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British Guiana Independence Conference, 1962

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BRITISH GUIANA INDEPENDENCE CONFERENCE

1. At the British Guiana Constitutional Conference in 1960, a constitution providing for full internal self-government was agreed and the principle of independence for British Guiana was accepted.

2. In August, 1961, the new constitution was brought into effect and a general election was held. The People's Progressive Party (led by Dr. Cheddi Jagan) gained 42.6 per cent of the votes cast and 20 seats in the Legislative Assembly; the People's National Congress (led by Mr. Forbes Burnham) obtained 41 per cent of the votes and 11 seats; and the United Force (led by Mr. Peter d'Aguiar) secured 16.4 per cent of the votes and 4 seats. (Of the 35 seats, the People's Progressive Party did not contest six and the United Force did not contest one.)

3. In November, 1961, the Legislature of British Guiana passed a Resolution calling on Her Majesty's Government in the United Kingdom to grant independence to British Guiana. On receipt of this Resolution, the Secretary of State for the Colonies informed Dr. Jagan of his willingness to hold a Conference for the purpose of settling the form of the Constitution and of fixing a date for independence.

4. The Conference met in London at Lancaster House on 23rd October, 1962, under the chairmanship of the Secretary of State for the Colonies, Mr. Duncan Sandys. It was attended by delegates from three political parties represented in the Legislative Assembly of British Guiana. A list is attached at Annex A.

5. The opening session was held in public. Speeches were made by the Secretary of State and by the leaders of the three delegations, Dr. Jagan, Mr. Burnham and Mr. d'Aguiar. The texts of their speeches are attached at Annex B. Thereafter they made general statements setting out the positions of their respective parties. These are reproduced at Annex C.

6. Eighteen sessions of the Conference were held. A number of constitutional points were settled. But it was found that no substantial progress could be made until decisions were reached on three major questions:

- (a) Should elections be fought on the basis of single-member constituencies as at present or on the basis of proportional representation?
- (b) Should the right to vote be accorded at the age of 21 as at present or at the age of 18?
- (c) Should fresh elections be held before Independence?

7. The People's Progressive Party advocated single-member constituencies, voting at 18, and no elections before Independence. The People's National Congress and the United Force asked for proportional representation, voting at 21, and fresh elections.

8. These issues were exhaustively discussed, but no agreement could be reached.

9. The Secretary of State informed the Conference that he had considered putting forward compromise proposals with a view to breaking the deadlock. However, after exploratory talks with the three leaders, he had reluctantly come to the conclusion that there was no formula which appeared to offer any prospect of agreement.

10. It was recognised that in the absence of agreement there were only two possible courses:

- (a) to leave the British Government to arbitrate on the questions at issue; or
- (b) to adjourn the Conference.

11. The leaders of all three delegations stated that they were unwilling to agree to arbitration by the British Government. Mr. Sandys, for his part, stated that, if they were not prepared to accept arbitration, he would not consider it appropriate at this stage to impose decisions against the wishes of the Government party which held a majority of seats in the Legislative Assembly, or alternatively against the wishes of the Opposition parties which together had polled a majority of votes at the last election.

12. At a final session on 6th November 1962, it was agreed with regret that the Conference should be adjourned to allow for further discussions between the parties in British Guiana.

13. In conclusion, the Secretary of State stressed that, since continued political uncertainty must inevitably prejudice the social and economic progress of the country, the present state of affairs must not be allowed to continue much longer. If after an interval no agreed solution could be found, the British Government might have to consider imposing a settlement on their own authority so as to enable British Guiana to go forward to independence. But, since this would be a most unhappy way of launching the new nation, he urged the three leaders to make a further serious effort to reach agreement amongst themselves and assured them of his readiness to help in any way which they might consider useful.

Signed:

DUNCAN SANDYS,
*Secretary of State
for the Colonies*

L. F. S. BURNHAM,
*Leader of the People's
National Congress*

CHEDDI JAGAN,
*Leader of the People's
Progressive Party*

P. S. d'AGUIAR,
*Leader of the United
Force*

Lancaster House, S.W.1.

6th November, 1962.

