

# SECOND LEGISLATIVE COUNCIL

(Constituted under the British Guiana (Constitution) (Temporary Provisions) Orders in Council, 1953 and 1956).

Friday, 13th March, 1959

The Council met at 2 p.m.

## PRESENT :

Speaker, His Honour Sir Donald Jackson

Chief Secretary, Hon. M. S. Porcher (acting)

Attorney-General, Hon. A. M. I. Austin, Q.C.

Financial Secretary, Hon. F. W. Essex.

} *ex officio*

The Honourable Dr. C. B. Jagan—*Member for Eastern Berbice*

(Minister of Trade and Industry)

„ B. H. Benn —*Member for Essequibo River*

(Minister of Community Development and Education)

„ „ E. B. Beharry —*Member for Eastern Demerara*

(Minister of Natural Resources)

„ „ Janet Jagan —*Member for Western Essequibo*

(Minister of Labour, Health and Housing)

„ „ Ram Karran —*Member for Demerara—Essequibo*

(Minister of Communications and Works).

Mr. W. O. R. Kendall —*Member for New Amsterdam*

„ F. Bowman —*Member for Demerara River*

„ L. F. S. Burnham —*Member for Georgetown Central*

„ S. Campbell —*Member for North Western District*

„ A. L. Jackson —*Member for Georgetown North*

„ B. S. Rai —*Member for Central Demerara*

„ S. M. Saffee —*Member for Western Berbice*

„ Ajodha Singh —*Member for Berbice River*

„ J. N. Singh —*Member for Georgetown South*

„ R. E. Davis —*Nominated Member*

„ H. J. M. Hubbard —*Nominated Member*

„ A. G. Tasker, O.B.E. —*Nominated Member.*

Mr. I. Crum Ewing — Clerk of the Legislature

Mr. E. V. Viapree — Assistant Clerk of the Legislature.

## ABSENT :

Mr. R. B. Gajraj.

Mr. R. C. Tello — on leave

Mr. A. M. Fredericks—on leave.

The Clerk read prayers.

## MINUTES

The Minutes of the meeting held on Thursday, 12th March, 1959, as printed and circulated, were taken as read and confirmed.

## ANNOUNCEMENTS

## LEAVE TO MEMBERS

**Mr. Speaker:** I have to intimate that the hon. Minister of Community Development and Education will be absent from the Colony from the 16th to the 21st March, 1959, in order to attend a Conference in Trinidad.

## PAPERS LAID

**The Minister of Labour, Health and Housing (Mrs. Jagan):** I beg to lay on the Table the

Report of the Watchmen's *Ad Hoc* Committee—December, 1958.

## OTHER NOTICES

**Mr. Burnham:** Before the Order of the Day is proceeded with, I beg to give notice of my intention to move the suspension of the relevant Standing Order so as to permit me to move a Motion, a copy of which has been circulated to hon. Members of this Council.

## DISTURBANCES IN NYASALAND

**Mr. Burnham:** I beg leave to move the suspension of the relevant Standing Order to permit me to move a Motion which, as I have already pointed out, has been cyclostyled and a copy of which is in the possession of each Member of this Council. It reads :

"Be it resolved: That this Council expresses concern over the disturbances in Nyasaland, the detention of Dr. Banda and other Nyasa leaders, the banning of the African National Congress, and the killing of several Africans.

And directs that Her Majesty's Government, through Her Majesty's Secretary of State for the Colonies, be requested to intervene to secure the release of the

detainees, the lifting of the ban on the African National Congress, and the taking of immediate steps to ensure the just national aspirations of the peoples of Nyasaland."

This Motion seeks to ask hon. Members of this Council to express certain sentiments with respect to the disturbances in Nyasaland and what has been happening in that Colony as a whole.

**The Attorney-General (Mr. Austin):** On a point of order. The suspension of Standing Orders has certain procedural difficulties attached to it. I do not wish to stop the hon. Member, but I would like to point out that under Standing Order No. 24 it is necessary to obtain the consent of the Speaker and the unanimous assent of the Members present before he can proceed.

**Mr. Speaker:** I had intended obtaining the consent of Members of the Council before the Motion was moved.

**The Attorney-General:** It is quite a different thing from suspending the Standing Orders.

**Mr. Burnham:** I am not prepared to argue with the hon. the Attorney-General, but I would ask him to refer to Standing Order No. 64 (1) which states :

"Subject to the provisions of the Order in Council, any one or more of these Standing Orders may, with the leave of the Speaker, be suspended on a motion made by a Member at any sitting."

**The Attorney-General:** I do not think we have got the approval of the Governor in this case.

**Mr. Burnham:** I anticipate unanimity.

**Mr. Speaker:** Are hon. Members in favour of proceeding with the Motion?

**The Minister of Trade and Industry (Dr. Jagan):** About half an hour ago the hon. Member for Georgetown Central spoke to me regarding his

intention to move this Motion today. I do not know whether it will make any difference, but I should like to inform this Council that Government, at its last Executive Council meeting, has already taken a decision on a similar question and a telegram has been sent to Her Majesty's Government expressing the sentiments expressed in this Motion.

However, I have no objection to the hon. Member discussing the matter here this afternoon, but it should be noted that Government has already taken action on this matter at a meeting of the Executive Council.

**Mr. Speaker:** Do hon. Members consent to the suspension of notice?

**Members:** Yes.

## DISTURBANCES IN NYASALAND

**Motion :**

"Be it resolved, that this Council expresses concern over the disturbances in Nyasaland, the detention of Dr. Banda and other Nyasa leaders, the banning of the African National Congress, and the killing of several Africans.

And directs that Her Majesty's Government, through Her Majesty's Secretary of State for the Colonies, be requested to intervene to secure the release of the detainees, the lifting of the ban on the African National Congress, and the taking of immediate steps to ensure the just national aspirations of the peoples of Nyasaland."

**Mr. Burnham:** Mr. Speaker, the Colony, or to be legalistically accurate, the Protectorate of Nyasaland, has been very much in the news. And there are certain facts which do not appear to be in dispute. One is, that Dr. Banda, who recently returned to his country after many years' absence, has been detained without trial, along with other leaders of the Nyasa people.

The African National Congress, an organization which seeks to give form and expression to the national sentiments and aspirations of the Africans of Central

Africa, has been banned, and a number of people have been killed. It is very interesting to note that an official statement purporting to come from the Government of the Central African Federation and the Government of Nyasaland sets out the excuse that there was some conspiracy between the natives of this territory, along with natives of Northern and Southern Rhodesia, to slaughter and murder all Europeans and Asians in the territories, and the Government, anxious as ever that law and order should be preserved, has decided to institute the emergency and take the drastic steps that have been taken.

But the most unusual thing about what I consider this fabrication is that, although the 54 Africans have been killed, not one single European or soldier of the Central African Federation has even been injured.

I believe that most Members of this Council are aware of the fact that the native African of the Central African Federation is treated like a member of the sub-human species in spite of the fact that the Africans number over 2 million, as against a handful of Europeans. The Europeans in Nyasaland have 16 seats as against five seats held by the Africans in the Legislative Council. Their rights as human beings are not respected and we hear from time to time such hypocritical prating from those who lord it over the natives that the natives are not ready to be adapted to modern society.

You even hear such a disgustingly spurious bit of logic coming from a Member of the House of Commons to the effect that the European had hundreds of years of civilization and education and is well ahead of the native, who has only been introduced to these things about 60 years ago. Of course, those who say these things are entitled to their points of view, but they are seeking to put over these points of view in a country that is not theirs; in a country that belongs to the Africans in the same way as Britain belongs to the Britons.

