sum of \$9,000 was allocated for the Kamarang Mouth/Paruima Road, but not a cent has been spent. For Improvement to roads – South Savannahs, Rupununi, the sum of \$25,000 was allocated, but not a cent had been spent. The sum of \$7,000 was allocated for Communication (Radio), but not a cent was spent. The sum of \$21,500 was allocated for Water Supply for Rupununi Villages, but only \$269 had been spent up to the end of June, 1960. Why should the people of the Amerindian Districts be complaining that they have no wells and no adequate water supply, when Government has a vote of \$21,500 at its disposal for doing the necessary work? The amount would

be inadequate to supply water to all the villages in the Rupununi, but there is no reason why Government should not spend more than \$269 on the scheme up to the end of June, 1960.

It will be observed that \$4,000 was allocated for Medical Huts, but not a cent was spent up to the end of June, 1960. The sum of \$18,000 was allocated for Agricultural Development, but not a cent was spent. From the sum of \$8,000 allocated for Training Centres, only \$2,037 had been spent up to the end of June, 1960. The sum of \$1,000 was allocated for Miscellaneous Schemes, but not a cent had been spent. The sum of \$65,000 was allocated for the Kumaka/Kwebana Land Settlement, but only \$43 was spent. I wonder what could have cost \$43? The sum of \$10,800 was allocated for Rest Shelters, and only \$317 had been spent. The sum of \$20,000 had been allocated for the District Office, Orealla, (this is the constituency of the Leader of the Majority Party in the Government) but only \$2,377 had been spent up to the end of June, 1960.

This year the Government comes back again after having under-spent, after having told us that it was unable to spend slightly more than one-fifth of \$208,800 and say with its temerity *cum* stupidity that it can spend \$247,000 in 1961 on Amerindian Development! All that it has attempted to do for the Amerindians is to allow them to drink rum. I do not know if it is the best thing for Amerindians to drink rum. I am not fond of alcohol myself. As long as they do not consume too much alcohol like some of my friends it may be all right. But is rum drinking development? The Development Programme with respect to Amerindians shows a combination of disregard and incompetence.

Let me take this opportunity to congratulate the Government on the question of forests. I congratulate it not for the microscopic amount allocated to the development of forests in a country supposed to be rich in forests. This is part of the triad envisaged by the Minister of Trade and Industry who thinks of forests, mineral wealth and hydroelectric developments. I do not compliment Government on allocating only \$12,610.

The sum of \$4,876 has been allocated for a Central Timber Manufacturing Plant, but only \$2,460 had been spent up to the end of June 1960. For additional Temporary Staff the sum of \$7,734 was allocated, and they almost spent it. The sum of \$12,610 was allocated for forests, and the Revised Estimate indicates that Government spent \$11,837. I must compliment it on this, because it is the only Head under which it nearly hit the mark. That is the reason for my earlier congratulation in using up a tiny allocation for forests. It nearly hit the mark in the context of a country of this size, a large part of whose wealth is attributable to its forests.

The sum of \$28,076 was allocated for Rural Electrification, but the Revised Estimate indicates that Government spent \$102,219 on the Rural Electricity Schemes. Last year it was referred to as Rural Electrification, but Government has changed the title this year. I do not quarrel with Government for changing the name or juggling things.

When one examines the Development Estimates and the Development Progress Reports as cursorily as I have, one is led to two conclusions: the first one is that this Government does not know what it is talking about when it gets the Governor to say that the development of the country's resources to give full employment and raise living standards has continued steadily. Where has it continued steadily? Is it any wonder that the economic conditions in British Guiana today are worse than they were a year or two ago? Is it any wonder that things are becoming progressively worse? What is the use of talking about the 17 percent unemployment which this Government found in 1957, when the money that is allocated to relieve that unemployment is not spent even to relieve the unemployment temporarily, let alone from the results that ought to come from a sensible spending of the money on a long term basis?

The second point that must strike anyone is that this Government obviously is playing ducks and drakes with development. It is like a Poker player believing he can play a good hand at Bridge. It is true that both games are card games, but the skill at Poker is not the skill required at Bridge. That is where basically this Development Programme has been misconceived and poorly executed, when this Government has not seen to it that the money that is available for development should be properly used; that the expertise of trained persons should be called upon in a Planning Unit after investigation to give direction to what the Government wants. The final decision must be the Government's, but its execution cannot be in Government's.

Each profession has its experts, but I fail to see how the expert street corner politician can substitute himself for the trained economic expert. It is no sense coming to us and indulging in all these polemics about procedures. If one or two million dollars of this Development Programme has been allocated for the building up of a trained staff, an expert staff, that would have been one or two million dollars well spent. In neglecting to spend money in that direction this Government has been penny wise and pound foolish. It has a Development Programme which points exactly nowhere. Where does it point to a subsistence peasantry? No concept of light industries is mooted here, no concept of planning for heavy industries.

There are several people who attack the Government for its adventurist ideology, but as I see it, although its adventurist ideology will take us over the brink to eventual ruin, I am convinced that this Government stands indicted and condemned for its sheer stupidity and incompetence. It is unnecessary to go too far. Can one imagine any Government, on the eve of elections, producing something like this? They would love to do better; the spirit is willing but the poor flesh and mentality are weak.

Motion on the Electrification of Villages: 2nd February, 1961

Mr. Burnham: I beg to move the Motion standing in my name on the Order Paper which reads as follows:

“Be it resolved: That this Council recommends that Government enter into negotiations to ascertain whether, and if so on what terms, the various sugar estates would be prepared to electrify villages until such time as the countryside rural electrification becomes a reality.”

I do not propose to be long on this Motion because I find it difficult to anticipate any opposition to it. In the first place it recommends that negotiations be opened; it does not for one moment suggest what should be done. I have had the advantage of travelling along the East Coast on many an evening and seeing several or at least two, that I can remember, sugar estates like oases of light in the midst of a desert of darkness, and those deserts of darkness are in fact the villages. I have wondered, because on many of those occasions the lights from the estates seemed to be in profusion, so much so that I suspect that there is an attempt by those who own the generating plants to use up as much energy as possible for fear of their machinery being fouled if full use is not made of the power that is generated.

For some time now we have been told that this Government and the previous Government had anticipated electrifying the rural areas which, of course would include the villages. I have made some slight and cursory investigation and I am led to believe that this plan for rural electrification by the Government is not likely to become a reality within a short time. I am going to be charitable and assume that it is likely to become a reality during the lifetime of some of the younger ones of us, but certainly it is not foreseen within the next few years. My further investigation has also led me to the conclusion that those sugar estates with generating plants to supply electricity to the surrounding villages do not necessarily have to distribute electricity to individual consumers or would-be consumers, but to supply it in bulk, perhaps to the local authority or village council concerned, which can then undertake the responsibility for distribution as, for instance, has been done in the case of Wismar-Christianburg by the Demerara Bauxite Company.

I am not that naïve to assume that such a plan would be without certain practical difficulties, or to assume that there will not be a number of minutiae that will have to be worked out. I am aware, for instance, that on some of the estates there is only a seasonal supply of a large amount of power. When an estate is grinding and the steam boilers are in use there is a greater and overwhelming supply, but I understand that in some cases

when there is no grinding the respective estates switch back to a small diesel plant which can serve the immediate needs of the estate and such personnel as use electricity.

That difficulty, as I see it, is not one that cannot be surmounted, and it is not one which cannot be resolved as a result of discussion and negotiation. There can be arrangements made, for instance, perhaps to supplement the plants on the estates or to supplement the facilities, so that even in the off-grinding period the necessary power can be generated which will yield a surplus that can be sold to the local authorities for distribution to consumers who would be interested in taking the electricity.

I do not believe that there is anyone here who would not like to see the modern and civilised convenience of electricity made available to the people in the villages and in the country districts of this country. No one, I think, will have to labour the advisability of having electricity made available to the people in the villages and in the country districts. Perhaps, it may be said that since the purchase of the Demerara Electric Company's undertaking and the bringing into being of the British Guiana Electricity Corporation, the direct responsibility will be not that of Government but of the Electricity Corporation.

To my mind, if such an argument were put forward it would shoulder the emphasis on technicality rather than on realities, because if I remember correctly, the constitution of the Corporation is such as to leave a certain amount of residuary power in the hands of the Minister, and in any case, even if the machinery were to be provided through the Electricity Corporation. I cannot imagine in the wildest flights of fancy, that the British Guiana Electricity Corporation would refuse to adopt and implement the policy which has been accepted by the Government of the day.

In the circumstances, therefore, I propose that Government enter into negotiations with the various sugar estates to find out whether they have available power, and whether they would be willing to make available such power for the use of the people in those areas, and in what circumstances and on what terms power could be made available for our residents in the rural areas. Of course, I anticipate that the arrangement will have to be such that the *pro tem* system can be absorbed without any difficulty into the larger system of rural electrification when that becomes a fact.

Mr. Burnham: (*Replying*)

Mr. Speaker, as I heard the Hon. Minister of Communications and Works ambling through his recitation, halting at some times, and inaudibly at others, I thought that he merely had to say something rather than had something to say. He spoke of the difficulties that would face an attempt to distribute electricity from the sugar estates. If he had taken pains to listen to my opening remarks, he would have recognised, or would have heard that I alluded to the fact that there were difficulties, some of which I

appreciated, some of which I anticipated, and others which, I imagine, would crop up but of which I was not aware. I am not that naïve as to believe that the distribution of electricity to the country and village districts from existing plants on sugar estates is something that can be achieved easily and without difficulty.

We hear of the difficulty of marrying the system which will be introduced, maybe in five years' time, to the existing system of electric plants based on the sugar estates. If the Hon. Minister were able to say that such a marriage were impossible, he would have been able to find some logical objection to the Motion I have moved. He has merely said that it would be difficult.

I could never imagine a Minister of Government, a gentleman of the age of this particular Minister, being frightened by difficulties! It is true that his field of expertise is not electrical engineering or electronics, but what do you have experts for? If the experts had reported that it was impossible to marry the new system that is going to come into operation some years hence to the system now used by the sugar estates as bases, then, perhaps, we might have listened to his arguments and appreciated what he had to say. He speaks about different voltages and other things; he accused me of not understanding things, but the way in which he phrased his objection indicates that he himself does not understand. He knows not, but he would not admit that he knows not. I cannot see what is the objection to this Motion. He speaks of rural electrification being in sight. In sight when? Rural electrification has been in sight for a number of years. In Creolese one would say: "*While the grass is growing, the horse is starving.*"

With a little more astuteness than his colleague, the Hon. Member for Berbice River, he did not condescend to give a period of time when rural electrification would become a fact. We are told that every effort would be made to supply these rural areas from the central point of the British Guiana Electricity Corporation. Does the Minister appreciate what anyone of average intelligence must appreciate, that even if rural electrification were begun in a few years, how long it is going to take for us to be able to electrify the entire rural areas? The East Coast may be comparatively easy. The East Coast is fairly near to Georgetown, but what about those areas in the Corentyne? What about those riverain areas? If you are going to attempt to electrify the riverain areas, I know, with our capacity, that you cannot at the same time attempt a thorough scheme of electrification for the entire coastland.

Even recognising the difficulty that is posed with respect to far off coastal areas like the Corentyne, he said that in some cases attempts are being made by cooperatives to install their own plants. Obviously, the objection with respect to using energy from the sugar estates and the marriage subsequently must be followed with respect to these plants put up by the cooperatives. It seems to me that the Hon. Minister and his Government, are just inclined to reject any Motion that comes from this side of the Table. They imagine difficulties without knowing what the difficulties are!