LIST OF THOSE ATTENDING THE CONFERENCE

Mr. Duncan Sandys, M.P., *Secretary of State for the Colonies* (Chairman)
 Mr. Nigel Fisher, M.P., *Parliamentary Under-Secretary of State*
 Sir Hilton Poynton, *Permanent Under-Secretary of State*
 Mr. A. R. Thomas
 Mr. R. W. Piper } *Colonial Office*
 Mr. N. B. J. Huijsman }
 Sir Ralph Hone } *Legal Advisers*
 Mr. J. A. Peck }

Sir Ralph Grey, *Governor of British Guiana*
 Mr. M. Shahabuddeen,

Dr. C. B. Jagan, *Premier*
 Mr. B. H. Benn, *Minister of Natural Resources*
 Dr. F. H. W. Ramsahoye, *Attorney General*
 Mr. Ashton Chase
 Mr. Moses Bhagwan
 Mr. J. B. G. Kelshall

} *People's Progressive Party*

Mr. L. F. S. Burnham
 Mr. N. J. Bissember
 Mr. W. O. R. Kendall
 Mr. J. Carter
 Mr. E. F. Correia
 Mr. C. A. Merriman
 Mr. H. M. E. Cholmondeley

} *People's National Congress*

Mr. P. S. D'Aguiar
 Mr. R. E. Cheeks
 Mr. S. Campbell
 Mr. L. A. Luckhoo
 Miss M. A. Jardim
 Mr. J. E. de Freitas
 Mr. R. M. Delph

} *United Force*

Mr. W. M. Knighton,
 Mr. R. S. Allison
 Mr. B. M. Norbury
 Miss J. M. Catchpole

} *Secretariat*

SPEECHES AT OPENING SESSION

Speech by Mr. Duncan Sandys, Secretary of State for the Colonies

"Gentlemen: I would like to welcome you very warmly on behalf of the British Government at this opening session of the British Guiana Independence Conference.

At the last Conference, held here in 1960, it was agreed that as the next step in constitutional advance British Guiana should be granted full internal self-government; and that after an interval a further Conference should be convened to discuss the final preparation for independence.

Owing to the unhappy events of last February, it was unfortunately not possible to hold this Conference as early as we had planned; but the time has, I believe, not been altogether wasted, since the delay has provided an opportunity for further discussions and consultations which have helped to clarify the issues involved.

Following the path of other British Colonies, British Guiana is now approaching the end of the colonial stage. This Conference will have to settle a number of questions of great importance to the progress and stability of your country in the years ahead. It is not enough merely to make administrative arrangements for independence. Our aim must be nothing less than to establish sound and solid foundations upon which the people of British Guiana can build a happy, prosperous and united nation.

I wish the Conference every success in this vital task."

Speech by Dr. Jagan, Premier and Leader of People's Progressive Party

"Secretary of State, Your Excellency, gentlemen: Once again we meet to consider what course the political development of British Guiana shall take. Once again we have been received with the warm welcome which we have learned to expect. For this, Sir, please accept our thanks. May I also express thanks to Her Majesty's Government for the very efficient arrangements which have been made for our comfort and convenience.

This Conference is the culmination of a long series of events. A quick glance at this series may, perhaps, be of use now to set our problem in perspective. In June 1958 the Legislative Council of British Guiana passed a Resolution requesting that British Guiana should become an independent state within the Commonwealth. A Constitution Committee, made up of all the elected and nominated Members of the Legislative Council, examined this question and set out the views of all sections of opinion at great length. The request for independence followed on a majority decision by that Committee. The Committee went further, and by majority vote suggested that the British Guiana Constitution should provide for a form of government patterned after the British parliamentary system.

Following on this request, the Constitutional Conference of March 1960 was held. At this Conference I pressed strongly for immediate independence within the Commonwealth. We did not then succeed in this. Yet, from our point of view, the Conference was not a loss, for it was there stated that the principle of independence for British Guiana was accepted by Her Majesty's Government.

Since this last Conference the political map of the world has changed very significantly. The pace of advance from dependent to independent status has been rapid. Almost the whole of British Colonial Africa has become free and sovereign. In our area, our neighbours Trinidad and Jamaica have become independent, sovereign states. In Guiana independence was the major issue at the August 1961 elections. The opposition parties in appealing to the electorate made it clear that whichever party won the elections would be leading the country to independence. One of these parties actually suggested May 31st, 1962, as independence date.

It was in this spirit that, in November, 1961, shortly after the formation of my Government under the 1960 Constitution, a resolution was introduced and passed in both Houses requesting Her Majesty's Government to grant us independence in 1962.