[MR. BURNHAM]

We who have had the experience of detentions without trial, we who have had the experience of arbitrary restrictions feel an affinity with the people of Nyasaland and a deep sympathy for them at this moment; for all these people are aspiring to is the right to rule their own country. And it is particularly unfortunate that in this, the second half of the 20th century, the British Government has connived at such actions as we have noted in Nyasaland recently.

It has been said that the British Government is not directly responsible, but unless my knowledge of British Constitutional Law, Practice and History is faulty, until such time as Dominion status is achieved by a Colony or an ex-Colony, there is in it the ever active interest of Her Majesty's Government—an interest which can be translated into action. Still we see an European, a Labour Member of Parliament, ejected from this country recently, because he was sympathetic to the Africans.

The people of Nyasaland object to being part of the Central African Federation, not because they object to being part of a larger unit, but because this Federation consists of a number of countries where representation varies inversely to numbers, where the few thousands get practically all the seats, held almost all the administrative posts and in fact behave as if the country is a feudal estate. It is understandable that a certain section of the people of Nyasaland do not want to be part of the Central African Federation, and the fact that they may be allegedly ignorant and not sophisticated is, in my humble opinion, no business of the bosses.

This type of attitude of people coming from outside to tell us when we are ready and when we are ripe persists. It is true that that stage is well past in certain parts of Africa, and it is true it is practically passed in the Caribbean but we, as Guianese, are particularly sensitive about it, because we believe it

has not particularly passed in British Guiana. And I do not accept the excuse proffered in one of today's dailies that Her Majesty's Government is not responsible in some way for what is happening in Nyasaland.

Maybe it is not Her Majesty's Government's direct responsibility; maybe; but it is the same thing as when certain individuals cannot get back to their country because they cannot land in Trinidad or Barbados and Her Majesty's Government says it is not responsible. Her Majesty's Government has got to accept full responsibility for the slaughter in Nyasaland and the breach of human rights taking place in Nyasaland and the Central African Federation.

That is why in this Motion I am asking that a request be sent to Her Majesty's Government, through Her Majesty's Secretary of State for the Colonies, to intervene to secure the release of the detainees, to lift the ban on the African National Congress and to take immediate steps to ensure that the just national aspirations of all Africans are realized. Her Majesty's Government is competent to do it in the same way as Her Majesty's Government is competent to suspend Constitutions and send troops; Her Majesty's Government is competent to intervene in the cause of democracy, in the cause of justice and in the cause of right.

It is a heavy burden that Her Majesty's Government has to carry if in the 20th century we are going to be subjected to such disillusionments as this one. What happens to all the talk about co-operation and all the talk about partnership? Is this talk of partnership meaningful only where they *have* to withdraw, or is it sincere? I do not know. How Her Majesty's Government handles this particular affair will be of particular interest to us.

We shall see whether all the talk about the glorious Commonwealth with its multiplicity of peoples springs from

a sincere conviction or whether it is only an empty phrase and an empty description to attract the attention of the world.

If British Guiana does not do something about this and does not take a strong stand against the would-be—not would-be but against the dictators of Central Africa, what right would British Guiana, or the British Commonwealth, have to point its finger at any other nation and talk about slaughter in Hungary or the robbing of people in Eastern Europe?

In the Bible it is written, "Take the beam out of thine own eye before thou takest the mote out of thy brother's eye". It seems to me that this is an opportunity for Her Majesty's Government to take the beam out of its own eye, to clear the way, to impress us with the sincerity of Her Majesty's Government to give us some conviction that it is worthwhile to remain Members of this Commonwealth.

**Mrs. Jagan:** I rise to second the Motion by the hon. Member which expresses this Council's deep concern over the disturbances in Nyasaland, the detention of Dr. Banda and other leaders, and the banning of the African National Congress, as well as the killing of so many persons. Certainly justice demands the release of Dr. Banda; justice demands that the other African leaders who are at this moment detained should be released, and justice also demands that the wishes of the entire people should be heard.

The situation in Nyasaland reveals very grave dissatisfaction in this protected territory. What I understand to be the background of the situation is that some weeks ago African workers, engineers and technicians, were engaged on the construction of a dam which was to be the largest in the world. On this dam African workers, including many from Nyasaland, were working at a shift rate of 8 cents per hour, and some 6,000 of them went on strike, demanding an increase of pay to 14 cents per hour.

Then we find the usual snowballing of events. Troops were sent to the area and the white settlers of Southern Rhodesia then started to demand the banning of the African National Congress. So we have the cycle of events which, along with the long-standing protests by the people of Nyasaland against their inclusion in the Federation, led to the final outbreak in which the whole world was horrified and shocked to see that in the year 1959 people are still slaughtered like cattle.

When one examines the situation in Nyasaland, one should be sympathetic with the aspirations of the people there who are not properly represented in the Government. They are the majority of the people but they have very little voice in the running of their country. The statistics show that in Nyasaland there are 360 Africans to every European, but in spite of that their representation is practically nil. Since his return to Nyasaland Dr. Banda has led a militant fight in his people's interest, to remove them from the enforced Federation. The Nyasas want self-government for their country; they want to be free from the Federation which they feel is a burden on their country, and which they feel is introducing the terrible conditions of apartheid which exists in South Africa.

But surely the action that was taken to suppress these praiseworthy aspirations of the people was wrong and should be greatly criticized by thinking people all over the world. I am glad that this Motion has been brought before the Council so that Members of this Legislature can express their feelings on the situation. In British Guiana we felt the iron heel when our aspirations were suppressed in 1953, but perhaps we got off lightly in that a large number of people who were struggling at that time are still alive today. However, our friends and brothers in Nyasaland are not so fortunate. We desire to express our deep sympathy for the families and close associates of those who have lost their lives in Nyasaland. We had hoped that the period of shooting of women and children

[MRS. JAGAN]

had ended, but the example in Nyasaland has shown that the situation is not yet improved—when brute force is being used to suppress the aspirations of people.

The elected Ministers of this Government brought to the attention of the Executive Council a few days ago their feeling of grave concern over the situation in Nyasaland, and requested His Excellency the Governor to send a cablegram to the Secretary of State for the Colonies expressing their view and their grave concern over the occurrences in that country. I most heartily support this Motion, and I think I express the view of all of us that this will be the last time that anyone in any part of the world should have to raise his or her voice against such wicked and cruel disturbances which have taken the lives of so many gallant people.

**Mr. Tasker:** I would like to say a few words on this Motion. I have already expressed my opinion in another place, but I feel it is only correct that I should be consistent. I have had the privilege of visiting Nyasaland on two occasions. I do not know if there are other Members who have had the same opportunity, but I certainly look back on those visits with a great deal of pleasure.

I think the hon. Members and the Minister who have spoken have perhaps not drawn a sufficiently clear distinction between the Rhodesias and Nyasaland. I hold no brief for the acts of individual unit Governments or of the Federation, but when we look back over the terms under which Nyasaland entered the Federation I think we should remember that it required a considerable act of faith on both sides. That faith, apparently, has been misplaced, but I think it would be unjust to declare, as has been implied this afternoon, that all the faults are on one side only. It is easy to refer to the white settlers of Rhodesia; it is less easy to recognize that they regard themselves, understandably, just as much

Rhodesians as the black ones. They argue, understandably, that they, and the generations which have gone before them, have worked extremely hard and vigorously to develop these countries; and they will argue that they are citizens who are looking forward to their children, and their children's children, continuing to live there.

I have had the opportunity of travelling throughout the Rhodesias, and while I have serious reservations about many aspects of the social, political and economic life there, I admit freely that I have nothing but respect for the incredibly hard work and determination which many of those settlers have put into the development of the country. But there are grave difficulties indeed, and I make these points simply because I think they may be overlooked in the light of the more glaring and emotional aspects of the events taking place there today.