As I pointed out when I began my remarks, I do not ask the Government to introduce a system of electrification based on the sugar estates. I ask this Council to recommend that Government enter into negotiations to ascertain whether, and if so on what terms, the various sugar estates would be prepared to electrify villages. I am asking Government to begin negotiations. It may well be that, as a result of these negotiations, it would be palpable and obvious that the proposal to use the sugar estates system is untenable. But without knowing his facts the Hon. Minister mumbled that it would be uneconomic. On what basis does he come to that conclusion?

For instance, it is suggested that there could be an increase of plant for use in the off-grinding periods. Does the Hon. Minister know what would be the cost of such a plant? Does he know what would be the cost of supplying the power from such a plant to a central body in bulk for redistribution to consumers? Does he know whether or not, even if it costs a large sum of money, the consumers are prepared to bear and carry the expenses for the facility and use of electricity? These are details that cannot be decided on the floor of this Council. These are details which will come up as a result of negotiations and discussions.

We hear from the Hon. Member for Berbice River, in one of his few excursions on the floor of this Council, that if we were to use the plants of the sugar estates there would be periodic cuts every week for 1 ½ days to 2 days. What utter nonsense! If these negotiations prove the advisability of using the sugar estates as bases, provision will be made by people who know, and not people like the Hon. Member for Berbice River. So that there will not be these periodic cuts of 1 day, 1½ days or 2 days every week.

The Hon. Minister, in one of his few audible moments, advised me to withdraw this Motion. I shall not. Let them use their superiority of numbers, which does not reflect their superiority of intelligence, to throw out this Motion. I listened with some interest to the congratulations which came from the Hon. Minister for my introducing this Motion so late. Those who live in glass houses should not throw stones. This Motion was introduced last year, and it had to be renewed because of this incompetent and lazy Government that will not debate important Motions. Now he says it comes too late.

Even if this were the first time that it had been tabled in this Council, the fact that there was a necessity to table it arises from the fact that we never heard from Members of the Government what they are doing about rural electrification. We cannot hear because they are not doing anything. They do not have the foggiest idea of where they are going. Bing Crosby, in a song of his, describes them correctly: "*Running around in circles, getting nowhere very fast*".

Motion on the Statue of the Late Mr. H. N. Critchlow: 2nd February, 1961

Mr. Burnham: I beg to move:

"Be it resolved: that this Council recommends that Government should erect a statute to the great pioneer of labour, the late Hubert Nathaniel Critchlow, and that the statute be placed at the Bourda Green".

In this case I, also, do not propose to make my opening remarks lengthy. About three years ago Mr. Hubert Nathaniel Critchlow died. When he died tribute was paid to him in this Council and outside as well. Tribute was paid to the great work he had been doing, the person who organised in 1919 the first trade union in the British Colonial Empire and a great deal is known about his life.

Born of poor parentage in 1884, struck by the revolting conditions on the waterfront, he organised the first labour demonstration in 1906, and later formed the British Guiana Labour Movement in British Guiana, in the Caribbean, in the colonial world and also in the world at large. He also in those days of the restricted franchise played through the Trade Union Movement an important role in the political life of British Guiana.

In his later years his abilities and services were recognized when the Government voted a monthly pension to him. He was undoubtedly one of the outstanding sons of British Guiana, outstanding not for his academic achievements but outstanding for his organisation; outstanding for the fact that he was the father of the Trade Union Movement here, outstanding for the role he played in the working class movement.

The twentieth century, I think Mr. Speaker, can be correctly described the age of the common man, and I feel that we must not merely say that in words, but we must recognise it in deeds. In the circumstances, it is my feeling that a statue should be erected to his memory. I am aware of the fact that some time ago a Committee was formed, and that the terms of reference of that Committee were to collect funds for the erection of a memorial to the late Mr. Hubert Nathaniel Critchlow, but, unfortunately, we have not heard very much more about the activities of that Committee. I am not suggesting that the Committee is at rest. What has occurred to me is the fact that the Committee certainly does not seem to have been able to raise the necessary funds to put up that statue.

Government erected a memorial to those who fell in the First and Second World Wars, and I feel it is the responsibility of the Government to bear the expense of the erection of a memorial to one of the greatest sons of Guiana. I do not have to repeat that he was one of the greatest sons; that phrase was used on both sides of this Table when Hubert Nathaniel

Critchlow died, and if I want to perpetuate his greatness, possibly for posterity to see, to give effect to the moral which his life's work points to, I feel that this Government should erect a statue to his memory, in the same way as the Trinidad Government erected a statue to the late Capt. Cipriani.

I do not know what is the attitude of the Government to this, except that I have heard that there is a suggestion that a Committee should be set up to go into the matter. I do not see the necessity for any Committee. We admit that he was a great man; we admit that he was an outstanding man, and we admit that he has made a contribution and that his name should be perpetuated. Therefore the best thing for us to do is to set about the erection of a statue on a suitable plot, though I am inclined to suggest Bourda Green, the scene of his triumphs, for on many a Sunday night when Bourda Green was avoided by so-called respectable people he held his own there lecturing to the workers.

I feel there can be no better place than Bourda Green for the erection of a statue to Hubert Nathaniel Critchlow, and I have reason to believe that the Municipality of Georgetown which controls the Green will not be averse from making available the necessary spot of land for erection of such a statue.

I accordingly move the Motion standing in my name.

Motion on the Statue of the late Mr. H. Critchlow (cont.): 27th April, 1961

Mr. Burnham: (*Replying*)

Sir, perhaps it is best for me to deal first with the Amendment which was moved by the Hon. Member for Georgetown South. It is a little difficult to imagine what motivated him when he proposed the Amendment, for however much one may say or claim that Mr. Ayube Mohammed Edun was a stalwart of the trade union movement, even if the Hon. Member for Georgetown South forgets his wonted criticism of the gentleman and the union which he founded and, at least, wants to pay him some tribute, I cannot under any circumstances understand what that has to do with the erection of a memorial for Mr. Critchlow.

It is a question of comparing a general with a private and, if the Hon. Member thought that Mr. Edun deserved a tribute, he might have thought of it before this Motion was introduced. I will not credit him with any unsavoury or ulterior motives, I shall merely say that I am happy to find that even his seconder has sought safety in flight and no longer supports this preposterous, impossible and ill-conceived Amendment. What are we going to do with Mr. Edun's statue at Bourda Green? That is not the scene of his glories, if glories there were.

May I pass now to the other contributions which have been made to this debate? There is one interesting bit of information which did not and could not escape me, and it came from the Hon. Nominated Member, Mr. Tasker, when he informed us that when the trade union movement originally considered the erection for Mr. Critchlow, the Secretary of the British Guiana Trade Union Congress went to Bookers' Public Relations Officer and asked for a contribution.

It is no wonder that those of us who are in the Trade Union Movement so frequently find ourselves the butts of insults; it is no wonder that the Minister of Communications and Works spoke with apparent justification some time ago about the beer-guzzling TUC. How on earth can the labour movement, if it wants to pay tribute to its founder, if it wants to pay tribute to one of the outstanding leaders, go to the "*Leviathan Bookers*" to ask them for money to put up a statue for a man like Mr. Critchlow? I thought that since that bit of information did not escape me that I should attract it to the attention of the Members of this Council who might have been absent when it was given.

And now for the second Amendment, the creature of the Majority Party, by the Hon. Nominated Member, Mr. Hubbard.

Yes, Mr. Speaker, I am not attempting to disclose the party loyalties of the Hon. Member. I am entitled to say that it was moved by the Hon. Nominated Member, Mr. Hubbard and is a creature of the Majority Party.

Until the Majority Party wins the next election, I am entitled to hold my opinion. The Amendment which, in my opinion, is a creature of the Majority Party and which was moved by the Hon. Nominated Member, Mr. Hubbard, is interesting, interesting because for once we find the Nominated Member confessing that he does not know what should be done. He talks about a college or institute of biology; he says he is not sure what is going to or should be done; he confesses his vacuity, but he is going to oppose the Substantive Motion.

Reference has already been made to the fact that the naming of a school of biology after Mr. Critchlow may be a fine tribute, a tribute which could be paid to Mr. Critchlow in addition to something which epitomises his career and gives the public a ready opportunity of recognising the field in which he was foremost, but that cannot be the main or first tribute that should be paid to Mr. Critchlow. I am not unaware of the fact that since this Motion was tabled the late Mr. Critchlow has had a boat named after him, next he will have a jeep and a bus, and before they scrap the railway, a railway engine will be named after him.

The Minister of Trade and Industry spoke rather feelingly on the virtues of Mr. Critchlow; he said he was a fighter, I agree with that, and I am happy that the Hon. Minister had changed his view of Mr. Critchlow, a view which I knew he held in 1953 and 1954 of Mr. Critchlow, but somehow or the other occurs to me a line which is to be found somewhere either in the Bible or in Shakespeare; *"We think he doth protest too much"*. I, the mover of the Motion, never blamed the Majority Party; I never suggested that they did not want to pay tribute to Mr. Critchlow. I am reminded also of what Bernard Shaw once said: *"Whenever my guests proclaim their honesty I look at my silver"*.

The Hon. Minister of Trade and Industry, who recovered his tongue today, tells us that a statue is in the imperialist tradition. I am not an expert in these matters, but I seem to remember that there is a statue to Toussaint L'Ouverture in Haiti, and he was one of the first successful leaders against the imperialist system. I seem to remember also that there is a statue of Lenin in Moscow, and I seem to remember that there is a statue of Nkrumah in Accra. No doubt he thinks statues are in the imperialist tradition, but such tortuous reasoning, such transparent sophistry cannot hide the fact that it is the intention of the Majority Party not to accept this Motion in the form in which it has been presented to this Council. To come forward with the specious excuse about statues being in the imperialist tradition -why then are there statues in other countries in honour of men who have fought against imperialism? That sort of claptrap and nonsense can only delude the unwary and ignorant.

The fact of the matter as I see it now, previously I have accused no one, is that it is the intention of this Government, the Majority Party, not to erect a statue to Hubert Nathaniel Critchlow, but, fortunately, I will see that a statue is erected to Hubert Nathaniel Critchlow on Bourda Green. Every country

has its heroes; every country has its great men. We were told some nonsense about a plaque erected to Marrayshow. Why did the Minister of Trade and Industry not tell us about the statue to Cipriani in Port-of-Spain, Trinidad? This is what is called a careful selection of material to bolster up a case which has no substance whatsoever. I have sat on the same bench with the Minister of Trade and Industry. I know his philosophy: that if you can at all help it, do not allow any Motion by a Member of the Opposition to succeed. If he and his Party thought so highly about Critchlow, it is strange that although they have been here for four years they have done nothing about it, but as soon as someone brings a Motion they have a searching of mind. All we have heard from them is that "*it cannot be done as you say.*" They quote Marrayshow but forget about Cipriani.

If you agree that Critchlow was a great man, why not let us use public funds to erect a statue to him which all may see? Let his statue bestride the Bourda Green like the Colossus he was. There are other forms of tribute we can pay. When we have a Labour College in Guiana we can call it Critchlow College. That can be fitting tribute in addition to the statue. To show how meandering their minds are, they are suggesting Critchlow Scholarships. Would that be a permanent memorial?