Our right to independence has already been conceded, as I have remarked, by Her Majesty's Government. Now that this conference has been called, the question therefore before us is the transfer of residual powers from Her Majesty's Government to the Government of British Guiana and the fixing of a date for independence. I submit, Sir, that the struggle for power between various political factions at home should not properly form part of the deliberations of this conference. Rather, my Government conceives this to be a domestic matter to be hammered out at home.

This does not mean that I consider this conference merely a formality. My Government has submitted, on the request of Her Majesty's Government, the draft of the Constitution for an independent Guiana. In the preparation of this document, deep consideration was given to our needs and national aspirations and to the fundamental principles underlying the constitutions of other countries within the British Commonwealth. A perusal of our draft constitution will show that it is based on the following principles. Firstly, free regular elections at stated intervals on the basis of universal adult suffrage; secondly, the provision of safeguards for individuals, minorities and political parties by the entrenchment of fundamental rights; thirdly, an independent judiciary to which all may have access; fourthly, the avoidance of any divisive measures which may tend to weaken the nation.

We have, however, remembered that while the constitution must provide safeguards for individuals, for minorities and for opposition parties, it must also make it possible for our freely elected government to govern. It has been said that a government which is elected and takes power must be in command of the affairs of the nation and must be able to meet its problems and responsibilities. With this fundamental concept we are in entire agreement. The dilemma of private individual rights versus public interest, which has long plagued political theorists, has also exercised the minds of our constitution framers. We consider it essential that if we are to make progress in an orderly way we should have the right type of constitution and the right political atmosphere. This is why we have taken the lead in sponsoring a fundamental rights section in our constitution, although we realise that this might provide too rigid a framework and might possibly impinge upon the sovereignty of the people. It has been often demonstrated that a constitution which does not provide for strong and stable government is bound to fail.

Over the past several decades the principles and practices of parliamentary democracy have been progressively abandoned by country after country. Not the least of the factors causing this disturbing trend has been the tendency in many countries to abandon the old well-proven electoral methods for new-fangled ideas which seem in theory to offer great advantages. But these advantages which in theory may seem desirable are always bought at great price of stability. Time and again attempts to attain these doubtful advantages have resulted in governments so weak as to cause, eventually, a revulsion on the part of the electorate, a revulsion which has led to their abandoning the idea of popular government in its entirety and substituting various forms of authoritarian government which they felt would give the effective government their countries required. Political theoreticians draw from these facts the valid conclusion that the primary desire of peoples is for effective and stable governments.

I think, Sir, that I have said enough to indicate the lines along which we are thinking and we have been thinking. The Guiana people have for many years been yearning for their freedom. We, the British Guiana delegation, are agreed on this—that only independence will provide the dynamic necessary to lift our people and to weld them into nationhood. To this great aim, we from Guiana have pledged ourselves, and for this great aim we ask your aid and assistance and your help."

Speech by Mr. Burnham, Leader of People's National Congress

"Mr. Chairman, thank you so much for your kind welcome, and thank you also for indicating at least by implication that the question of independence at this conference is not really in issue. I think we are all agreed that our beloved Guiana is entitled to independence and to be free. Without independence those for whom I properly speak feel the best energies of the people cannot be harnessed in the interests of the country.

The success of this conference, for which we fondly hope, will mean that we shall have to say goodbye to you, Mr. Chairman; though I am not suggesting that you will not be the Minister for Commonwealth Affairs when Guiana joins the Commonwealth as an independent nation. But after all that is said and done, Sir, we have got to draft a constitution, and independence does not mean a mere transfer of power. The constitution must be a book of rules, must be a document which reflects the political realities in which we shall have to operate. We must have a constitution which will assure all the Guianese that their rights will not be trampled upon, even by majorities. A constitution is not a document from which we can hope to gain some cheap political victory; it is something that must be cognisant of the present and anticipatory of the future developments of the country.

We in Guiana do have problems, present and future. It is not for us to behave like ostriches and hide our head in the sands. We are not only a country of many waters, but a country of many peoples, and unless and until those many peoples are welded together into one unified whole independence to me would be a mere mockery.

There are large divergencies of opinions amongst the people of Guiana. I do not propose at this stage to canvass the point of view of the political party which I lead, but this I say: that in the drafting of our constitution the approach of the People's National Congress is to take account of the various groups' attitudes and opinions so that we may leave this conference, if it is successful as I hope it will be, assured and satisfied that we have done our best by the people of Guiana.