I think we should recognize, too, that while the decision to encourage Nyasaland to enter the Federation when it was formed has proved to be misguided, as many people argued at the time, it was genuinely recognized then that politically it was a very great risk. On the other hand, opposed to that was the generally held belief, which has been proved to be completely true, that economically Nyasaland would benefit considerably from the federal alliance. The difficulty, of course, about economic benefits is that they come out in statistics and figures; but there is no doubt that even in those dry statistics the benefits to Nyasaland have been immense. The tragedy is that these benefits have been cancelled out by the very grave disabilities of the political problems.

The hon. Member for Georgetown Central (Mr. Burnham) has argued, quite properly that H.M. Government is responsible. H.M. Government, of course, is always responsible. That is one of the great advantages of the present system, that there is always H.M. Government to be blamed. I am not saying for one moment that it does not carry

a heavy responsibility at this time, and I sincerely hope that our protest will have the effect that H.M. Government will intervene as rapidly as possible in order to bring about a system whereby Nyasaland can go forward more happily. But let us be under no delusion as to how that will have to be brought about. It is impossible for Members to throw the blame on H.M. Government when, in fact, a large number of people of all shades of opinion were in favour of the experiment of Nyasaland within the Federation under self-government leading to Dominion status. If that policy is now to be back-pedalled, then clearly Nyasaland is going to need a great deal of help for a long period from H.M. Government.

I sincerely hope that if H.M. Government does answer this appeal, and does bring about a final settlement which takes cognizance of Nyasaland's aspirations, we shall not then be told that H.M. Government is using political powers to hold back Nyasaland's development, because she will for some time to come be unable to stand on her own feet.

**Mr. Jackson :** However much the settlers of Rhodesia have worked, however much they are looking forward to being a part of Rhodesia, however much they may find justification for their claims and aspirations, such points of view cannot at this stage be advanced by any right-thinking person in the circumstances which have brought this Motion here today.

No matter how we look at the position; whether the settlers work hard or not, it is known that it is the usual pattern for certain people to exploit the workers in their native territories. The fact remains that due to the economic circumstances existing in that Colony today several men have been slaughtered; the rights of the people have been suppressed, and the organization which is supposed to be working for the people has been banned without any consideration or justification.

We are grateful to the hon. Nominated Member, Mr. Tasker, for giving us information with regard to the situation as he knows it. We are grateful to him for having given us a closer picture of the economic circumstances of the country, and for mentioning his experience there. I have not been to Nyasaland, and I am sure many other members here have not had Mr. Tasker's experience. Nevertheless, we are familiar with the pattern of treatment meted out to natives by Europeans. We know that workers have been shot because they have demanded better working conditions; we also know that people can fabricate things to justify any statement which has been made but cannot be proved satisfactorily.

Our experiences in British Guiana are not unlike those of the people in Nyasaland. It is unfortunate that every Member of this Council does not have such experience, therefore they cannot feel as strongly as we do in this matter. The reason why we have taken this course in this Council today is because we believe that in this 20th Century people should be treated as human beings because they have come from the same origin as the white settlers. We believe that economic circumstances or conditions should never be brought to the point where it is necessary to shoot people and suppress their rights.

As the hon. Member for Georgetown Central has already mentioned, despite the allegations not one white settler has suffered the slightest injury. That is the usual pattern followed in these instances. We feel that the time has come when we must join forces with other people and protest against the brutality and slaughter taking place in Nyasaland today. Perhaps we should handle this matter in a different fashion. Perhaps we should hold a big demonstration on a day to be known as the day we mourn for the people of Nyasaland. Maybe our voices would then be heard and people would understand that other people in the British Commonwealth are joining forces to bring an end to this type of brutality.

**Mr. Campbell :** I must confess my ignorance of the geographical and political set-up in Africa or Asia. For quite a long time I have been hearing of bloodshed, people blaming each other, etc., and everything seems to be a lamentable state of affairs. We find reports coming from Asia and Europe of the same kind of cruelty. As soon as one man gets into power, he slaughters the other one and so on. Everyone seems to be seeking power and more power. Very often I hear that Russia, Britain, or France is to be blamed, and there seems to be a lot of revolts and confusion in those parts. I have become sceptical; I do not know who to believe and who not to believe.

With regard to this Motion, I will remain neutral because I do not know anything about Nyasaland, the Rhodesias and so on. I understand that the African chiefs have been tyrannical to their own people. If that is true, then what is the use of this Motion? I sympathize with the people who have been shot. If Britain can be instrumental in bringing about peace I will be glad. Man is forever a cruel beast whenever he gets a chance. I only pray and hope that somebody will make the world a peaceful place.

**Mr. Jai Narine Singh :** I rise to support the Motion moved by the hon. Member for Georgetown Central, and it is with considerable satisfaction that I do so. I am glad to see that a certain newspaper in British Guiana has taken the line of supporting the case of the people in Nyasaland. It gives me some satisfaction that that newspaper will also support the British Government when the time comes. Nevertheless, let me, in supporting the Motion, congratulate those who have died in the cause of Nyasaland. They have died like heroes, and through their blood, sweat and suffering Nyasaland shall rise to be a great nation.

As has been mentioned by the hon. Member for Georgetown Central, the time will come when all of the oppressed peoples of the world together with all the

colonial peoples of the world will band themselves together to fight against those who call themselves imperialists and have for generations lived on the sweat and blood of the people whom they have governed benevolently.

As I see it, God made slave and master. People are human beings, and some of us call ourselves Christians. Her Majesty's Government is a christian Government, and it is its duty to intervene with all the force at its command and settle the situation in Nyasaland. Her Majesty's Government has prevaricated on many occasions when immediate action would have been of great benefit to the entire Colonial world. This is really a picture of colonialism marching forward. We see men laying down their lives and suffering for the freedom of generations to come. We will support this Motion to show Her Majesty's Government that colonial people are feeling the same oppression as the people in Nyasaland.

I feel that this world is ours: created by Almighty God; one people, one world. I also feel that we should be treated with equality at all times. I am not concerned with the circumstances that have created the white man, or the coloured man. God created man, but man is so involved in his own society that he has forgotten the beginning of life.

In my opinion this Motion does not go far enough to carry our sentiments with the force with which it should go from a colonial people who have suffered similar tyrannical action in the past. Anyway, I will support it as it stands.

**Dr. Jagan:** I, too, would like to give my wholehearted support to the Motion moved by the hon. Member. All over the world today you are getting disturbances of one kind or another, and we should take them as a symptom of our age and not necessarily that people are getting out of hand because we are moving away from a system of colonialism and imperialism. I believe that



several things are responsible for the race prejudice and race hatred we hear so much of nowadays. Some people say that the British Government and the Colonial Office are the protectors of the natives of Africa.

I do not want to dwell on the term "native", and whether that term means a black, brown or yellow person. Even in Africa today people of all races are championing the cause of freedom and democracy, and are fighting side by side with their brothers who are in the majority in Africa. We saw only the other day where, among the hundreds of people who were arrested in South Africa and brought before the court, many were whites, Asians, and so forth.

We have to be very careful about that sort of thing in a country like ours where several races of people are found. I am not one of those who will condone rioting, looting, shooting or killing because it is done by one race or another. We are all shocked by the shooting which is taking place, and equally some of us are shocked by rioting, arson and so forth; but all of that is coming about because, as I have said, too little is done, and in most cases what little is done is done too late.

We have seen where in Cyprus today the people's aspirations are being met not too late, but to a large extent after a great deal of unnecessary shooting and loss of lives — simply because some leaders cannot think in new terms but are still thinking in terms of the past. In this nuclear age, their thinking is still far behind. I do hope that the British Government will see its way in acceding, first and foremost, to the democratic wishes of people in all her territories, wherever they may be living — in Africa or elsewhere!