In any case a country like this must not think in terms of scholarships. It must start thinking at this period in terms of giving free education to all, so that there would not be any more scholarships. There may be medals for distinction.

I am disgusted. They do not know what they will do, but they know that what other people think is wrong. A milk and water Amendment has been moved by the Hon. Nominated Member, Mr. Hubbard, but knowing how slowly this Government moves, I am sure that by the 21st of August nothing will be done anyway.

Motion on the Death of Mr. Patrice Lumumba: 17th February, 1961

Mr. Burnham: Mr. Speaker, It was on Monday last that I heard over the radio that Patrice Lumumba, the democratically elected Premier of the Congo, had been murdered. Great was my disgust, but slight my surprise, because many of us who have been following the events over the past year realised that the day that Patrice Lumumba was thrown off the Belgium plane as a piece of cargo, those who were opposed to him and all he stood for would never have been satisfied until they had made an end to his life.

There are some hypocrites who, in the circumstances of the atrocious murder of Lumumba, emphasised the fear that according to the release from the so-called Katanga Government of Tshombe, he was murdered by African tribesmen. I shall assume, but not accept the fact, that he was murdered by African tribesmen. But to emphasise that allegation by Tshombe is to be as naïve as he who would say that if A kills B with a knife, the murderer is not A but the knife.

There is no doubt the fact that from the time the Belgians withdrew, they did not withdraw because they were filled with any sense of democratic duty towards the people of the Congo. As Frank Barber, a correspondent of the *New Chronicle* observed: "*When the Belgians withdrew, they withdrew too late, and they withdrew with an absence of grace and generosity.*" From the time they were forced to withdraw, they planned to re-enter directly or indirectly.

It is not for me to be repetitious and to repeat how much The Societé Generale and Union Miniere got out of the Congo. It is not for me to repeat what everyone in British Guiana now knows: that the Belgium regime was brutal in the extreme. It is for me to observe in supporting this Motion I have no qualms; I have no oversensitive feelings of propriety that if there is any criticism of this Motion, it is that it is not forthright in its condemnation of the United Nations.

Of course, we were entertained by so-called atrocities after the Congo independence. We were told how many civilised Belgians were raped and murdered, but we were not told about the millions of Africans who have been raped and murdered in cold blood over the last 80 years. And the most disgusting thing about it is that when the Afro-Asian countries, which ought to know more about Africa and ought to be more deeply interested in the basic welfare of Africa, attempted a solution, those who pretend to know better what was good for the natives, rejected the solution offered by Ghana, Malaya, Libya and Egypt.

When North Korean forces invaded South Korea, what happened? An army was sent by the United Nations. When the Belgians re-invade the Congo, what happens? The Secretary General of the United Nations goes to negotiate, and those are the same people who talk about the atrocities in

Hungary. But who can point a finger at the atrocities in Hungary when the West stood by and allowed the brutality in the Congo merely because Belgium is a member of the North Atlantic Treaty Organisation. There is some Guianese, obviously misled, to whom we much offer our most profound sympathy, who talk a lot of nonsense about Lumumba committing himself. How did he commit himself? Lumumba was democratically elected.

On the 14th of July the Resident General, sent to the Congo by the Belgian Government, called him in and asked to form a Government because his party held the largest number of seats. He was told that he had until 6.30 on the 17th July to form his Government, but on the morning of the 17th the same Resident General sent for Kasavubu and asked him to form a Government. But Lumumba, perhaps more trusting than many of us who are more seasoned would have done, in spite of the suspicion which he felt when on the morning of Friday, the 17th, several hours before he was supposed to form a Government, he was called in and told he was no longer required to form a Government, did not say much and accepted the formation of a Government later the next week when it was obvious that Kasavubu could not form a Government.

When the difficulties started in the Congo I heard one Hon. Member talking about a "*stooge of the Russians.*" My comment is that they are "*six of one and half a dozen of another.*" They have one complex whether they are Left or Right, East or West. They believe they know better for everyone than the people concerned know for themselves. But I am a little disgusted hearing a Hon. Member talking here about Lumumba being a stooge of the Russians or committing himself. When the difficulties started in the Congo where did he go? He did not go to Moscow, he went to New York. When he left New York what did he say? He said "*I have no use for the Russians.*" And that is the man whom some ill-informed and some uninformed people would describe as a stooge of the Russians. It was after the West had rejected him that in desperation he sought aid from the East. And why did the West reject him? This is an indictment which the West will have to answer. It is no sense talking to us colonials about Democracy and honouring it in the breach. It is no sense telling us how Krushchev murdered Imre Nagy, the Premier of Hungary, when you sit by and connive at the murder of Lumumba.

African bases are important. There is a base in the Congo, and as General George Revers said at the Seventh Congress of the European Centre of Documentation and Information held significantly in Spain, "*Africa is the logical base for the defence of Europe in the context of missile war*", and Belgium is a member of NATO. Therefore, anyone, like Dr. Nkrumah of Ghana, who feels that his country, or the continent in which he lives, is not to be a base in a war between two sides, neither of which is particularly interested in the particular territory, like Carthage, he must be destroyed, and that is how Lumumba came to be destroyed.

After all some of the Western powers could not afford to let down their good friend, Belgium; they could not afford to let down a member of NATO.

After all, who is Lumumba? According to them he was just an ex-criminal who wanted to get power after independence. He did not matter in the larger scheme of things. As they saw it, the retention of Belgian control of the Congo was more important than the right of the Congolese people to be free. The rights of the Congolese people as expressed by Lumumba, the deep patriotism of African leaders, these things were unimportant. More important was that Belgium should be supported. Can one imagine, in the second half of the twentieth century, that those who prate about democracy will actually connive in the re-invasion of the Congo by the Belgians, and advertise a few atrocities which are minuscule in comparison with the atrocities perpetrated by the Belgians up to last year?

It is important for us to accept the fact that a man like Tshombe allowed himself to be used as a despicable character if ever there was one. It is important for us to recognise that General Dayal, the United Nations representative in the Congo, sat there bargaining and pussy-footing whilst the leader of the elected Government of the Congo was thrown out by a two-by-three corporal, Mobutu, raised to the rank of General. It is important for us to recognize that we, colonial people, as we move on to independence, and as we achieve our independence, must rely upon our own devices and do not become caught up in the propaganda of one side or another.

We hear talk about the killing of trade unionists in Cuba. It is wrong, but what relevancy has that to the particular situation which is being debated now? What relevancy has it to the rape of the Congo by Belgium and the use of the tool, Tshombe, who has been discovered to be a handsome man, a man of nobility. When people like those describe a man like Tshombe as handsome you may rest assured that he has an unhandsome heart.

I have been disgusted to see a remark in the local press. I sent a cablegram immediately as I heard the news of Lumumba's murder, and I was shocked when it was suggested by the local press that Guianese did not necessarily accept the revulsion which I felt and expressed at this dastardly act which was done with the connivance of the United Nations by the Belgian Government. Which Guianese of any humanity or any sincerity, or any intelligence will not be revolted by what has happened in the Congo? It is time for us to clear the air of all this cant and nonsense. It is time for us to understand that we cannot go creeping on our knees. It is time for us to understand that you cannot overlook the sins of one side and recognise only the sins of the other side. It is time for us to understand that we cannot be apologetic for the sins of one side. Cowards cannot get any place.

What is all this claptrap about Lumumba being a stooge of the East? What is the fear in people's breasts to come out and say there has been a wrong? If my mother did a wrong I hope I shall be fearless enough to say she has done wrong. We are carrying our politics a little too far. I am not

uncritical of those who permitted the murder of Imre Nagy, but I am equally critical of those who would seek to gloss over the enormity of the crime which, according to some reports was committed in the Congo since last week. Imagine a man escaping in a police car with petrol for 60 miles, and the car being found overturned but the men not being found, allegedly having started on a 200 mile trek through the forest.

It does not matter what may have been Lumumba's personal idiosyncrasies. He is not a man alone; he is a symbol. What he stood for was the recognition of human dignity and there are lots of hypocrites who speak in support of Lumumba but in other circumstances do not recognise the human dignity of people like Lumumba. He was a man who stood for the right of people to run their own affairs. He was a man who stood for a strong Congo, and those things for which he stood are sufficient to recommend him to people like me.

The United Nations Organisation has proved in this instance a hopeless failure. A little country like Belgium it could not control, and it is because of the same sort of petty politics at another level that we are finding in this Council. The United Nations Organisation is supposed to establish peace. There was a Resolution passed by the United Nations General Assembly and then it went into technicalities as to whether one Government or another was the legitimate Government of the Congo. It is stated in the preamble to the Resolution of the United Nations Security Council that it had been approached by the President and the Prime Minister of the Congo for military assistance. That being recited in the preamble it means that they were accepted as the lawful Government of the Congo, yet the UN indulges in the technicality of who was the lawful Government while the agents of destruction and reaction have a field day in the Congo. General Dayal is no better than the rest.

Lumumba is dead. Lumumba, however, will live because the things for which he stood are deeply engraved in the hearts and minds of many of us. Fellows like Tshombe, Mobutu and Kasavuba, even if they do not meet physical liquidation, will leave behind them names to adorn a special book that must be written concerning the traitors of the twentieth century.

Mr. Speaker, may I finally observe that Lumumba was a suspect to both East and West because he wanted to follow a policy of strict neutralism, which was the very antithesis of people whom General George Revers would have wanted. And let me finally make an observation that comes to my mind. There are many parallels in this country, and one of them is that a parallel can be drawn to the attitude of Tshombe who refused to accept the decision of the electorate. This is no time for us to indulge particularly in our own domestic politics. I am not interested in the sincerity or otherwise of those who support a strong protest being set on the death of Lumumba. I am hopeful that we will have learnt our lesson; and I am hopeful that the eyes of some of us will be opened. I am hopeful that we, in Guiana, when we will have achieved independence within the next few months,

will not allow ourselves to be fooled or duped even if we had to die like Lumumba.

One of the contradictions of this situation is that some of the best thoughts, in a different context however, have been uttered by supporters of the imperialist system and there springs to my mind some words by Rudyard Kipling, an imperialist if ever there was one. What he attempted to say about those who conquered the world for the Union Jack I should prefer to adopt in thinking of people like Lumumba:

“They shall not grow old as we that are left to grow old. At the going down of the sun and in the morning we shall remember them.”

Motion on Community Centres on Government Estates: 27th April, 1961

Mr. Burnham: I beg to move:

“Be it resolved: That this House recommends that Government immediately embark on a programme of building community centres on all Government Housing Estates.”

There are a number of Government Housing Estates, especially in Greater Georgetown, but in none of those estates is there some place where the residents in the community can gather together for social, cultural or educational purposes. In short there is no community centre on any of those estates, and in the majority of cases one can hardly find any private building which can satisfactorily serve the purpose of a community centre. In fact, on those estates where the occupants are tenants of the Government, very frequently if there are any social functions or exercises, there are complaints that the Commissioner of Housing or his officers usually warn the persons in some cases, and in other cases threaten them with expulsion from the Housing Estate.

In many villages or village communities, one finds community centres. In some cases Government has given a portion or portions of the costs of erection and the local authorities have been responsible for the rest of the costs. In some cases the Government has erected the buildings on lands donated by the local authorities. It is significant that in all these communities where you find community centres, the people in the majority of cases are ratepayers and they have some type of Local Authority. In this case of the Government estates, there are no Local Authorities. They are many estates which come under Government's control, the rents for which are collected directly by Government offices; and it seems to me that Government should carry out the same policy towards these people as towards the persons who live in villages and country areas under Local Authorities.