I do not propose either to enter into the controversy as to what makes a strong government or what makes a weak. I do not think that there is inherent in any system the result of strength or weakness of a government. I shall not indulge in damnable equivocation in quoting scripture to suit my particular purpose.

I shall be satisfied if during the course of this conference there is that atmosphere of give and take, that spirit of compromise—although may I say there are certain principles on which we will not compromise—I shall be satisfied if at the end of this conference we can look back at the fact that there has been a spirit of harmony, compromise and, where necessary, willingness to consult the wishes of the people for whom we claim to speak; if at the end of this conference we leave behind the impression that we have worked hard, we have laboured, we have toiled, and not like the mountain brought forth a mouse."

Speech by Mr. D'Aguiar, Leader of United Force

"Mr. Secretary of State, Your Excellency, gentlemen: I also on behalf of my party would like to thank you for your very kind hospitality to us.

Today, Sir, we come to you to seek independence, not betrayal. My party wants independence just as much as it appears you are anxious to give it. Your Government, Sir, regards colonies today as nuisances and is anxious and willing to rid herself of these liabilities. We on the other hand have no wish to continue to remain in what you referred to as a colonial stage. By its very nature this must be a transient stage. But, Sir—and I repeat but—we charge Her Majesty's Government not to be unmindful of their obligations and trusteeship. Indeed we demand that they provide certain vital safeguards, safeguards which are necessary to ensure two things: first that the people should determine who should govern them under independence—that is, that there should be new elections before independence; and second that the will of the people be truly reflected in the composition of Parliament—that is, that there be proportional representation.

We, Sir, the delegates at this Conference, are all sons and daughters of immigrants to our country, all of us save one, a delegate that I am proud to say is a member of my party's delegation, an elected member of the Legislature, Mr. Stephen Campbell, who is an Amerindian, that is, one of the original inhabitants of Guiana. When our country was first discovered his people were there and there were as many of them there then as there are in the country today. They lived then as they live now and without knowledge of the teachings of Rousseau and Karl Marx they lived a simple communal life. The wide savannahs of our country were their home. In its great rivers they fished; in its dark forests they hunted. For them it has always been free. Since the colonisation their freedom has been protected by Her Majesty's Government. These people accept the discipline of their own elected chiefs in their own communal villages, but they will not accept discipline imposed upon them by a Commissar. It is my party, Sir, that has the honour to represent these people, and it is my party, Sir, that seeks not to establish their freedom but to protect it.

I repeat, Sir, my party seeks independence, but it is essential that the minorities whom I represent now should be guaranteed for ever representation in proportion to their total numbers. My party advocates new elections, with proportional representation before the elections. My party accepts the principle that the right to govern derives from the consent of those governed, and under this principle Dr. Jagan's party won the consent of the people of Guiana to rule according to a constitution published before the elections. He does not have now, and cannot have, the consent of the people to change that constitution. The vital change in the constitution from self-government to independence requires a mandate from the people, and that mandate can only come now by new elections. That is what can provide what you, Sir, referred to as the sound and solid foundation of a new government.

For a father, Sir, to cut off his son with a shilling is not to make him independent; it is to disinherit him. We want independence for Guiana, not disinheritance, and in order to consider independence it will be necessary to consider the finances of the country.

I accuse Dr. Jagan's Government of bankrupting the country with wasteful and partisan expenditure. I accuse his Government of attempting to redeem the situation by malicious and excessive taxation. I do not believe that the people of England would accept a budget increase in taxes equal to £1,000 million, but that is the equivalent of the budget increase which took place in British Guiana in February last; and furthermore the budget reduced the incidence of income tax from 34 per cent. of the total revenue to 29½ per cent. and increased consumption taxes from 49 per cent. to 52 per cent. I do not believe that any free society would stand for this.

Finally, Sir, I must refer to the Communist threat. This day and this date is pregnant with significance—the 23rd October. It is the anniversary of the people's revolution in Hungary, the day when men and women in the cause of freedom fought with their bare hands against tanks and armoured cars. Is our memory so short as to forget this? Today British troops are in British Guiana. Why? Is it going to be a shotgun wedding? Are the people to be forced by British bayonets to submit to the ceremony of imposing Dr. Jagan's Government upon them?