We are hearing nowadays that the Colonial Office and the British Government are solicitous of the wishes of the African people, and that is why they are not conceding Dominion status to Sir

Roy Welensky — or whatever his name is; that they are not conceding it because the Africans would get a raw deal. What they should tell us is that they are ready to restore full democracy in certain parts of Africa and give the people the right to vote. Then we would not have the situation where white officers and soldiers commanding native soldiers tell them to shoot Africans and others. Africans today are fighting for their political and other rights, and the white people who support them often share their sufferings. I would like to see the problem approached in terms of human values and human rights.

The hon. Nominated Member, Mr. Tasker, referred to the hard work put in by the settlers and what they have done to build these countries, but it cannot be denied that much of the hard work they have put in has been rewarded by a tremendous harvest of good results. It is, however, not necessarily by their own labours that they have received good results, but by the exploitation of people who have no political rights. Those are things that are causing disturbances today, and the quicker the British Government comes down to recognizing the basic fact that democracy must prevail and that white people who have economic interest in Africa must learn to live in a new democratic structure, the better for all concerned.

In the Motion which was moved it is sought that this Council should express concern over the situation, and request the intervention of Her Majesty's Government to secure the release of the detainees and to lift the ban on the African National Congress, as well as to ensure the just national aspirations of the people of Nyasaland. I feel we should go a little further.

We should ask that a Commission should be sent out immediately to this territory. Not the usual white-washing commissions which we always have after these so-called disturbances. In view of the fact that we are living in a Commonwealth which is a partnership of the

[DR. JAGAN]

Metropolitan and other territories, and the idea of equal partnership has to be developed in every respect, I would suggest that a Commission made up of three members, one from the United Kingdom, one from Ghana and one from India, and possibly one from the United Nations, be appointed to investigate this issue as an independent body.

This is no longer an issue affecting Great Britain and Nyasaland. What is happening in Nyasaland today can have repercussions all over the Colonial Empire and all over the world. As it is no longer a partisan matter, affecting the British Government, let it be taken up at Commonwealth level, if the Commonwealth is to mean what we have been hearing it is meant to be. Let us see principles being put into practice now, and in that way we will find that all races in the Commonwealth will live in concord and amity, under true democratic procedures and practices. I would therefore suggest to the Mover that he agree to an Amendment of his Motion in the terms I have suggested.

The policy of apartheid has been in force for a good many years in one territory, and it has spread to others, causing a good deal of confusion and trouble. I feel that the Commonwealth can set an example for its own and other territories by resolving these racial difficulties. It is time that an end be put to racial barriers and racial prejudices between peoples, and the British Government has taken a lead and can lead in that respect. The cold war in terms of ideology, the cold war in terms of racial prejudice—all these must go; and it is then and only then that countries like British Guiana and Nyasaland will be on the high road to prosperity and peace, and amity among all the races inhabiting those territories.

**Mr. Bowman:** I view with horror and disgust the atrocities practised against the indigenous sons and daughters of Nyasaland. I am a Guianese, born and

bred, but my forebears came from Africa, and whatever hurts the African hurts me also; it is time that they take note of the aspirations of Africans.

I remember a little story from English history a little over 2,000 years ago. When the Romans invaded Britain one of their kings, named Caractacus, was captured and taken to Rome. And in their day of triumph, the Roman emperor asked him if he was not aware of the fact that all who raised arms against Rome were doomed. The Briton looked at him straight in the eye, and replied, "I have only my own life to account for. I am robbed of my home and my freedom, what more have I to live for? Do you think that I am afraid to die here, more than on the field of battle?" The Roman then said, "Briton, you shall not die. Rome is able to forgive a brave enemy." We hear a great deal about learning and all that. There were days when Africa was the seat of learning. Today it is the day of the European. I want to make it clear for the records that the coloured peoples of the world have long memories. We have children, and they will survive those of us who are living today, and they are going to remember. If I had the means I would raise armies against them now. How long will these things last? I will answer the question myself: as long as colonialism lasts.

Not a single European was killed, but 40 odd Africans were killed — for what? For the same nonsense that took place here in 1953 when they fabricated all sorts of lies and charged me with sedition. I am saying this because I am very much hurt. They could not prove one word, and that is why the case against me was dismissed. The same thing is happening today in Nyasaland. To justify their dirty deeds they always tell lies. They have their aspirations. Is there any difference between their aspirations and ours?

I would like to add to the Motion a request to the British Government to act

very speedily and to intervene in the troubles in Nyasaland, because there may be repercussions; anything may happen. I feel very strongly in this matter and I would suggest that a record of this debate be sent as early as possible to the Secretary of State for the Colonies.

**Mr. Saffee:** I would like to offer my congratulations to the hon. Mover of this Motion which is very timely. Colonial peoples all over the world are very much worried when these disturbances occur and we hear of shooting and of charges against and imprisonment of colonial leaders and the banning of their organizations. These are some of the pains and humiliation that colonial peoples are subjected to from time to time, and as a Guianese I am very much perturbed to know that such things are happening in this age of advancement. When colonials are shot in any part of the world colonials everywhere are hurt when such cruelty is done to their brothers. A few days ago we read that the people's organization in Nyasaland was declared illegal, and one wonders why these things happen in this supposedly civilized world. Why are people shot because of their ambitions and because of their right and determination to fight for the freedom of their country?

Every colonial is involved in this issue. It is the right of colonial people to fight and demand their just rights. I had thought that the age of suppression and cruelty was fast disappearing. We can only hope that the time is fast approaching when such things will disappear from the world. I read in a newspaper some time ago that the Prime Minister of Ghana, at a conference of African leaders said :

"People of Africa unite. You have nothing to lose but your chains."

Those words must have given great inspiration to the people of Africa, and because of the upsurge of nationalism in Africa we find that the iron fist of the British Government is being used to imprison the African leaders and to crush

their dynamic movement. I can only hope that not very long from now we shall hear no more of these things. I remember reading a book in which Napoleon Bonaparte, who was a great fighter, said that the two greatest powers in the world were the sword and the spirit, but that the sword will always be conquered by the spirit. Not long ago force was used against the people of Cyprus to suppress their rights and their freedom. The great Mahatma Gandhi said that truth crushed into the earth will rise again. As a Guianese and a colonial I am very much hurt when these things happen, and I do hope that the Resolution of this Council will impress upon the British Government how we feel about these acts.

**Mr. Ajodha Singh:** As a colonial citizen it is my duty to speak against the treatment meted out to the people of Nyasaland. In 1957 I had the opportunity of meeting some of the representatives of that country, and I was told by the various representatives from Africa that conditions in their countries were very bad, and that whenever they asked for economic improvement they were threatened with bullets. That is the old colonial policy. It is not a new policy with respect to colonials of the world. I can remember as far back as 1924 when people on the East Bank, Demerara, wanted to see the Governor to ask for better conditions in their jobs and they were shot in the vicinity of the Ruimveld Police Station. My grandmother was shot during that disturbance while nursing her baby in her home.

As Mr. Bowman mentioned, in 1953 many members of our Party were detained without trial at Atkinson Field. It was then said that we had conceived a plot to overthrow the Government of British Guiana. Mr. Speaker, I can assure you there was no such plot, but I can remember reading in newspapers printed in Britain that there was bloodshed in British Guiana and as a result troops had to be sent to this country to quell the riots. We are accustomed to

[MR. AJODHA SINGH]

reading of such things. The same thing is happening in Nyasaland; the Africans conceived a plot to overthrow the Government! Then the people are massacred. People are killed as if they were animals.