If this Government is going to say that it is not in a position to embark immediately upon building centres on Government housing estates; if it says it does not have the money, may I suggest, Sir, that if it were to make the lands available in the various housing estates, that the residents of those estates will be prepared to contribute, by way of work and money, towards the building of these much needed community centres.

I do not know what we shall hear from the Government Benches, but, as I see it, even though I may be mistaken, I can see no objection to having community centres; and I can see no difficulty about making a start because we are assured of the willingness of the people of these areas to make some contribution towards these institutions.

In these circumstances, I beg to move:

“That this Council recommends that Government immediately embark on a programme of building community centres on all Government Housing Estates.”

Motion on Proposed Holiday for General Elections: 27th April, 1961

Mr. Burnham:

“Be it resolved: That the day appointed for General Elections in 1961 be declared a Public Holiday with pay.”

Mr. Speaker, this Motion will also be short. I know, Sir, that usually there is a provision in the Representation of the People Ordinance from time to time that employers on Election Day should be bound to give their employees reasonable time-off for them to exercise their votes; but still in many cases that provision does not completely remove the hardship which many employees find on Election Day, a hardship which has, on many occasions from my knowledge, prevented these employees from exercising their franchise. For sometimes employees are employed at a point so far distant from the polling place or polling places where they have to cast their votes that it would mean their having the whole day off and, perhaps, more than a day to get to exercise their votes.

It seems to me, therefore, Sir, that in order to avoid the hardship imposed on the employees and some will argue, imposed on the employer because the employer may well argue that the amount of time he will have to give to his employees would interfere with his production or sales, Government should introduce legislation whereby Election Day should be declared a public holiday.

If that were the case, then provision can be made for certain essential workers to vote by proxy; and all persons will be in a position to get to the polls and to exercise their franchise.

That is all I have to say on the Motion at the moment, Mr. Speaker, except to commend it to the Council.

Motion on Impersonation at General Elections: 27th April, 1961

Mr. Burnham: I beg to move the following Motion standing in my name:

“Be it resolved that to prevent impersonating at the 1961 General Elections provisions be made for the indelible staining of the thumbs of voters who have voted.”

I have some reason to believe, Mr. Speaker, that the chorus of “Noes” will not meet this particular Motion because I find cooperation from the Attorney-General. But it is my duty to put forward the arguments in favour of this Motion. I do not think that any one of us will deny that he does not want impersonation at the General Elections. In various parts of the world one of the techniques used is the staining of the thumb or some finger of a person who has already voted.

There may be some opposition to this from some people who believe that it is *infra dig* to have their fingers or thumbs stained, but I do not think that that opposition is sound, widespread, or will persist if the Government were prepared to accept the recommendation in this Motion. The type of stain I envisage is not one that will stay on for life, but one that will remain over the period of the Elections for about 24 hours or thereabouts and can then be removed easily by one means or another after the period.

I hope that if this Motion is accepted we will be able to discover a stain or an ink which can last for at least 24 hours. I am aware of the fact that that alone does not and will not prevent impersonation or completely exclude chances of impersonation but we have put our elections machinery so late that another proposal which I had, I am sure, will not be accepted by the Government because it cannot be acted upon in time for the General Elections.

My idea is that every voter, after the final list is closed, should have a poll card with his or her picture on it. That would assist in eliminating impersonation and it would give the polling or presiding officer or polling clerk as the case may be an opportunity of comparing the person who sets himself up as a voter with the person whose picture appears on the poll card. I had thought of that, but the Government took such a long time to decide on enumeration and what the day should be and then shifted it; there was so much confusion that I do not think I should further embarrass it by asking for something which takes a great deal of efficiency and calls for a longer time to handle.

In the circumstances, Sir, we shall have to depend on one instrument only, the instrument of the staining of the thumb or a finger.

Mr. Burnham: (*Replying*)

I am prepared to accept the Amendment to insert the word "*fingers*", but in taking advantage of my right to reply I must.

Yes, Sir. In exercising my right to reply I want to thank the Hon. the Attorney-General for introducing that spark of humour which has really enlivened the afternoon's proceedings which have been rather serious. We hear that the Government in its wisdom, the Attorney-General always drops his prefixes, had thought of this before and has other bright ideas. Far be it from me to throw back into his face the compliment of having a bright idea, but if the other bright idea had been suggested six months ago it would have been better. If this bright Government in its wisdom had brought up this Motion for debate six months ago when it was tabled, I may have had an opportunity to give it my bright idea, and it might have had time to have that bright idea executed.

We hear about a Working Party for the elections. I have not heard of it before: this Council has not been informed of it. It is so much like the Lands and Mines Working Party which does anything but work. How does this Government do its business? It sets up an Elections Working Party and informs no one. It does not publicise anything but it gets the Attorney-General, Sir, Gallahad, to defend its omission by saying that there is a Working Party.

I am glad to see that Government is accepting this Motion, but I must say that it was tabled on the 21st December and the Attorney-General ought to remember, or ought to know, that the question of poll cards with photographs was discussed with at least two Official Members of the Government by a certain Hon. Member who represents Georgetown Central (Mr. Burnham) more than six months ago, but of course that is unofficial. I thought the Attorney-General would have told us why there has been this delay in drafting the necessary legislation. I thought that by now we would have had a Bill to amend the Representation of the Peoples Ordinance before us. The Attorney-General always prefaces his remarks with the words "*absolute nonsense*". I just want to bring to his attention this fact, that since he has recognised that there may be some people without thumbs, he has just brought to my attention that there may be some people without fingers. Therefore he had better make provision for such persons when he is drafting the legislation and I hope the drafting should take shorter time than the drafting of legislation with respect to hire purchase agreements.

Motion on Proposed Increase of Guiana Scholarships: 27th April, 1961

Mr. Burnham: I beg to move:

"Be it resolved: That this Council recommends that the number of Guiana Scholarships be increased from three to six."

For some years there was only one Guiana Scholarship awarded annually and then that number was increased to two, and then to three. This Motion seeks to have that number increased to six immediately, not in the future, not next year, but immediately. If we are to make a reality of Independence, if we are to run our own affairs, if we are to build those new industries which so many of us talk about; if indeed we are to make Guiana a better place, I think it is conceded that we must get a larger number of trained persons. As I see it, the eventual aim should be to make available to all who are capable of taking advantage of it, courses in higher education in the various fields in which we need experts or expertise.

But, in the meantime, since this is a period of uncertainty, since we do not know what will happen shortly after August, let us, at least, try immediately to give effect to the principle which I hope we all accept, that is we must have more trained Guianese. Three Guiana Scholarships at the moment are totally inadequate. I know that in some quarters it is felt that the number is adequate because the Guiana Scholarship, unlike other awards, carries with it no obligation on the part of the winner to return to Guiana. But it seems to me that we must not adopt that attitude.

I think I am quite right when I say that the majority of Guiana Scholars have returned to Guiana, and I think I am right in saying that those who have not returned have not returned because quite honestly, in their minds they did not see any opportunity for the use of their abilities and for their personal advancement. I should imagine, however, that in this time, this consideration will be of less force because now we are entering upon a new period and era. Many Guianese are prepared to return home, whether he is a Government scholar or has pursued his studies as a private student. But it is not those who have the means for going to institutions of higher learning that I am concerned about. I am concerned about those who do not have the means and, therefore, do not have the opportunity to develop their faculties which they, undoubtedly, have.

Speaking from my own experience, there are at least between six to a dozen persons who are just as good and have as much potential as the Guiana Scholar himself or herself, but because of paucity of means, those persons do not get the opportunity to go to a university, and Guiana itself loses thereby. I feel that the least we can do right now is to increase the number of scholarships immediately.

I have been looking at the results of the Guiana Scholarships over the past three or four years and I find that, from my observation, apart from the scholarship, those who are capable of taking courses have increased and now I venture to say that they are between a dozen and 20. I know it will be difficult for Government to get to the number of 20, immediately. That is why I have put forward the conservative figure of six. It should be a means of encouragement to those youths in secondary schools, and it should be a pointer to the time when we shall have free training and education at institutions of higher learning for all Guianese who have the ability and aptitude to take advantage of it.

I particularly stress the Guiana Scholarship and not, generally, all scholarships for this reason, that I am one of those who do not believe that it is the right thing to send away a student scholar to do a course and tie him down with a bond or contract to return. I do not think that you get the best results. I have known such persons return so to speak, under duress and merely out of fear that their guarantors would lose money to the extent which they endorsed or guaranteed.

I feel that a Government like that which we should have in British Guiana should be able to find other incentives; should be able to encourage Guianese to return without compelling them to return. I know of individuals who have had to return and have left as soon as their periods had expired. I feel it should be a matter of persuasion rather than of legal compulsion. That is why I specifically referred to the Guiana Scholarship.

I understand that there is a school of thought which does not support the idea of scholarships; and there is also a school of thought that argues that the most that should be done is to lend money to individuals who have the ability and aptitude so that they will come back and pay back the money lent to them. Closer proximity to the grocery or salt goods shop I do not see. It is despicable that individuals in our community should think that way today. It is the Government's duty to give higher education to those with ability to take advantage of it. This attitude of not giving scholarships but lending money shocks me; and I hope that I shall not hear it here this afternoon. I beg to move the Motion standing in my name.

Mr. Burnham: *(Replying)*

Sir, I find myself agreeing with the Minister of Community Development and Education when he says that three additional scholarships cannot meet the need for trained personnel. I was never so naïve as to believe or think otherwise. I was merely suggesting an increase from 3 to 6 to give an indication to the public, especially those young men and women from secondary schools, of the direction in which the Government of the country was moving and its attitude towards education.

This sort of backhanded compliment about my being a Guiana Scholar is totally irrelevant. As a Guiana Scholar, I can say that in the majority of cases the winning of the Guiana Scholarship is a question of luck with the

papers or the subjects which one takes. My information is that the number is much larger than three. Even if we want to perpetuate this snobbery about three Guiana Scholarships being exclusive and things which are awarded for outstanding academic ability or to distinguish a scholar; even if we want to keep this snobbery, the fact is that every year you have more than 3 persons of outstanding academic ability who will not get a scholarship because the number is insufficient and, therefore, I cannot see that an increase in the number will cheapen the scholarships.

The Minister of Community Development and Education asks whether I would like to know that the Guiana Scholarships are easier to get? I would say yes. My idea is not to have a student going around saying that he is a Guiana Scholar. My idea is to give everyone, who has the ability, an opportunity of having the advantage of being trained at an institution of higher education. I have already mentioned in my opening remarks that this should be only the beginning of things, and by next year we should see a proper plan whereby there will be no question of winning a Guiana Scholarship; it will be a question of those who have the ability of being given an opportunity not by way of loan, or a loan *cum* a contract to return and serve in this country for a period.

I am a little surprised to hear the Minister of Community Development and Education saying that students have to be bound to return by contract, because it has been found that they do not have a full sense of responsibility. I think the shoe is on the other foot. Has Government shown its sense of responsibility to the students?

Has Government given the students an opportunity of moving on? I know, for instance, that there are students who return here who are under no obligation to return. They were told by a previous Chief Secretary that there was room for them. I think he is now in Sarawak. I have known of Guianese who are qualified returning here and approaching the Minister who claims his inability to do anything to assist them. The fault is not with the students. It is very rare that you will find any Guianese who would prefer to stay out. That is not the general pattern; the general pattern is that they want to return home and work.