Today, Sir, the world witnesses the Red takeover of Cuba, the Red aggression against India. Must it witness also the Red acquisition of Guiana? Are we to be the Latin-American Munich? Let us face facts, Sir. Our land of Guiana is being sold out to Russia, and of this I have proof here which I am ready to make available, proof of large sums of money pouring in from Moscow to Dr. Jagan's party. Russia knows what she wants and she is getting it, but I would not accept that Her Majesty's Government should be an accessory. Britain would be inculpated in that betrayal if she were to grant us independence without new elections and without proportional representation.

History, morality, justice cry loud—independence, yes, but with the true consent of the people by new elections and with proportional representation.

POLICY STATEMENTS BY LEADERS OF DELEGATIONS

Statement by Dr. Jagan

"Following the last Constitutional Conference held in 1960 and the general elections in August 1961 I, on behalf of the Government, presented a motion to the Legislature in November 1961 calling for independence for British Guiana. The motion was passed in both Houses of the Legislature, and this motion requested Her Majesty's Government to grant British Guiana independence in 1962. My Government in keeping with the principles of parliamentary democracy have at all times wherever practicable sought to consult the Opposition. This was done as part of the steps preparatory to independence. The Opposition was invited both in and out of the Legislature to discuss proposals for independence. From the time Her Majesty's Government first announced the date of an Independence Conference attempts were made to secure the co-operation of the Opposition parties by referring the matter to legislative committees of various sorts, from a full committee of the whole House to a small committee of equal representation for Government and the Opposition under the chairmanship of the Speaker without a casting vote. Unfortunately the Opposition parties failed to co-operate in agreeing to any of these suggested committees.

The Government then, through the Attorney General, formulated a draft incorporating the basic principles hammered out at the last Constitutional Conference and such suggestions as had been made in the Legislative Assembly during the debate in November 1961, and also taking into consideration suggestions that have been made by the public. This draft was presented in order to provide a basis for discussion. I wish to emphasise that there was never any intention to force this draft constitution on the Opposition, as has been suggested. The principles of parliamentary government and the extent of recognition of the rights of the State and of the individual are reflected in the proposals put forward by the Government in the draft constitution. They in effect continue, with minor exceptions in a few cases, the present system of government. The provisions therein contained provide for the retention of the existing system and method of representation, whereby the country returns members of the legislature from single member constituencies on the basis of the first past the post system of election. They also provide for a system of regular elections after four years for members of the National Assembly. Subject to the constitution it is proposed that a government elected on the system proposed should exercise the legislative and executive powers and that these should include powers over defence and external affairs, the latter being the two areas of government over which our Government now has no control. It is proposed that, with minor exceptions, control over the appointment, promotion and discipline of the public and police services should be in the hands of impartial commissions appointed on the advice of the Prime Minister from among persons who are not active politicians. The Government recognises the need for an impartial judiciary of the highest quality to enforce the constitutional guarantees which are proposed in the new constitution.

It is proposed also that certain clauses of the constitution, including those relating to regular elections, fundamental rights, the judiciary, and the public and police services, should be entrenched and should be made unalterable except upon the vote of two-thirds of the membership of the legislature or by a majority of the electorate voting upon a referendum.

The Government's draft was published and tabled in the Legislature despite objection from the Opposition, and the public was reminded of my earlier invitation to submit memoranda. I wish to say that 127 memoranda were received from individuals and various bodies, of which 28 came from various groups of the People's Progressive Party. The Government then convened a conference to which it invited those persons and organisations which had submitted memoranda. 82 delegations attended this conference, including representatives from the

Co-operative Societies, social and religious organisations, local authorities, trade unions, the Junior Chamber of Commerce, the Sugar Producers' Association, and a local group of companies. No memorandum was received from the main opposition party, the People's National Congress. The United Force submitted their memorandum but declined an invitation to attend the conference on the ground that the draft under discussion was not in fact a Government paper but a party document.

There was at this conference full and frank discussion of which detailed notes were kept. These notes have been sent to you, Sir, and I suppose they will be made available to the Conference.

It is interesting to note that such criticisms as there were related to matters of detail and not to questions of principle; in particular no one requested an alteration of the electoral system which we, like so many of Her Majesty's territories, have inherited and with which our people are familiar. I and my Government, welcome the spirit of compromise expressed this morning and hope that agreement will be reached at this Conference with reasonable despatch."