I think the time has come when, if Britain wants to see the Commonwealth live and become a real force in this world of ours, she should cease spending money on arms to kill colonials whenever they revolt against oppression and bad conditions in their country. She should spend some of that money on development schemes in colonial territories so that the people can be satisfied that she is willing to help them, and they would be able to support her in a campaign to secure better conditions for the people of the world as a whole. I think that is the solution to the world's problems, and with these few words I strongly support the Motion by the hon. Member for Georgetown Central, and the suggestion made by the Leader of the Majority Party that this Council should recommend to the Secretary of State for the Colonies that a Commission be sent to investigate conditions in Nyasaland. I feel that what is happening in Africa may develop into a civil war, and that the British Government should take immediate steps to save the situation.

**Mr. Kendall:** I feel it is the aim and aspiration of all colonial people in and out of the British Commonwealth of Nations to aspire towards political independence and, therefore, what is happening in Nyasaland should be of great concern to all colonials. Because of that, I am in agreement with this Motion that has been moved by the hon. Member for Georgetown Central. Like other speakers I sincerely trust that the British Government will see the necessity of arresting what I feel is a very disturbing situation in this civilized age of ours.

Today we find that the powers that be are doing everything possible to thwart the efforts of a man who has left his homeland for over 40 years in order to gain the necessary experience for leadership, and has returned in order to

help his people achieve political and economic independence. What is happening in Nyasaland may happen in British Guiana, and I feel that the British Government should be told in no uncertain terms that the time has come when all Colonials should be given an opportunity to have a greater say in the government of their country.

I feel that the ability of Dr. Banda to lead his party and Nyasaland to political freedom is accepted, and the party should not be banned. I also feel that Dr. Banda and his supporters should be released as early as possible, and that the British Government should note from the record of this debate on the Motion how we feel in British Guiana. I, therefore, have the greatest pleasure in supporting this timely Motion.

**Mr. Burnham (replying):** Since it seems as if every Member who has spoken so far is in complete agreement with the Motion, it may be thought that the exercising of my right to reply is an unnecessary imposition on this Council. I, however, do not think so, for while everyone has paid lip-service to this Motion, there are certain misconceptions that have been introduced, more especially by the hon. Nominated Member, Mr. Tasker. We have heard from the hon. Gentleman about the hard work and determination of the white settlers in Nyasaland and other parts of Central and South Africa without being told that it is the sweat and blood of those people whom they refuse to give political rights to that have given them (white settlers) the prosperity which they now enjoy. We do not have to go to Nyasaland to know that those hard working people are not the settlers but the natives who are supposed to be overpaid at 8c. per hour.

The natives are huddled together like animals, and the settlers have stolen their lands. A certain amount of objectivity is necessary, but no pseudo-objectivity or criticism made by the settlers who are interested in the matter can fool people who are thinking deeply.

Dr. Banda is a gentleman who, according to our standards, is most respectable as compared with the political leaders of British Guiana. Dr. Banda is lukewarm. He is a leader of the old school, well over 60 years of age, a polished gentleman who believes in evolution, and he is the man they have placed in jail. No wonder we are not persuaded by the nonsensical suggestion that communism is responsible for these disturbances.

I know Dr. Banda personally, and he has made it quite clear that there need be no fear on the part of right-thinking European settlers; their properties will not be confiscated; their businesses will not be taken away. The position is not as Mr. Tasker wants us to believe. Those white settlers are worried because they will no longer be looked upon as gods. Responsible leaders have told them "We do not want to send you home or confiscate your property, we just want to get our rights. If you behave yourselves like human-beings some of you may remain." I am convinced about that because you can always find a black sheep among milk white lambs. I am sure things would work out favourably if the settlers would respect the claims of the natives.

Another misconception that was introduced into this debate by the same hon. Gentleman was that a number of people were in favour of Federation. If it would not have been thought unparliamentary, I would have described that statement as sheer nonsense. I happen to know the leaders of the people in Northern Rhodesia and Southern Rhodesia. They were my contemporaries in London, and I cannot agree with what the hon. Nominated Member, Mr. Tasker, has said. I do not agree with what has been said in the U.K. on this issue, and I feel that what has been said by the few paltry white settlers is absolutely inaccurate.

I understand that the majority of the people has admitted that the majority

of Africans is against Federation because they feel it is an attempt to bring together the leading groups in the three territories, and that conditions would be worse for them in the end. The Asians are also against Federation. If the majority of Africans is against it, how can the hon. Nominated Member argue that the people are in favour of it? I think the hon. Member used the words "large proportion", and I apologize for misquoting him. In a majority of millions I cannot see how a few hundred thousand can be considered large. All this talk about the economic benefits that will accrue to the people in Nyasaland is good theory. The question is, who gets the economic benefits? Is it the people who strike because they are being paid 8c per hour, or the people who are making the money out of the sweat and blood of the natives?

We know that there are some parts of Africa where natives cannot talk back to their employers. All of these things hurt us. I am very grateful for the show of liberalism on the part of the hon. Nominated Member, Mr. Tasker, but I hope to show that when embarking on topics like these he should not belabour the old expressions used by people who are against the natives. Let us look at the type of justice meted out to people in England and let us see what the Government of the U.K. would have done in a similar case. That is the test he should apply in his arguments.

The Commonwealth is now predominantly a Commonwealth of coloured people. We have seen what is taking place among the people in Ghana and Nigeria who are now protesting against this wanton brutality. Some of us are aware of what took place at the Accra Conference. What is wrong with the free peoples of Africa meeting together and calling each other to do things for the improvement of Africa as a whole? What was wrong with the British when they wanted to be free? What was wrong with the Americans when they wanted to be free?

[MR. BURNHAM]

The same arguments being used here about vested interest and hard work were used in England by the people who sought to keep the American Colonies under their thumbs. In this 20th Century we are still hearing the same old arguments — in days gone by it was the pianola, but today we have the tape recorder. I think it is high time that we stop making such excuses.

As I see it there is nothing wrong with people wanting to be free. What is wrong is that other people do not want to see them free. I am not looking at this matter in terms of the shade or colour of the people involved. If the people in British Guiana want to rule themselves what is wrong with that? We are always grateful for the solicitude of our rulers, but it is our democratic right to ask that we be given an opportunity to rule ourselves. We cannot understand this solicitude.

If we want to make fools of ourselves, give us an opportunity to make our own mistakes. This interest in the people; this protection of the natives is sheer hypocrisy and it is used to veil the economic interests of the white settlers. The colonials all over the world want to be treated properly and in a democratic way by the minority who, in the past, have been so barbaric with us. Times are changing rapidly, and this is but the last assault of the dying lion. History is on our side.

Events have shown that we have got to win. As individuals here we may not live to see the end. But time is on our side. When the whole colonial world wins, we shall want to see them treat properly and humanely that minority which in the past has been so barbaric. Those are the sentiments which I wish to express.

It is obvious that I feel very deeply about it; it is because I have had my own experience, perhaps at another level and on another scale, and I am happy to see that this particular Motion

has met with approval of both sides of the Council. To my mind it is significant that whatever may be the differences between us, and God knows, the gap is unbridgable on many occasions; when it comes to the question of the freedom and the right of people to rule themselves, let not our enemies feel that there are differences of opinion. We may differ as to who should take over the Government, or whose ideology should bring prosperity to our country, but there are no differences when it comes to the question as to whether Guianese should rule.

May I say a brief word about the suggestion from the hon. Minister of Trade and Industry? I entirely agree with his sentiments, but I do not want to give any excuse to the British Government. I am not so sure about the wisdom of persuading the Government how a Commission of Inquiry should be made up, if one is appointed. As a lawyer I am particularly wary about such a suggestion. But I have no doubt that the record of this debate will reach Her Majesty's Government through Her Majesty's Secretary of State for the Colonies. I feel the comments which we have made on the appointment of a Commission of Inquiry and the sources from which its membership should be drawn will certainly be noted, and may be acted upon, or maybe not.