In the first place, Government gives very little or no advice as to the type of courses Guianese may take. In the second place, Government takes little or no hand in finding them jobs, posts or positions when they return qualified. This policy of giving students loans to enable them to qualify abroad is a vulgarising of education, a pattern similar to a poor man's shop or any other business. Why talk about the \$125,000 in loans? Government is no better than the average businessman who wants for his money a contract *cum* interest and proof that the student will return.

To refer to Trinidad's binding persons to whom they lend money to go and study is to say nothing. Even if this vulgar system obtains in Trinidad, I will still be opposed to it. There is no automatic persuasion that comes to me because that is done in Trinidad. The Minister of Community

Development and Education talks of Trinidad binding students to return, but he does not tell us that the statistics of the UCWI show that the average scholarships per capita in Trinidad is higher than that of British Guiana. The Minister of "*Humour*" alias Minister of Communication and Works says that they have more money, but he does not tell us that Barbados has a higher number per capital than British Guiana. It would be interesting to hear the Minister say that British Guiana is not on par with Barbados.

The Minister of Community Development and Education and would be Speaker, is talking about introducing new matter. I am replying to his observation that in Trinidad students are bound and I am saying that there are other morals that can be drawn from what is done in Trinidad. But if this Government does not want to increase the number of Guiana Scholarships there is nothing I can do about it.

If the Guiana Scholarship, according to the Minister, is to have some special value or distinction, who is the Minister to take that point of view? I am in the best position to say if anything is wrong about this so-called cheapening of the Scholarship.

Motion on Ministers to Report on Visits Abroad: 24th May, 1961

Mr. Burnham:

"Be it resolved, that Ministers of the Government be requested to report fully to this Council on their visits within the last twelve months to the United Kingdom, India, East Germany, Cuba and the United States on official business."

Sir, on the 16th June, 1960, in an answer to a question from the Hon. Member for Georgetown North, Mr. Jackson, it was disclosed to this Council by the Financial Secretary that there had been, during the period June, 1958 to April, 1960 six trips by Ministers of the Government to various countries. There was a seventh item which was described as follows:

"15 other missions during the period."

I am prepared to assume until the contrary is proved beyond reasonable doubt, that all of those visits by the Ministers which were made at the expense of the taxpayers, were in fact on business connected with Government and that the business which they sought to carry out or pursue was intended to benefit the country of British Guiana. It seems that if, as in the case of the visit by the Minister of Natural Resources, Mr. Benn, and his Permanent Secretary to India, Japan, East Germany and Italy, these trips were taken in the interest of the country, the Legislature should have some opportunity of knowing what was achieved, or what was in the offing to the benefit and advantage of the country.

I wish to assure all Ministers, at this stage, that I have absolutely no intention of questioning their personal trips abroad, or prying into their social or personal peregrinations. But I feel that if momentous visits like those of the Minister of Natural Resources to India, Japan, East Germany and Italy are made to observe land development, light industries and related matters, then we should have the benefit, at least, of a White Paper not necessarily giving an oral report on what was observed, what lessons we can learn from these trips, and what lessons we can learn for these observations.

I note also that, during the period to which the question on the 16th June referred, there were visits to the USA to arrange for the International Bank for Reconstruction and Development to finance the Credit Corporation. We should be interested in finding out exactly what was the outcome of the visits and discussions. I do not think that secrets were contained in any of these cases set out in the answers given by the Financial Secretary, therefore, the Official Secrets Act cannot be applied. There is no necessity

for withholding such information from us.

We sometimes glean from the newspapers some garbled report of the results of these visits abroad. Reports that are garbled means that they are very inaccurate. It is not fair that this Legislature should be kept in the dark or should depend on the press for information on matters of such importance to this country. There is nothing else I would like to say at this moment.

I think the request embodied in the Motion is reasonable. Nothing offensive is intended. It is merely seeking information which, I think, the Legislature should have. It seeks to obtain information by way of Reports or White Papers of visits by Ministers of real interest to the country. In the circumstances, I move the Motion and await the reply from the Government.

Mr. Burnham: (*Replying*)

Sir, the Minister of Trade and Industry, Dr. Jagan, has indicated that the Government is not prepared to accept this Motion, but I think the greater part of his contribution to the debate is an argument in favour of it. Perhaps, following the manner in which I moved the Motion, in an apparently conciliatory manner the Minister very readily agreed that the Council should be kept informed of the results of important trips or visits abroad. If that is so, Mr. Speaker, why has he waited until the 24th May before he acknowledges that?

The Minister of Trade and Industry mentioned that in his opinion, and he is entitled to his opinion, since he is the Leader of the Majority Party in this Council, and no doubt his opinion will be reflected in the final decision, a White Paper is not necessary, save for important and epoch-making visits abroad. If he says so, we will all agree that there was nothing epoch-making except those which were reported in various White Papers. But I seem to recall that on every Order Paper at every meeting of this Council there is an item '**Statements by Members of Executive Council**'. If the Minister concedes the necessity of this Council being kept informed, from time to time, as to what the Government in its travels abroad at taxpayers' expense is doing, then Government could have made use of that particular item on the Agenda which appears on every Order Paper every time we meet.

A further proof of the discourtesy which has been extended to this Council in the past is that, if the Minister says today that it is necessary to keep this Council informed, this Motion was tabled on the 20th December, 1960, and we certainly could have had oral explanations from time to time. Then he says he does not think it desirable at this stage to give any report on the past trips abroad. What is there to hide? Can't they find the data or material? If the Minister says that a White Paper is to be reserved for epoch-making events, certainly there should be some written report in view of the lapse of this Government for a period of nearly four years.

We were further told by the Minister that the public was informed as to

what had taken place. That is exactly the point I was mooting: the public is informed through the press. Press reports and at public meetings, the accuracy of which we cannot vouch for, and it is no sense telling us that the public is already informed.

We hear further from the Minister of Trade and Industry whose burdens I can appreciate, whose tiredness I can sympathise with, apparently mental and physical, because in one breath he says there were no trips during the past twelve months to India, East Germany and Italy, and then he says that the Minister of Natural Resources went to Japan and East Germany. These confusions could have been avoided if the Ministers on their return to this country did the Council the courtesy of reporting to this Council either under '**Statements by Members of Executive Council**', or by issuing a White Paper.

We hear, for instance, the Minister of Trade and Industry rambling through some sort of report which has no chronological order whatsoever; and he tells us about a siltation study, experts being brought here and an expert coming over to make a forest inventory. Are we, Members of this Legislature, to learn of these important things at this late stage when they are incoherently and incompletely put by the Minister of Trade and Industry?

I was particularly careful; I never committed the error which, apparently, was committed by the Hon. Member for Demerara River by asking about anything personal or anything done by the PPP. But the Minister of Trade and Industry may have done himself and one's view of his intelligence greater service if he did not give any explanation or report today, for either he was not prepared or was suffering from *lapses linguae*.

May I congratulate Your Honour on your generosity for, if the Minister had a long report, it is an elementary exercise to précis or paraphrase it, and he would have been able to present it coherently and in proper order. It is no sense labouring the question any longer, except to observe that the Government has convicted itself by admitting the necessity of keeping the Council informed and by admitting that the Council has not been kept properly informed. The Government has shown a certain amount of arrogance by rejecting this Motion when it could be met by making oral reports or by presenting a White Paper. In the circumstances, I still persist in recommending my Motion to this Council, though its fate has been predetermined.

Motion on the Second Reading of the Representation of the People (Amendment) Bill 1961: 24th May, 1961

Mr. Burnham: Mr. Speaker, a Bill like this had to be introduced because the provisions of Ordinance No. 3 of 1957 had become obsolete. Though there are no strictures I would like to make, there are some points I would like to make not, for instance, to such slight changes as "*Legislative Council*" to "*Legislative Assembly*". It seems to me this Ordinance, as far as I am concerned, is inconsistent so far as the question of proxy is concerned, and so far as the question of postal voting is concerned. For instance, in section 95 of the Local Authorities (Constitution and Procedure) Bill, 1960, the Government proposes that there be postal voting.

In this Bill which deals with a much more important set of elections than the elections of the Local Authorities can possibly be, there is no provision for postal voting, no proposal for such a facility to persons who, for one reason or another, are not able to vote in person, or find it difficult to do so. This Bill is not an improvement on the one of 1957 that provided for proxy voting. Therefore this new Bill should have the slight Amendment to enable proxy voting.

Government, it seems, is unmindful of the needs of the people. Under clause 12 of the Local Authorities Bill, 1960, the persons who can either vote by post or proxy form a larger group than those permitted to vote by proxy in 1957 and moreover will be larger in 1961. For instance, apart from those persons employed in the conduct of the elections, employees of the Transport and Harbour Services Form 12 of the Fourth Schedule of the Local Authorities Bill provided a new category or group of persons allowed to vote by post or proxy, because of the general nature of occupation, service or employment.

There is no restriction in the Local Authorities Bill to the voting of persons connected with the elections, or members of the Police Force, or the Special Police Reserve. I find it very difficult to understand how this Government can show such an enlightened attitude so far as Local Government Elections are concerned, and still so far as the more important elections which have to do with the choices of members of the Legislature, which body will have absolute power in a few months hence, be merely satisfied to be faithful copyist of what an unrepresentative body did in 1957.

I know, Mr. Speaker, that so far as the system of voting is concerned the Government proposes in a Bill before us to continue the system that was introduced in 1957 permitting a voter to delete the names of the candidates he or she does not propose to vote for. That may be all very modern. It may sound very sophisticated. Some people may think that it is a sign of increased intelligence, or it is a tribute to the intelligence of the voters in

British Guiana. Whatever be said, it does appear to me that it is unrealistic in the present circumstances in British Guiana to use that type of voting, if we want to have the maximum of persons at the polls.

It is true that our percentage of illiterates is more in British Guiana than it is in other countries which use other forms or modes of voting. But it is also true that there is a certain percentage of illiterates in British Guiana apart from that percentage. There are persons who may be physically incapacitated by blindness or defective sight, and I want to say this: though provision is made in the Principal Ordinance for a person physically incapacitated to be allowed to have the presiding officer vote for him or her, there are many persons who will be unwilling to be a party to such a breach of secrecy; and there are other persons who will be embarrassed, persons who are near-sighted and cannot see to mark the ballot-paper. The latter category of persons is likely to be responsible for a number of spoilt votes. The former category will object or will be unwilling to vote if a presiding officer, a candidate, or other persons within the polling booth know for whom they are voting. They are, therefore, likely to stay away from the poll.

In 1953, there was quite a simple system which reduced the number of spoilt votes, I submit, to an absolute minimum, and that system was one which created no difficulty even to the near sighted and no difficulty, either, with the illiterate. The only person who still had to vote in public, so to speak, were those who were blind or those who were so physically incapacitated that they could not even lift the ballot-ticket and put it in the slot box, having recognised the candidate both by his picture and by his symbol. It is my opinion that all this sophistication is out of place and nonsensical. The 1953 system was perfect. Why all this marking of ballots in this circumstance and in the circumstance of knowing?

In any case, Mr. Speaker, there are persons who have been passed as literates who only know to draw their names and not necessarily know to recognise other people's names. You can imagine those persons who get away with the reputation that they are literate who, at this stage, are not literate and, therefore, cannot exercise the ballot. I see nothing to condemn a separate box. I see a great deal to recommend it.