Statement by Mr. Burnham

"Mr. Chairman, Sir: So far as the People's National Congress is concerned we take this Conference very seriously and we certainly do not feel that this is a time for pleasantries or repetition of being wedded to certain democratic principles. This attachment to democratic principles has got to be expressed in the constitution. The constitution which we are about to discuss, and a draft of which we hope will come out at this Conference, must be not a dead document, not a paper and scissors exercise copied from one constitution or another and introducing certain provisions which have neither relevancy nor meaning in the context of Guiana. As I had reason to remark earlier, the constitution which we hope to fashion must be one which recognises the hard, the stark, political realities of our country of Guiana.

Now, I digress for a moment to say that we have the highest regard and admiration for the British system, but Britain is Britain and Guiana is Guiana. Our constitution must recognise the fact of the division of political power in our country. It must recognise the fears, even if in some cases it may be suggested that those fears are unwarranted, the fears of minorities in our community. And some system must be found to get over, to solve, the difficulties inherent in our community and to bring together the various political and racial groups as one nation of Guiana.

I do not propose to enter into an historical survey of the events subsequent to the 1st November, 1961, and the various attempts to form committees of the House. I shall content myself with saying that the P.N.C. never considered these attempts to be sincere in the context of a government that enjoys a minority of popular support, and which to our mind thought that governing and dictating were synonymous terms.

The People's National Congress have since 1959 proposed that the electoral system should be proportional representation. For us proportional representation is not a gimmick, it is not a gambit by which we hope merely to win or to remove from office one party or another. It is to our mind a system which will give an opportunity to the peoples of Guiana to recognise the need for co-operation at the very highest, that is the legislative, level.

We in the People's National Congress have absolutely no quarrel with the British for keeping their system of first past the post. The British have their rules of cricket, but unfortunately we have got to formulate our own rules, recognising the facts of Guiana. For instance, arrangements behind the Speaker's Chair which form part of the British tradition are unknown in Guiana, in spite of asseverations to the contrary. Consultations with the Opposition are the exception rather than the rule and are indulged in under severe pressure and when there is no alternative.

It is therefore necessary, as we see it, to embody such provisions in the constitution as will give legal status to things like arrangements behind the Speaker's

Chair. We are aware of the fact that if the system of proportional representation which is entirely constitutional were to be adopted, that at this particular moment it is hardly foreseeable that any one party would gain an over-all majority of seats. But unless the political leaders of Guiana are particularly opaque and obtuse that fact would force upon them the necessity of co-operation and a recognition of the fact that political power is fairly evenly distributed in our country.

For us proportional representation is a means of tackling the problems of our country ; it is a means of ensuring co-operation. We are neither intrigued nor impressed by the facile argument that proportional representation is conducive to multiplicity of political parties. It is our conviction from a careful study of other territories, other countries, other nations, that a multiplicity of parties is an expression of existing fissiparous tendencies in a given community, and proportional representation merely gives further expression to certain of these fissiparous tendencies.

Neither are we convinced by the argument that proportional representation leads to weak government. At the moment in Guiana we have a weak Government which was elected by an overwhelming majority of seats and a minority of votes on the first past the post system. In Tasmania there is proportional representation and I do not recognise any weakness.

We feel also that the voting age should remain as at the present, 21, and are hardly even intrigued by the transparent attempt by some to gain a temporary electoral advantage by proposing that that age be reduced to 18. In parenthesis almost I would say it is interesting, if not amusing, to note that those who suggest 18 were so confused in their draft that only at the point where the voting age was concerned was 18 used as the test of adulthood.

We have heard with great interest today that our major political opponents believe in Service Commissions for the judiciary, the public service and the police that are impartial and are appointed from amongst persons who are not politicians. There is a certain humour in that protestation ; those of us who are from Guiana know otherwise. Therefore, our proposal with respect to the Service Commissions, whether Judicial, Public or Police, is that the Opposition and the Government be given the legal right to appoint the same number of persons to these Commissions. A non-political being in Guiana is almost a prehistoric animal, and no matter how hard a government may strive to appoint persons to these Commissions who are non-political their efforts are always met with failure. I shall be charitable and say that in the present case of our Public Service Commissions our present Government made a valiant effort but did not succeed in keeping from those lists of appointees well-known activists from its party. Therefore let us be realistic, and let us have on these Commissions persons appointed by political parties in equal numbers, and in process of time these members of the Commission will recognise that neither side can have the advantage : they will learn what is the thing called compromise and I think in a very short time will place the emphasis on merit and ability rather than political affiliations. That is the sort of proposal the P.N.C. adopts, a realistic one, and no one from British Guiana, unless he wants to speak with his tongue in his cheek, can suggest that you can find one person of any ability to serve on these Commissions who has not got clear and definite political affiliations. Therefore, let us grasp that fact, and let us in that context attempt to get a Commission which is not biased in favour of one political party or another.