Further, I say this: we would wish that something be done expeditiously; we want the immediate release and the immediate lifting of the ban. In another place and at another time I propose to move that we should observe a day of mourning for those people who have died. We wish not only that Nyasaland be free, not only that Central Africa be really free, not only that Africa be free, but that all those who today do not enjoy full freedom, which is a God-given right, should be free.

Motion, put, and carried without dissent.

## ORDER OF THE DAY

## TAX (AMENDMENT) BILL

**Mr. Speaker:** Hon. Members, Council will resume the debate on the Second Reading of the Bill intituled,

"An Ordinance to amend the Tax Ordinance".

At the adjournment the hon. Member for Georgetown North (Mr. Jackson) was speaking. He mentioned at the time that he was passing on to another subject which was the Report of the Public Petitions Committee.

I would like to make one observation, and that is to call attention to the nature of the Report, which is very short. The Committee recommended to this Council that the prayer of the Petition be granted, "the reason being that if there were an immediate increase in the excise duty on locally manufactured beer the results are likely to be inimical to the setting up of new industries."

I call attention to that especially because I want to appeal to Members of the Council to speak directly to the recommendation of the Report. The present debate is, in effect, on the principle of the Tax (Amendment) Bill, and the Report only touches a part of the Bill, namely Clause 4. I do not think I need to say any more. I hope Members know that I have granted excessive latitude, and Members have exhausted the ordinary time limit three or four times in a single speech. I want to ask them not to give me the opportunity to bring them back to the point or stop any Member from speaking beyond the time limit.

**Mr. Jackson:** Mr. Speaker, I am very appreciative of the latitude you have granted Members in the debate on this subject which is a very important one. I had indicated that I was going to speak on the Petition. I think we did deal with that aspect of it.

**Mr. Speaker:** You did.

**Mr. Jackson:** As a matter of fact, I intended this afternoon to avoid repetition as far as I possibly could.

**Mr. Speaker:** We are grateful.

**Mr. Jackson:** And because of my predisposition in that respect, I would say that there must have been some reason that the hon. Minister of Trade and Industry, at the time of the visit of the Canadian Trade Delegation here, gave the assurance that this Government would honour all the agreements it makes with other people. Perhaps it must have been realized at the time that the increase in the excise tax on beer was a matter of the moment at the time of the visit and it therefore became necessary for that assurance to be given.

It seems to me because of our desire to be isolationist, because of our desire to remain insular, we are losing sight of the zeal and vision shown by other territories of the British Caribbean; and while we are imposing a tax on a young industry, we find that the other territories are taking steps to encourage capital investment. I would like to refer to what is happening in Trinidad.

If you will permit me, Sir, I would refer briefly to "The Nation", a newspaper which is the official organ of the People's National Movement. In its edition of July 28 last, under the heading "Jobs in Private Industry", it says:

"Public expenditure will continue to stimulate private capital investment, both external and local, in industry, commerce, housing and agriculture. The construction of the new Texaco refinery is expected to provide a peak of 1000 jobs towards the end of the year. The new Salvatori Hardware and Electric department stores, the new Texaco office at Point-a-Pierre, the new Bank of London and Montreal building, will provide additional employment. The W. R. Grace Co. and Texaco will begin large scale housing projects for their employees. The West Indian Tobacco Co. is engaged in

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a large increase in Trinidad and Tobago in the acreage under tobacco. In fulfilment of Government's stated policy regarding the utilisation of the idle land controlled by oil companies, Texaco will establish a Model Dairy Farm in Point-a-Pierre next year for 50 milking cows with an initial production of 100 gallons per day. Side by side with these will go the new factories, more and more of them as the Industrial Development Corporation finds its feet — for fertiliser, paper, milk, cold storage, fish canning, television, we hope, and other products, the chief of which, we trust, will be an all purpose cannery."

That is an indication that the people and the Government of Trinidad are encouraging investors, whether they are local or foreign, and that they are giving them every incentive and every opportunity to spend money on the development of the country.

In my hand is an edition of the "Evening Post" of Toronto, dated 13th December, 1958. In this paper I find not one item, except passing reference to the fact that a Canadian Trade Mission will be coming to British Guiana, that can make it appear that we in this Colony are attempting to take advantage of the situation which is present in Jamaica and Trinidad. In the headlines we find "100 Million Bauxite Project For Jamaica" and a statement that the incentives include exemption from payment of income tax on profits. That is the incentive given by the Government of Jamaica to the people who are investing money in the bauxite industry in that island, and we find the same thing happening in Trinidad. More and more the realization is that encouragement must be given to people with capital to invest it in your country.

Is it an encouragement at the moment to tax a local industry within so short a period of its existence? In Trinidad, Carib beer was allowed a longer period of tax relief and exemption, and there is no reason why our Government, which is perhaps looking backward and not forward, should at this time seek to impose an increase of

excise tax on an industry which is still in its infancy. If our vision was not blurred by narrow-mindedness and insularity we would realize that it would be more to our advantage to create more opportunities for investment of capital than we have at the moment. Incentives must not only be given to foreign but to local investors, and since we are in such dire need of capital investment no amount of cheeseparing will help this country at all. Reducing salaries or abolishing posts will not help us. What we want is vision and courage to invite investors to come and put their money into our industries, create new industries and expand existing ones. I trust that as a result of this debate Government will realize that it has put its feet on the wrong plank at the wrong time, and in its own interest, and the interest of the country, accept the recommendation of the Petitions Committee that the tax be not imposed upon the industry.

→ **Mr. Kendall:** The indecent haste with which the Government is seeking to tax further a local enterprise because of its efficient management is discouraging to would-be investors in local industry. It will be remembered that in opening the debate on the taxation proposals for the "Opposition" I said that the proposed tax on beer was uncharitable and untimely. I still adhere to that view, and I am strengthened now by the recommendation of the Petitions Committee. If Government is sincere in its desire that this country should strive after self-sufficiency and endeavour to produce as much as possible of the goods we consume, I consider this proposal to tax further this local industry a breach of faith in view of its desire to see British Guiana industrialised.

It is unfortunate that public criticism of the Financial Secretary, who piloted the Bill, was unkind, but I have a suspicion that to some extent it was because some of his colleagues may have made it public that the idea of taxing local beer came from him. I feel that the criticism should be directed against the entire Government, because when a Bill comes before the Council



it has the support of the whole policy-making body of the country, which is the Executive Council, and it is the business of all Ministers, especially elected Ministers, to so conduct themselves that it may not appear that certain Members of the Executive Council were responsible for certain decisions.

I want to say that if the "Opposition" was as strong as I would have liked it to be, there might have been an interesting debate in this Council on a Motion to censure the Government for what I may call a Budget leakage. But constituted as this Council is, with the Government very strong on the voting side, the most the "Opposition" can do is to express its views.

I am disappointed that because of the efficient management of a local company, whose shareholders include some ordinary people, and the fact that it has been able to show a very good profit in the first year, opportunity should be taken by Government to impose additional taxation. I feel that it should be the other way. The success of Bank Breweries should be regarded as an inspiration to local and foreign investors. Government should be able to show the world that here is a local company with initiative, a company that is able to run its business so efficiently as to be able to sell its product in a competitive market to the extent that most of the beer consumed in British Guiana is of local manufacture. I think that when a company like Bank Breweries is supported by the Government the world will appreciate that the Government is grateful to local enterprise and is anxious to see that profits made by that company are used to expand into new fields because it is satisfied that its management is sound.