I find that this Bill before us today has a number of repeal clauses. It seeks to repeal a number of provisions in the old Ordinance. I, myself, can see the point of some, but these I cannot and I am wondering why it is that the Chief Secretary has not done us the courtesy of explaining the reason for these repeals, its objects and reasons, as in his speech introducing the Second Reading of the Bill. He merely needs to tell us the purpose of these sections which either amend by addition or amend by repeal and substitution. For instance, this Bill, just to quote a few examples, repeals Subsection 3 of Section 43 which provides for the procedure where there is a tie as a result of an election petition. What new procedure is envisaged if there is going to be a new Ordinance? Do us the courtesy to tell us that "*we*

repeal the section, but provision with respect to the section dealing with all these subsections would be treated in a new Ordinance or a new set of rules which we were unable, in one statutory authority or another, to pass."

Then the proviso to Subsection 1 of Section 46 is repealed which makes it obligatory upon the Commissioner of Elections on an order of the Supreme Court to deliver to the proper officer of the Court the papers in relation to the election which may be the subject matter of an election petition. What is the reason for this? What is the reason for repealing the proviso to Section 74 which gives the candidate a clean berth if his agent is guilty of an illegal practice to which he, the candidate, was not privy? What is the purpose of repealing Subsection 2 of Section 76, Section 86, and the whole of Part V which deals with petitions? At least, we might have been told.

For instance, what is the object of repealing that provision which states, categorically, what some of us understand to be the law, that with an election petition, the question of the validity or otherwise of an election, if the Court is of the opinion, although there may have been some breaches, that the election itself was carried out, in the main, in compliance with the spirit of the law the election should not be voided? What is the purpose of deleting that? If that is deleted, it would follow that a few unsubstantial, unimportant deviations from the strict letter of the law can cause an election to be voided though it was carried out substantially in compliance with the *sententia* as distinct from the *litera*.

I know, Sir, that regulations are to be made with respect to certain Interior constituencies, and I hope that there will be no attempt to stave these regulations which were made in 1957 under the original Ordinance; for it seems to me that there is a much wider area or a much greater number of constituencies where the facility of voting anywhere in a constituency should be extended to all electors. The Berbice River, for instance, has never been so treated. But if one were to travel up the Berbice River and one pays particular attention to the limits of the constituencies of the Berbice River, one would be inclined to think that the difficulties which, for instance, made Governments in the past give the facility for voting anywhere to people in some parts of the North West District, Mazaruni, Potaro and Rupununi should also persuade Government to extend the same facility to the Berbice River. But, as I understand it, the regulations which are to be made should be made under Section 112 and, if I am right although I might not be, I feel that the regulations which would permit the Governor or Governor-in-Council, as the case may be, to allow persons to vote or to exempt persons in some constituencies from the provisions of Section 26, should not be laid much as they have to be a Motion, therefore, the Council will be given the opportunity of stating, very clearly, which constituencies should enjoy exemption from section 26.

I said a moment ago it has been suggested that Section 112 is the Regulations Section, but that is a moot point; and I really do not see that it is. It seems to me that the empowering Section is Paragraph 1 of Subsection

1 of Section 28. I am particularly making this point because, under Section 112, it is the Governor-in-Council as distinct from the Governor; and Section 113, which makes it obligatory upon the Government to lay regulations and give the Legislature the power to amend or annul, refers to Section 112 and does not refer to 28(1). I feel that this is a question on which the Council should be given the opportunity to make a decision, either to accept what the Government is proposing to amend it or reject it *in toto*.

Perhaps, the Hon. the Chief Secretary, as part of the Government, may be persuaded, when he comes to his amendments, to object. He has already started to add this amendment: that all regulations made under this Ordinance should be laid before the Legislative Council and all regulations made by the Governor-in-Council, but it does not give the Council an opportunity of having a say as to the constituency which should enjoy special facilities as the exemption from the provisions of Section 26.

I noted that there were some amendments which had some deletions and repeals for which no reasons were given, but there is worse than all the rest the one which appears on Clause 9 of the Bill as published.

Clause 9, as you are aware, repeals and re-enacts Section 27 and in Subsection (3) of the new Section 27 there is a provision that:

“Notwithstanding anything herein before provided to the contrary, an elector shall not be excluded from voting on the ground that he is not a British subject or is not of the age of twenty one years or upwards or is subject to any disqualification mentioned in Subsection (1) of this Section; but this provision shall not affect his liability to any penalty for voting”.

I can appreciate the difficulty of placing upon the presiding officer the onus of making an investigation on election day, but to leave this provision as it is at the moment will open the road for people who may surreptitiously and dishonestly get their names on the voters' list. Perhaps there can be an addition to Subsection (3) emphasizing the right of challenge by a candidate or his agent, for I have known of some instances where certain election offences were about to be committed and a challenge from the candidate or his agent had frightened the rascals who desisted from their intended offences. If the right of challenge were stated clearly in this Section it would be of some service.

Now, there is one other point in this Bill which I see has not been covered by any regulation. One is prevented from voting if one is undergoing a sentence of imprisonment for twelve months. That is in the Constitution, but what happens if a man is undergoing imprisonment for one month? He has a right to vote, but what provision does Government propose to make so that prisoners, who might have lost their liberty but not their constitutional right, will be given an opportunity to exercise their constitutional right?

The Hon. Attorney-General is doing some head-shaking, but he will have an opportunity of doing some tongue-wagging when I am finished with this Bill. We should not exclude anyone whose exclusion was not intended under the Constitution. The Constitution is clear that a person serving a term of imprisonment for one month is entitled to vote. I think that some provision should be made to preserve the right to persons, who may be in some of Her Majesty's prisons or places of confinement, to exercise their right to vote.

I hope that the observations I have made will be given careful study. I hope also, in particular that my disagreement with the mode of voting will be given the weight, which I say with the utmost modesty, it deserves, because in the final analysis the purpose of this Bill, as I understand it, is to create machinery whereby people should get to the polls and exercise their votes. If you want to get a greater percentage of the electorate willing to exercise their franchise, then I submit that everything reasonable should be done to assist them.

Let us not bother with sophistication; let us not bother with what happens in Mars, Jamaica or the United Kingdom; let us bother with what is taking place here. The importance of any election is so great that we should put no hurdle or difficulty in the way of any voter.

Motion on the Second Reading of the District Courts Bill 1961: 6th July, 1961

Mr. Burnham: I came here this afternoon contrary to my doctor's instructions, because I understood and knew that this Bill, which is undoubtedly important, was going to be debated; and I have been informed by the Attorney-General that it is not advisable or practicable to defer the debate until next week. I also came because I expected the "*Disqualification Bill*" would be debated. That, I understand, will not come up until tomorrow.

May I say from the outset that the principle behind this District Courts Bill finds or earns my support. I do not blame the initiator of the idea. I recollect that sometime in 1959 my opinion was canvassed and I did support the concept of an intermediate Court with greater jurisdiction than the Magistrate's Court and lesser jurisdiction than the High Court, and I did have the advantage of seeing this Bill in its very early draft form and of making some recommendations, one of which I noticed had been accepted. That is, that there should be the right to election on the part of the accused person as to whether he would be tried by the District Court Judge or take the advantage of his normal right to be tried before a Judge and jury. But since then, the Bar Association of which I am a member, not an executive member, has considered this Bill in some detail and, as the Hon. Attorney-General has correctly stated, has come out in opposition to the provisions of this Bill.

Let me say that it is not my belief that the view of a professional body should necessarily be accepted *in toto* or that these views should have precedence over the views of a larger section of the community and the interests of the entire country. I, however, do feel that the views of professional bodies on subjects which come within their particular experience, should be carefully considered and not lightly brushed aside.

For instance, it has been brought to my attention that at a special meeting of the Bar Association there was a resolution passed which suggested that the congestion of work which one finds at the moment in the Supreme Court can be removed if, at least, three or four things were to be done.

One of these things is the appointment of Masters in Chambers to take care of interlocutory applications, particularly, and certain pre-trial issues as happens in the United Kingdom.

Another suggestion of the Bar Association was that Judges of the Supreme Court should be assigned to definite division for stated periods, and that would obviate the embarrassment and difficulty which so frequently occur of a Judge having to break off a civil hearing and informing counsel at the last moment that he (the Judge) has to go over to Sessions.

It is felt that that can be got around if Judges were assigned to definite divisions for stated periods. There would be fewer part-heard cases and fewer cases which have to be re-heard.

A third suggestion, with the same idea or intention as the second suggestion, was that there should be Commissioners of Assizes appointed from time to time to get rid of indictable matters which are triable in the Supreme Court. It seems to me that there is a certain amount of merit in fact, I say there is undoubted merit from the resolution passed by the Bar Association.

Personally, let me say quite clearly that I am not of the opinion that these suggestions put up would serve the purposes we want as admirably as would be the introduction of an Intermediate Court, but, like many others, including the Attorney-General, I may well be prognosticating wrongly; may well be not fully advised and may well be wrong; though I think we are right. And since the implementation of this District Courts Bill is not something, I understand from authoritative sources, that is likely to take place within the next two months; and since the suggestions made by the Bar Association have the same object as the District Courts Bill; and since the Attorney-General has said that he proposes to have the question of the appointment of Masters in Chambers referred to the Law Reform Committee, I wonder whether it would not be better advice for the Government to defer consideration of this Bill until such time as the recommendations of the Bar Association are sent to the Law Reform Committee and considered in juxtaposition with the District Courts Bill. Then members of the Bar Association and its executive body would have an opportunity to put forward their points of view in the context of a more careful and lengthy consideration.

If Government, after reviewing and considering the recommendations of the Bar Association, still feels that the District Courts Bill should be promulgated and passed, then Government will, at least, have the pleasure of knowing that everything was done after taking into consideration the views of the informed and the uninformed.

If this District Courts Bill were going to be acted upon immediately, I would not have recommended that, but I feel that the Law Reform Committee, which undoubtedly has members with the experience of Court of actions, would agree that the suggestion should be adopted. But, of course, I am aware of the fact that in this Council, it is always for those who have the greater number of heads full or empty to make the final decision; so I merely put that forward. I consider it my duty not only as a legislator, but as a Senior Member of the Bar.

But, let us assume that my suggestion of tolerance does not find favour with the Government, there are some criticisms which I desire to make of the Bill as presented today. I did support the idea of this intermediate Court, and I hasten to say that for that I claim no originality. The person who canvassed me told me that the jurisdiction of a District Judge would have

been greater than that of a Magistrate not only from the point of view of the greater penalty which the former could inflict, but also the point of view of the offences of which he could take cognisance. I have, however, been disappointed, because looking at clause 19 of the Bill I have got the impression that only those indictable offences which are triable summarily under Chapter 15 of the Summary Jurisdiction (Procedure) Ordinance are not to be taken cognisance of by the District Court. It may be that my reading or deduction is wrong, and if it is I am prepared to admit that I am wrong.

Another aspect of this Bill which calls for a certain amount of criticism, to my mind, is that the right of appeal from a decision of this District Court, particularly in its criminal jurisdiction, is too limited. The appeal, I see, goes from the District Court to the Full Court of Appeal, and not to the Federal Supreme Court. That rather seems to be definitely limited as compared with the right of appeal from the Supreme Court as a Court of first instance. It, therefore, follows that where previously a man who was litigant could readily and easily get from the Supreme Court to the Federal Supreme Court as long as the action involved is \$500 or more, that right is no longer open to him.