I am happy to hear that our Premier is interested in the independence of the judiciary ; I should hope that the President of the Senate is similarly interested ; but the P.N.C. is also interested and very interested in the independence of the judiciary, and during the course of this Conference proposals or suggestions will be put forward that ensure the absolute independence of the judiciary. But if there is to be the rule of law, more than an independent judiciary is necessary ; there must also be a strong and independent bar and a fearless bar, and to that end, for instance, it is amongst our proposals that recognition be given to the Bar Association of Guiana for appointments to certain authorities and/or institutions to be referred to in the constitution.

The People's National Congress, Sir, judging from past experience—not that it expects to lose the next election, in fact it is sure that it will win—feels that the distribution of political power in the community should be expressed in terms of a definite status for the Leader of the Opposition; a leader of the Opposition who is not only consulted but who has certain powers with respect to questions like emergency, declaration of war and the recruitment of the armed forces. What the P.N.C. will not accept from the present government with respect to the recruitment of an army with political overtones, it does not expect its opponents to accept this if and when P.N.C. comes to govern; and the only way the other political forces in the country, which are substantial, can be satisfied that they have a share, is to give legal expression to that share which it is intended to give them. The Leader of the Opposition for us will not be merely a member of the legislature who leads the largest opposition party, but one who speaks for a large section of the community, one who represents the attitudes of a large political section of the country who, to put it briefly, on certain important matters should have a veto.

There can be no suggestion of novelty in this, and even if there were that would not for one moment prevent us from further pressing the point. We have Cyprus, for instance, where the vice-president has certain powers of veto in fact. It is not our view that this would interfere with the smooth running of government by any means. What it will do is to impress upon the particular government of the day the fact that there are other people in the community apart from the supporters of the governing party, most necessary in the tense if not inflammable situation now extant in Guiana.

There should be entrenchment, so far as the People's National Congress feels. Our proposal for entrenchment is that certain clauses that allude to elections to the House and certain fundamental rights, the judiciary of course, should be entrenched with 66½ per cent. and vote on a referendum to the electorate. We have heard from the major political party—that is not the P.N.C.—that they subscribe to these ideas and ideals. What therefore is the difficulty about entrenching these clauses? If we are *ad idem* on them then entrenchment is a mere formality, in our case a needed formality. We have, for instance, been regaled by the P.P.P. with references to their devotion to regular elections, yet we have waited eleven months for a bye-election. Mr. Chairman, soft words and sweet phrases in this context achieve nothing. Let us uncover the skeleton in the cupboard and see whether at this conference table in a spirit of compromise on certain questions and with an attitude of being willing to accept the realities we can clothe the skeleton to the advantage of Guiana.

Unless there is a constitution that is generally acceptable by a majority we will have achieved very little, for in the final analysis constitutions and governments are dependent upon a modicum of consensus. We have not come here hoping by tricks or being suave to get a constitution which we want; we have come here to get a constitution which will be acceptable to the majority of the people, which will remove fears and doubts which have been abroad for the last year. We are not interested in hypocrisies—such as a meeting at Queen's College where there were alleged to have been so many bodies culled from the same political party. That is a good political trick which all political parties indulge in, getting front organisations to put forward your ideas. We must be sincere if we want to tackle the problems inherent in the drafting of a constitution; we must be truthful, we must be frank; otherwise any constitution will have been built upon sinking sand and we will have wasted our time.

The People's National Congress comes into this conference wanting independence sincerely and deeply. We are not happy at the fact that however nice and kind the British might have been, our people should still be colonials. We want to be citizens of an independent country, but the independence which we want must also mean freedom and democracy, it must mean not only political democracy but social democracy, and neither can be achieved unless the majority of people find the constitution acceptable. Military solutions for political problems are not a way out. The only way out is co-operation and understanding between the people of Guiana, and co-operation does not mean dictation. So frequently

we hear people talking about co-operation, and when you discuss with them the meaning of co-operation you find they understand co-operation to mean everything they say or mean.