We have been told for a long time that most of the wealth of British Guiana goes to absentee proprietors, imperialists and all sorts of people. We have a local company that is making beer and circulating money in British Guiana; the people are paid better wages than the

Government can offer; a portion of the wages paid to them goes back to the Government by way of income tax and other forms of taxation. It is, therefore, the business of the Government to encourage private enterprise of that nature, and see to it that its association with the Directors is good in every field where British Guiana is likely to become self-sufficient so that if ever we enter into Federation our contribution to the Customs Union will be less. I understand that our contribution will be based on the duty from imported articles.

I sincerely trust that, in the light of what has been said during this debate, Government will be broad-minded and big enough to see the necessity of coming to a compromise with the Directors of Bank Breweries and see whether it would be possible, instead of trying to extract 50% more on excise, to reduce the percentage by half. I am certain that any negotiations of this nature will be taken with grace and it will help to create that confidence which any good Government would like to obtain from the people.

I have seen the balance sheet; it is very encouraging and stimulating, and I feel that the Directors should be persuaded against investing money outside of British Guiana despite the fact that better facilities has been offered to them in another territory. That is how I would expect a good Government to approach this issue. I expect the Members of this Government to use their commonsense and encourage the Directors of Bank Breweries to expand their operations here so that Government will not only get more excise duty, but also more export duty when they are exporting their surplus products.


The hon. the Financial Secretary, who has had the unfortunate task of presenting this increase on a local commodity, has attempted to justify the tax because he feels that the Company is on firm ground and, like other companies, it should give a contribution towards the development of this country. I appreciate

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ciate those observations in part, but I still contend that the people never thought that Government would have made use of that particular Clause in the Agreement which had been signed by a former Financial Secretary. I agree that the Clause indicated that at any time the excise duty could be changed. That is a saving Clause and it should not be used as it is being used at the moment. I think the then Financial Secretary felt that no Legislative body would attempt to increase the excise duty on a commodity so early in its existence.

I am blaming the whole Government, especially the Elected Members of the Government who are always saying that they want to see local industries established here. This is the first time in the history of British Guiana that people have been encouraged to invest their money in a worthwhile scheme for the development of this country. Every section of the public is interested in this industry. Is this the way Government intends to treat the people? Is Government trying to take away the profits which the people have made as a result of efficient management? I think at one stage of his speech the hon. the Financial Secretary mentioned that if the management were inefficient Government may have considered such a plea. I wonder whether it is the feeling of the Government that people should endeavour to run a business in an inefficient manner in order to obtain a subsidy, or some form of assistance from Government?

This Company is not asking favours. It has produced a commodity that has taken the market—a commodity that is contributing far and above what the Government expected, and I am convinced that it will continue to progress if the Government in power will consider things in a better frame of mind. I do not think that the Government should look around for people who are doing good business and try to squeeze from

them more than is necessary. I am against the imposition of further taxation on Banks beer at this time. I feel that this tax is untimely and uncharitable, and I hope that, in the light of what has been said in and outside of this Chamber, Government will be broad-minded enough to arrive at a compromise so that the people in British Guiana will have greater faith in its administration. Let us show our ability to play our part in making British Guiana progressive and prosperous. 

**Mr. Davis:** I would like first of all to express my condemnation of the personal and unwarranted attack which has been made on the hon. the Financial Secretary because it was his misfortune to introduce the new tax.

The Managing-Director of the Brewery has been pleased to refer to my comments on the new tax in this Council. He did so in the Press and in other places. While doing so he posed the question, was the tax fair or not? I trust, during the course of my remarks, that I will express myself in no uncertain terms, and I feel sure that he will get the answer he has posed in the Press when he made reference to my comments.

I would like to refer to the campaign "Axe the Tax". I am still rather impressed with the thoroughness and the amount of effort he has put into it. When one adds the cost of this campaign to what it will cost the Company to bring down a certain eminent Q.C. to argue the case in the courts of justice the amount will be in the vicinity of 2,000 guineas, I understand. Are you stopping me, Sir?

**Mr. Speaker:** No, I am listening attentively.

**Mr. Davis:** I give you credit for that. I think this campaign will cost the Company a tidy sum of money. I admit that they will benefit from the amount of propaganda they have used because it has a certain degree of advertising value. But, surely, this question

of advertising must reach the saturation point at some stage. It is the right of the Managing-Director and the Directors of Bank Breweries to hire buses to take people around. It is also my right as a Member of this Council as well as of the general public to offer my criticism.

It is my view, so far as I can see, that the position of the Government in introducing this tax is abundantly clear. One only has to refer to the letter of the former Financial Secretary which, in my view, makes it still clearer. If there was any ambiguity, or if there can be any, it does demonstrate that an astute and able businessman did not take the trouble to question at the time whether or not it was there.

**Mr. Speaker:** I think I shall suspend the sitting at this stage until five o'clock when, on the resumption, I shall ask that we continue the debate on this Bill.

*Sitting suspended accordingly.*

#### RESUMPTION

*Council resumed at five o'clock.*

#### TAX (AMENDMENT) BILL

The debate was resumed on the Second Reading of the Bill intituled

"An Ordinance to amend the Tax Ordinance".

**Mr. Davis:** I was saying that a letter was written by the Financial Secretary to say that it was the duty of the Directors of the Brewery to clear up any ambiguity. Now this Government gave the Brewery certain concessions which included the importation of machinery duty-free. It was the first public company of its kind, and although Government was within its rights to tax the product, I would observe that other Guianese industries, such as the wine industry, have not been touched. Therefore it does appear to me that the excise tax

is somewhat discriminatory. Even if this decision to tax had to be taken, Government could have shown its good faith and introduced a measure like a protective tariff for the beer.

If one refers to the tariff rates which came into effect yesterday, or before, one would see that the price of beer and rum imported under the Preferential tariff would be subject to an extra 25 cents per gallon. From \$2 to \$2.25 per gallon, also stout and port. Let us say that the local beer may not have been a good beer, and some rate of tax had to be fixed in any case, not too much out of proportion with imported beer, so that lovers of beer could buy the imported article. But that was not the case. Banks has definitely been established as a good article, one which can stand the test of competition. It is my view that Government could have limited strongly the amount of beer that could be imported from other sources, Britain or elsewhere.

May I make another comment? Since I have had the privilege of seeing the first year's report—a very well produced brochure—I have decided that the effect of the increase in excise duty is even more serious than I thought, because I read that the Company is thinking of investing \$500,000 outside of British Guiana. It is planned to spend that amount on the establishment of a brewery in Barbados, and the shareholders are to decide in this matter at a meeting to take place on the 31st of March, next.

Now I agree that the Company has the right to decide what is in its best interest, and what is, in its own judgment, the best way to invest its shareholders' money. I grant and concede that readily. But what about the moral ethics of the situation?

Let us assume for argument's sake, that the Government was morally wrong to increase the Excise tax, are we to understand that two moral wrongs will make a moral right? There are on the

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directorates of the Company many brilliant Guianese who have made their impressions in commerce and industry, and it is startling to me that they could have agreed to such a scheme. I wanted to say "iniquitous scheme", but perhaps I should not use such strong terms in this Council. Here is a situation in which the Company has enjoyed certain tax concessions, as a result of which certain profits have accrued, and now proposes to use those profits to bolster industrial development in another Colony with Guianese capital. It is an abhorrent thought to me and I hope that reason and good sense will prevail.

For that reason I was intrigued by the suggestion that came from the hon. Member for New Amsterdam (Mr. Kendall) that a compromise might be attempted. I was sorry that he did not develop his suggestion a little more, but it did appeal to me very strongly. The fact that after the tax-free period has expired the Company will have to face up to its obligations to the Government and the country as a whole in respect of income tax is a very considerable argument in favour of a compromise which may avoid the catastrophe which is about to take place. I take my seat hoping that the suggestion of a compromise will be given serious consideration.