By virtue of the fact that an appeal from the District Court is to the Full Court of Appeal, my proposal in the circumstances is that there should either be an amendment to the Federal Supreme Court Ordinance or an additional provision attached to this particular Ordinance allowing an appeal even from the Full Court of Appeal to the Federal Supreme Court, provided it is coming from a District Court, as of right, in the same circumstances as those in which litigants are permitted to appeal from the Supreme Court to the Federal Supreme Court.

This particular aspect, I concede, is very complicated, but I am quite sure that the Hon. learned Attorney-General, apart from being the leader of our profession, would appreciate the point I seek to make today. Both in civil and criminal cases the right of appeal to the Federal Supreme Court should be such as not to be more limited than at present. I do not agree with those who argue that in spite of the right of election there is bound to be a certain amount of coercion or duress.

I, however, would like *en passant* to make this observation which I ask the Hon. the Attorney-General to note very carefully: too frequently on an application under the Summary Jurisdiction (Procedure) Ordinance, First Schedule, the police do exercise a certain amount of duress because their normal practice is this: They say to the accused person "*We will apply for a summary trial provided you are prepared to enter a plea of guilty.*" Anyone who has practised at the Bar knows that, and cannot deny that such instances have been brought to his attention in the practice of his profession. How that can be remedied is another question.

Perhaps administratively there can be a direction to the police, or perhaps there can be embodied in the provisions of the law some penalty for those who administer Justice or are responsible for prosecutions and

indulge in such a practice. Further, the question as to whether or not a man should be tried summarily, if he so desires should be left to the accused not only on the prosecutor's application but also on the accused's. This concept, I thought, would have been introduced in this Bill.

There are many accused persons who would be prepared to stand summary trial, but who are not given the opportunity. The prosecution has the right to decide whether or not an application should be made for a summary trial. I am not unaware of the practice that the Magistrate who is taking the preliminary enquiry has the power, in certain circumstance during the course of the hearing, to decide whether the case is one which ought to be dealt with summarily, and to intimate his opinion to the accused person, and thus give him an opportunity to have the case dealt with summarily.

But in the first place, this comes rather late in the trial. That power cannot be exercised until evidence has been heard. In the second place it is a matter of discretion. Not very often does one see that power exercised. It would seem to me that the right should be given to the accused person under this Bill, and the right to make application for a summary trial not left exclusively to the prosecution.

There is one other criticism I have of this Bill and also of the 1932 Ordinance which, I think, introduced for the first time the power of the Magistrate to take indictable cases summarily. That criticism is that there should not be endorsed, as is the practice, on the case jacket the grounds on which the application is made for the case to be dealt with summarily instead of indictably.

In the case of the Magistrate one may excuse him, for his is not the final adjudication. But in the case of a District Court Judge what would happen if the prosecution makes an application on the ground of adequacy of punishment and not having regard to the known character of the accused person? There is obviously the inference to be drawn that the accused person has not a good character. I am aware of the fact that the District Court Judge is going to be a lawyer. One has not to say a trained lawyer because one is deemed to be trained before one becomes a lawyer.

But it is to be observed that the qualification for a Judge of the District Court is five years' standing at the Bar. He may in the case of undoubted brilliance be considered qualified, but conversely the average practitioner of five years' standing may not be sufficiently experienced; he may not be able to qualify himself for the wider task on the Judiciary. There should, therefore, be no inference or implication that the accused person does not have a good character.

It may appear to be a minor matter to those who have, neither as advocate nor accused person, to face the Court, but by those who have to face the Court on criminal charges of some gravity, and those who do represent such persons, I think the importance, albeit nicety of the point which I seek to make, will be readily accepted.

There is one other hiatus in this Bill: the right of representation. Under

the Legal Practitioners (Definition of Functions) Ordinance which was passed in the context of our two-tier system of Courts, in an action involving more than \$500, neither a Solicitor nor a Barrister can appear alone. The law here is not clear. Does it follow that because the District Court is to be established for certain purposes according to the Summary Jurisdiction Ordinance, a Solicitor or a Barrister can appear alone before it, in an action involving a maximum of \$1,500? A solicitor will be competent to be a District Judge under this Ordinance. I shall make a comment on that shortly. It seems to me that if neither the solicitor nor the barrister can appear alone in the High Court in an action over \$500, then there is certainly an anomaly if either can appear alone in a District Court in an action up to \$1,500. It is not that I am suggesting that neither should be allowed to appear alone in a District Court in an action over \$500. It may well be that the Government is going to amend the Legal Practitioners Definition of Functions Ordinance to permit a barrister or a solicitor to appear alone in an action over \$500. But let us regularise it.

Maybe what those who drafted this Bill had in mind was that the limitation of the cases over \$500 would also apply to the Ordinance to which I have referred. Even the best of draftsmen sometimes forget little matters; the Statute Books are replete with examples of corrections and omissions. Perhaps the Attorney-General will tell us if he proposes to introduce an amendment to the Legal Practitioners Definition of Functions Ordinance before this Bill comes into force.

Another observation I want to make is with respect to the qualifications of those who can or should sit as District Court Judges. I am not a snob and, consequently, I can say that in the solicitors' branch of the profession there are many persons of undoubted experience who can with justification and success carry out the functions of a District Court Judge as well as a number of members of the Bar, but what I am concerned about is the limitation of five years standing. What does five years standing mean?

We who have practised in the Courts have noticed that on occasions five years standing has been interpreted to mean five years after qualifying, or five years after being called to the Bar. The mole had his eyes thousands of years ago but he does not have them now, but you can say that the mole's eyes are of thousands of years standing. There are many persons who may qualify either as barristers or solicitors five years or more prior to their appointments but who have not heard their voices in the court of law even in a criminal complaint brought under section 144 or section 141, commonly called in ordinary parlance "*cuss cases*". It certainly seems to me that, save in exceptional and extraordinary active practice at the Bar they would not normally be as well qualified. I am choosing my words most carefully, Mr. Speaker, and I say they would not normally be as well qualified as one who has had active practice at the Bar.

There are some persons who have been raised to judicial offices, I understand, who are not particularly familiar with the White Book. That is

unsatisfactory because one wants to find a Bench which is noted not only for its integrity, but also for its actual experience I would not say necessarily its academic brilliance but, at least, its scholarship. I believe that five years standing is not a sufficient yardstick. I do not have the solution to this problem at the moment, because I know that there are some exceptional cases. I know, for instance, there was a three-year limit so far as the appointments to the magistracy and law office were concerned, and we have had in recent times the example of the last Solicitor General who, without having the necessary practice, has done very well. But even though exceptions may be made, I still feel that the limit of five years standing is not good enough, if the District Court is to be a court which would earn respect.

I do not quarrel with solicitors being appointed; I quarrel with persons who are not properly qualified by performance and experience to hold such an office. I know that in Jamaica, for instance, a Magistrate can either be a solicitor or a barrister. In fact one of the members of the Jamaica Bench, Mr. Duffus, was a solicitor up to 1956. I know that the late Sir Alfred Crane was a solicitor when he was appointed to the magistracy. I hope that the appointments to any of these District Courts Bench will not be automatic appointments from the magistracy. May I be careful with my language and say exactly what I want to say on this question. I conceive that one will find among the Magistrates on the Magisterial Benches today a number of individuals who, to my mind, would make suitable District Court Judges, but I shall ask those who may be responsible for appointments to the District Court Judiciary not to make these appointments automatic rewards for sheer seniority on the Magisterial Bench. There has been too much of a tendency to make these promotions automatic.

I repeat that there are many persons that I have seen and known in the past and at the present who are entitled to promotion, judicial promotion from magisterial appointments, but please do not let it be automatic; please do not ignore the claims of the members of the practising Bar or practising solicitors. I can hardly be accused of arguing my own case because my aspirations have never been magisterial or judicial; they are in another field. Apart from that the field is certainly not financially attractive.

There is one final observation I desire to make. I understood from the Attorney-General that he looked upon these District Courts as itinerant Courts, and they would wander from Magistrate's Court to Magistrate's Court.

I was saying that the Attorney-General gave me the impression during the course of his remarks, that he looked upon the District Court as an itinerant Court that wandered lonely as a cloud from Magistrate's Court to Magistrate's Court. It seems to me that nothing can be better calculated to destroy the dignity of the Court than to have it wandering from Magistrate's Court to Magistrate's Court. The dignity of the Court, regardless of the political or economic system of a country, is something that is empha-

sised in all parts of the world, west, north and east. This District Court is expected to be a Court with a larger jurisdiction than a Magistrate's Court and, consequently, its dignity must be ensured from the very beginning. It is no sense putting forward the thesis that there is no money available for setting up the new system as well as the buildings. There is no point in talking about the Court going to the people. If we are going back to ancient Rome and Greek times we could talk about the Court going to the people.

What we want is a Court of dignity; a Court that will be respected not only because of the scholarship which one finds there, not only because of the experience which one finds there, but also because of the physical surroundings and habitat. The Government must face the fact that it has to set up a District Court organisation. It has to find buildings, staff and make preparation and provision for the District Court Registry. There is no sense doing it harum-scarum and making the Magistrate's Court Registry the same as the District Court Registry because the Magistrate's Court Registry is already overburdened and ill-housed. In most cases loss of documents did not come to the notice of the public because the cases were not as important as those of the Supreme Court.

I feel that new buildings should be set up. You need not have only three District Courts. I will not for one moment agree to these Courts being itinerant, and running to a Magistrate's Court when the latter is not there. I would not like to see the District Court going to Magistrate's Courts where the pound is just next door and the flies from the animals' excreta pervade the Court, where there is hardly space for counsel to stand; where the witness stands in a sort of improvised little box, and the Magistrate gives the impression of being a clerk rather than one who is dispensing justice.

The dignity of that particular Court is lacking even for Magistrates, let alone District Court Judges. Let us not have these Courts running around the place into Magistrate's Courts or into Police Stations, because some Courts are Police Stations. We do not want these Courts, like Magistrate's Courts to be held at Police Stations. We do not want them in the precincts of Police Stations and, therefore, as a special privilege, accommodated by the Police. We want, as in other parts of the world, an Intermediate Court as a separate Court that will sit from time to time or from day to day to adjudicate on matters which come before it.

Those are some of the criticisms I have of the Bill as it stands, and also of the remarks made by the Hon. Attorney-General. But, finally, I would urge upon Government the deferment of the Bill to allow full consideration of the points raised by the Bar Association representing the views of the members of the Bar.

Motion on the Second Reading of the Legislature (Appointment, Election and Membership Controversies) Bill 1961: 11th July, 1961

Mr. Burnham: There is not much to say except that it is existing practice to have an Ordinance like this at this time. But there are a few observations I desire to make. They are critical on certain omissions and inclusions. For instance, I am rather concerned with the fact that there seems to be a principle of this Bill that if a corrupt or illegal practice is committed not only by a candidate but also by his agent, the election can be void, or rather the election of the candidate becomes void.

That seems all the stronger in view of that fact of Section 2 Subsection (6) of the Representation of the People Ordinance of 1957, as it was before it was repealed. For instance, the illegal practice of making a false statement did not cause a candidate to lose his seat, or for his election to be declared void. It would appear that the principle in Ordinance No. 3 of 1957 is that there should not be a vacuous liability on the part of the candidate, and I am rather surprised that principle is not changed.