The attitudes and ideas of the People's Congress will become more obvious as we function in the various committees, and in any case we do not propose to argue or refer to certain weaknesses and faults any further at this meeting.

I would say finally that for us in the People's National Congress it is the people of Guiana who must decide, it is the people of Guiana who have got to make their future, and that is why perhaps the People's National Congress suggests that this conference should have been held in Guiana, but that is something which has not been achieved. We look forward to the success of this conference, and we feel that success can be achieved with frankness, no pulling of punches, no unnecessary courtesies—this is not the opening session—let us be brutal, let us be truthful, and I believe we can succeed.”

Statement by Mr. D'Aguiar

“ Mr. Chairman, Dr. Jagan mentioned the principles of parliamentary democracy, and the position of the United Force on this question of immediate independence is derived from the basic principle of democracy as we see it, and that basic principle is that the right to govern derives from the consent of the people, and the consent of the people is normally expressed in free elections. We appreciate that Dr. Jagan won the consent of the people in the last elections, but he won the consent of the people to govern according to a constitution of self-government which was made public before the election. It is true that all three parties during the course of the election stated that they were in favour of independence, but it is not true to state as Dr. Jagan did this morning that the 1961 election was fought on the basis of immediate independence. It was fought on the basis of a constitution of self-government. No single party won an overall majority like Dr. Eric Williams did in Trinidad, and therefore it is a matter of principle for us that a minority party should not have the right to change a constitution vitally without getting a further mandate from the people. Our basic stand is the demand for new elections before there is a new constitution.

Now this morning Dr. Jagan stated that he was opposed to new-fangled, as he termed it, constitutional systems ; but Sir, we submit that proportional representation is not a new-fangled system. It has been in use for more than 100 years. It is the system favoured by more than two-thirds of the world's modern democracies. In fact the first past the post system only now exists in the form that Dr. Jagan advocates in five countries of the world, one of which is South Africa, the home of apartheid. In fact Dr. Malan won the 1948 election with fewer votes than his opponents, and this enabled him to introduce dictatorial methods.

The system of proportional representation, as we see it, has proved itself historically. Racial and religious differences are and always have been potential threats to national unity and to local harmony, but the system of proportional representation as it has been practised specifically in Switzerland and in Belgium has been a means of overcoming racial tensions and producing a firm, strong and stable government. We believe that if this system were introduced into British Guiana with its multi-racial and multi-religious communities it would be the means of easing racial and religious tensions and creating harmony. We, Sir, therefore make the basis of our claim at this Conference new elections under a system of proportional representation. We realise that no constitution can ever be written to protect the people from its abuse by any form of totalitarianism. But we have attempted at least to draft a constitution which endeavours to give protection to the people as far as is possible from abuses.

We feel that Dr. Jagan's Government has not demonstrated its so-called belief in consultation with the opposition and in constitutional traditional practices. In fact the House of Assembly has already demonstrated it has little regard for constitutional regularities and no regard whatever for the spirit of the constitution, and this could be illustrated by examples.

The constitution that we have submitted is of course a draft and is open to amendment. In fact it is our belief that whatever constitution is officially accepted, the people of Guiana ought to be given the opportunity to express their opinions on it as fully as possible before it becomes operative.

We are particularly concerned to ensure the independence of the administration of justice by adequate provisions which will be entrenched. Dr. Jagan's constitution provides for the control of the administration of justice by the executive: and neither in the existing constitution nor in Dr. Jagan's proposed constitution is the right to exercise the vote guaranteed or even expressly provided for. We, of course, have done this. In general, Sir, we have examined constitutions of almost every country and we have sought to incorporate those features which will as far as possible minimise abuse. We have also attempted to ensure that the administration of defence and security forces be impartial and to provide for a truly independent Civil Service. So, Sir, basically our stand is simply this: a new constitution, but elections before it is adopted and voting under a system of proportional representation.

We do not support the idea of voting at the age of 18. In fact in our opinion this is a new-fangled system hardly known except in some Communist countries. We prefer here the generally known system of voting at the majority age of 21."

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