In clause 30 (c) of the present Bill we see "*That a corrupt or illegal practice was committed in connection with the election by the candidate, or with his knowledge and consent, or by any agent of the candidate.*"

There is no such limitation in the original Ordinance, No. 3 of 1957. When one looks at the proviso to Section 74 which had also been repealed in the Bill passed by this Council a few weeks ago, one sees that a candidate shall not be liable for any illegal procedure committed by his agent other than the election agent.

The new provision in Section 13 of this Bill before us today places a tremendous burden upon the candidate, because he now becomes vicariously liable for every illegal or corrupt practice committed by an agent other than this election agent. One can understand making him liable for acts committed by his election agent because he is his *alter ego* who would be chosen with a certain amount of care, and in most cases an election agent is a candidate himself. Perhaps an argument that can be put up against my observation is that a person may not be an election agent of a candidate, but he may be able to influence the election by corrupt or illegal practices.

The answer to that is to be found in Section 30 (1) (a) which states that if the prevalence of corrupt or illegal practices was such as to lead the Court to believe that the election was substantially affected by them, the Court could declare the election void. I have no objection to that. But imagine this trifling illegal practice being committed by a person who is not authorised and without the knowledge of a successful candidate, rendering him liable to the penalty of losing his seat even if such illegal practice did not materially affect the outcome or results of the election! I wonder whether the Hon. Attorney-General and the Government considered

this point carefully. It seems to me that it is against the principle which was established in the 1957 Ordinance, and it seems to me that any possible effect it can have on the election can be encompassed within paragraph (a).

There is one other point that calls for observation, and that is the lot-drawing which would decide the election in the case of an equality of votes. This is referred to in clause 22 of this Bill. It seems to me that, with a small legislature such as we will have of 35 members with the possibility of, perhaps, power hinging on one seat as happened in Zanzibar a few months ago, we should not make ourselves gamblers so far as the decision in the case of equality of votes is concerned. In the case of equality of votes there should be an appeal to the electorate; there should be an election in the electoral district, and the voters should be given an opportunity, in the context of the importance of the election, to make their choice firmly and clearly, but to give the lot a decisive influence which it will have under Clause 22 is something I cannot agree to. These are the two main criticisms which I have of this Bill, though there are verbal amendments which I propose to move when the Bill reaches Committee stage.

Motion on the Second Reading of the Legislature (Disqualification) Bill 1961: 11th July, 1961

Mr. Burnham: As the person who raised this question of disqualification at the London Conference last year with particular reference to the Public Service, I know what I had in mind. I remember clearly what the Chairman of the Conference said after I raised the question, but it would appear that this Government in introducing this Bill has something else in mind and a completely different approach to the question.

I remember that the piece of legislation which was looked at was the House of Commons Disqualification Act, 1957, which sets out the disqualification from being a Member of the House of Commons. I remember that the question was raised this way; that there should be specific legislation dealing with disqualification following the pattern of the House of Commons Disqualification Act, 1957, not following the details, not following the categories, not following the pattern, and that only such persons named in the Act, Ordinance, or Schedule should be disqualified from becoming Members of the Legislature of British Guiana.

Unfortunately, both the Official Government and the Political Government change their stand - the latter seem to forget all that they said in 1952 about the Waddington Commission. These are the people who accuse others of changing their stand. Both the Official Government and the Political Government have chosen not only to copy the principle of the English Act of 1957, but even to copy the categories in the main part of the Bill from the main part of the Act and by so doing they place the disqualification on all persons who hold offices under the Crown. They have in this Bill disqualified all civil servants.

It is not at all surprising to hear the Hon. Chief Secretary, with his background and membership of the Colonial Service telling us about the imaginary advantages of an allegedly politically neutral Civil Service. But, perhaps, I may tell him that in 1945 when the Right Honourable Mr. Hall was Secretary of State for the Colonies and I, as a student, was criticising him as a Minister and his Party as a Government for doing nothing about the Colonies in spite of the wonderful noise he used to make when he and his party were in Opposition, he told me that they were quite willing to give effect to what they had been saying as Members of the Opposition, but they got nowhere with their proposals because of a Conservative Civil Service which they had inherited from the Conservative Government.

I think it is one of the myths that the British have succeeded in selling to the world; that there is a politically neutral being called a civil servant. I think that in a country like Guiana we have to face the realities of the situation, and stop prattling off those myths that have been sold to us by our masters. In any case, even if we are to assume that inability to contest a seat

can be defined as political neutrality, we must compare the situation in Guiana with the situation in the United Kingdom before copying wholesale from the latter.

The economic situation in the United Kingdom is such that the Civil Service does not, as in the case of Guiana, recruit the majority of the best brains amongst the young men and young women. In fact you will find a greater number of those outside of the Civil Service than inside in the United Kingdom. Let us face facts in Guiana. In Guiana the majority of young men and women leaving schools chiefly, of course, because of our Colonial background and the undeveloped nature of our economic system, look forward to a Civil Service job.

I did not quite hear the Attorney-General. Perhaps he will permit me, a native of Guiana not by accident but by birth and heritage, to speak about my country. Perhaps he will permit me, who left school in Guiana as a young man, to say how I felt and the majority of other young men felt when we were leaving school. For people like me the only opportunity was the Civil Service. In those days people like me could not dream of going to Bookers; you either had to work on the water front or be a messenger, a hewer of wood and drawer of water. Therefore it is unfair in the circumstances of Guiana to prevent civil servants from taking an active part in politics. It would in fact mean a political conniving of a very large section of those who, all things being equal, would be able to make the best contribution.

I am not aware of the fact that certain complications must arise if civil servants, or a number of civil servants have reached a particular point in the service. When he reaches the Administrative grade, when he is an Administrative Assistant, when he is a Permanent Secretary, when he is the Head or Deputy Head of a Department, it would be important that he should have no obvious political ties. Therefore the original idea which I had was that in the Schedule to the Ordinance there should have been named by category or post.

I concede that from the Administrative grade up, civil servants should not be able to take an active part in politics because of the amount of embarrassment that could arise because they would have reached a point where they have to advise the Minister. The Minister may reject the advice, because he may feel that the person advising him is a Member of another Political Party. Furthermore, those officers in the group from which advisers are taken may well be advising the Minister, and then use the information which they get on the political platform.

I agree that such a situation could be embarrassing and is not to be encouraged, as I am at present advised. But the Class 1, Class II, and Class III Clerks, who are not in a position to give advice, who cannot affect the destinies of the Government or the Administration as much as an ant could an individual, should be given an opportunity to take an active part in politics. Why should they be robbed of their right, if they so desire, to

take an active part in politics and contest a seat for the legislature? Why should a steno-typist be robbed of that right merely because she works in the Civil Service, when for her the Civil Service offers the best opportunity for employment including rates of remuneration?

In the United Kingdom it is different, and apart from the fact, as I have observed before, that there is no such thing as a politically neutral Civil Service, in the United Kingdom the restriction, prohibition, or disqualification would not work such hardship on the community as a similar restriction, prohibition, or disqualification would work in the case of Guiana.

My original suggestion was and still is that members of the Civil Service should not be excluded *ipso facto* after certain names of officers, and that should be sufficient. For instance, I cannot see why you are going to disqualify a doctor. I cannot see why. But let the same persons be somewhat more unfavourably employed, still, by the Government, you will give them the right. Let them be employed on the open vote, then they have the right to take an active part in politics. Let them be employed and paid by Government through a corporation like the Transport and Harbours Department, then they are allowed to take part in politics. Let them be employed and paid by Government as primary school teachers, then they are allowed to play an active part in politics. That is rank discrimination. That is what happens when you are copying and cogging. You are attempting to employ, in a strange context, something that has no relevance.

It seems to me that we should not copy the Disqualification Act of the United Kingdom; because it amounts to robbing our civil servants of certain political rights which they ought to have. And it should not be a particular difficult thing to work out. For those who will be permitted to take part, the necessary regulations could be prepared and adapted for them to get leave at particular times; for them to be deemed to be on leave without pay and without losing their pensionable service for such time as they are serving in the Legislature, because the disqualification provision says if a civil servant is to run, he has to resign and he loses his pensionable service. It does not say that a civil servant is, for all time, banned. And if he loses, it is a serious matter. It means, therefore, it is a terrible gamble which many civil servants are not prepared to take. If he wins, he also loses his pensionable service; and if he wins once and loses the second time, he is nowhere.

It seems to me you can easily propose a formula whereby a civil servant whose right we should not take away, should be allowed to run for a seat in the Legislature; and for such time that he occupies this seat, he shall be deemed to be on leave and should not lose his pensionable service. If we want everyone to participate in the Government of this country as far as possible, I do not see why we should put these obstacles in his or her way. We are moving away now. We are moving towards independence. Are you going to tell us what Britain does and does not do?

You are forgetting that the House of Commons Disqualification Act of 1957 removes the disability of contract so far as Membership to the House of Commons is concerned by stipulating that if you are to hold office you must disclose your contract. The *raison d'être* of a contract is the supply of merchandise and, incidentally, it is not merely the supply of merchandise that constitutes a contract in Britain. It is not only the supply of merchandise in the United Kingdom that makes one liable for disqualification.

It is significant that the original disqualification legislation was enacted in 1782. Before the Party Government has become as strong as it eventually did become, people could have lost their positions as Members of the Legislature but benefited themselves, personally. But as you moved on, the Party Government became stronger. First of all, you had the 1801 Amendment: then you had the 1931 Amendment and then you had the repeal in 1957. As the Party Government became stronger and, also as the Government took a greater part in the affairs of the country the usefulness of it became more obvious.

We, in Guiana, are not going to expect a fair type of Government. We are not going to have a Government after this which will accept the thesis that the role of the Government is to hold the scales evenly and take as little part in the running of corporations, industries, etc. The greater the part the State plays, the greater the number of persons who will become civil servants and be subject to disqualification.

I can understand the Hon. the Attorney-General growing up in the school in which he has; and the Chief Secretary. That is part of their abiding belief that the civil servant must appear to be neutral. I do not quarrel with them. I quarrel with the Elected Government. This contract of services, the supply of goods, publication and all that is, to my mind, nonsense. We claim to be progressive and yet what even our erstwhile masters have banned and thrown aside we will have here. This is certainly what I have had in mind when I sat at the Conference table at Lancaster House. This was not so accepted, I found, by the Chairman.

One final word: I do not quite understand the remark made by the Hon. the Chief Secretary. He said something about there being two Attorney-Generals until the end of the year. I do not follow that because, as I understand, there will be only one Attorney-General for Guiana at any given time. And I cannot understand why it has been specifically stated that he would not be disqualified, because it is clear in the Constitution that he is a Minister who has a political appointment. On the other hand, I cannot understand why it has been specifically stated that the Director of Public Prosecutions should be disqualified. Although it is patent in the Constitution that that post was a public service post, if I had my way, I would have made the Director of Public Prosecutions a person who could contest a seat and retain his office or membership in the Service. But these are details which can be worked out from time to time.

My final observation is this: In point of fact, this Bill is a waste of paper,

because it does not give the right to participate actively in politics to anyone who does not have the right to vote. If you had checked your legislation carefully, you would have stopped wasting your time and our time producing this Bill like this, because the categories are the same and the persons are the same. You just want to have on the Statute Book a Bill entitled the "*Legislature (Disqualification) Bill, 1961.*"