**Mr. Tasker:** I would like to associate myself with the comments of the hon. Nominated Member, Mr. Davis, on the subject of the personal attacks on the Financial Secretary. I did not have an opportunity of doing so earlier, being absent from the Budget debate. I agree entirely with what he said—that personal attacks on officials who are unable to defend themselves are grossly unfair.

I am against this Bill and the tax proposals with respect to rum and beer on the practical grounds of revenue raising. I think it is dangerous in the case of a young industry like a brewery which, quite apart from all the problems of risk-bearing capital, has also to face

the unpredictable problems of human taste and palate. I think we all recognize that the greatest successes in the beverage field have been achieved by those manufacturers who have maintained a good standard and consistency of product, along with vigorous advertising and sales promotion. It seems to me, therefore, —and I think we are all agreed that Bank Breweries has done precisely that with its product—that it is dangerous to take a chance, so early in the life of this young industry, of damaging its prospects of continuing to enjoy the public acceptance it has already gained.

But there is another aspect of the position of Bank Breweries. I see from the estimates of revenue for 1959 that the original approved estimate for 1958 of revenue from Excise duty on beer was \$125,000, which was subsequently revised upwards to \$465,500. I am not clear whether in fact that is the final figure, but those two figures show a gain of over \$340,000 on the original estimate of revenue from this source, which is proof of the success of Banks beer. On the other hand, I understand that the revenue from imported malts, beer, ale and stout in 1958, was down by approximately \$400,000 on the 1956 figures. I take 1956 advisedly, because that was the last full year before Banks beer came on the market. I do not think anybody would argue about the advantage that has been gained from Banks beer, which is a new industry and has in fact made up the loss of revenue on the imported article; but I think we should recognize that the loss of revenue on imported beer and the gain in Excise duty on the local beer appear to cancel each other out.

The other problem is that of rum. Here again, I very much doubt whether in fact this is wise taxation policy in terms of this product. Up to and including 1957 we had seen an increase in the local consumption of rum. The Excise duty had been raised in 1955 from \$7.20 per proof gallon to \$8. There it remained for a couple of years. In December, 1957, the duty was in-

creased by a further 80 cents per gallon, and consumption in 1958 fell, we are told, by 23,800 proof gallons. This loss of nearly 24,000 proof gallons in consumption was compensated for in revenue by the fact that an additional 80 cents per proof gallon was collected on all rum sold. In fact, approximately \$176,000 in additional revenue was collected from rum in 1958 compared with 1957, even allowing for the drop of 24,000 gallons in consumption.

That was the position at the end of 1958. Now, in 1959, we have this proposal for a further increase of 80 cents per proof gallon on rum. Working on the analogy of 1958 consumption, there would have to be a drop in 1959 of a further 40,000 proof gallons before the proposed figures were negatived in financial terms; and it may seem that that 40,000 proof gallons, set against the figure of 24,000 proof gallons lost in 1958, is more than sufficient to ensure that we will in fact gain more revenue than before. But I must say that the figures for the first two months of this year are extremely disquieting, since calculations for home consumption for January and February are about 16,000 proof gallons less than the calculations for the corresponding two months of 1958. We are 16,000 proof gallons down already this year. I make these points because we may well be getting, in rum taxation, to the point of diminishing returns. While our reduction in consumption has so far been compensated for by the increase in the collection of duty, we may now be getting to the stage where the increase in duty may force consumption down to the point where Government will get less revenue.

The excise duty on rum contributes approximately 10 per cent. of our total revenue. As has been said many times here and elsewhere, rum is, of course, consumed largely by the poorer citizens of British Guiana whose economy, generally speaking, is interlocked with the agricultural economy of the Colony. One of the most significant things about the consumption of rum is that our agricul-

tural economy is just not buoyant enough to absorb the effects of fluctuations in the fortunes of commodities. This is borne out by the fact that rum sales in British Guiana always reflect precisely and accurately what is happening in the sugar and rice industries. You merely have to look at the figures for the latter part of 1957 to see what happened to rum consumption when the rice industry suffered a severe drought.

Another point on the revenue side of rum is, of course, that revenue is not confined to excise duty. The Government gets a substantial amount of revenue from income tax, spirit shops, restaurants and hotel licences, bonded warehouse licences, distillery tax, etc., all of which are bound to suffer from a decrease in the consumption of rum. Moreover, as the price of rum goes up, so will the activities of the bush rum merchant also go up. The difficulty about the bush rum merchant is, of course, that he benefits nobody but himself, since he pays, presumably, no income tax and no revenue in any form to Government.

I would like to make one additional point on the tax proposals which have already been dealt with at great length by other speakers. I will not try to repeat their points about discouragement to industrial enterprise, but I would like to point out the danger of discouragement to overseas investors. I think it was the hon. Member for Georgetown North who mentioned that news of the "Axe The Tax Campaign" will have been carried well beyond these shores to interested people far and wide. The danger is that, as we all know, nobody ever knows all the facts about these things, and, inevitably, the impression goes abroad that the Government of British Guiana is acting unfairly to a fledgeling industrial enterprise that is backed by local capital.

This matter has been made more complicated by the confusion that has arisen between excise duty and a tax on profits. All of this adds up in my mind to an unfortunate impression going

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abroad at a time when we are so desperately anxious to raise capital from any source for our development. On that score as well, therefore, I believe that this tax is unwise at this time.

**Mr. Burnham:** Last year, the tax on rum was increased from \$7.80 per proof gallon to \$8.80. When the proposal for that increase came before this Council I pointed out then that I thought that to tax the poor man's drink every time Government desired to raise a sum of money was unfair and discriminatory.

Last year, when the Budget proposals and the relevant tax proposals were considered, the Elected section of the Government on some occasions directly, and on other occasions obliquely, suggested that they were not fully responsible for the Budget which was presented to them a mere two months or so after their accession to office. I was prepared to give them the benefit of the doubt then despite the fact that I had my suspicions, but this year no such specious excuse can be offered in the hope of convincing anyone other than a kindergarten student.

Last year, when the hon. the Financial Secretary proposed the tax on rum I criticized it; this year my criticism is even greater and is not directed against the hon. the Financial Secretary, but against the whole Government and naturally against the Majority Party who controls the Government by way of votes at least. I find it difficult to accept this shibboleth, copied from the period of the American revolution, to distinguish the attitude of the present Government from that of previous Governments. Says the hon. Minister of Trade and Industry: "No taxation without representation". That is a philosophy, and that is what he urges as justification for doing today what he condemned in others.

I readily accept that there should be no taxation without representation, but an acceptance of that thesis is not tanta-

mount to accepting that once there is representation those whom you put in the Council to represent you may tax you to death. It is easy to pick up these catch phrases from history books and pamphlets and seek to delude the unwary. I wonder which Member around this Table the hon. Minister of Trade and Industry really thinks he can impress by merely repeating what the American colonist said about no taxation without representation?

If the hon. Minister wants to be original, then it means that because the Government at the moment is controlled by the Majority Party elected by the people—by the process of the *reductio ad absurdum*—tomorrow it can start taxing water and say "Since you have representation we can tax anything even though our tax policy is unreasonable".

Having dismissed the reference to the slogan of the American colonists may we consider the next point as to whether the hon. Minister is right or the hon. the Financial Secretary is right. The hon. Minister of Trade and Industry has always argued—you will find it in print—that rum is the poor man's drink. But the hon. the Financial Secretary now seeks to persuade this Council that rum is not the poor man's drink. Let us follow his argument to its logical conclusion. Of course I shall sit immediately as he stands to correct me if at any time I misquote him. I have a reputation for fairness to my political opponents. The hon. the Financial Secretary says that not only poor people drink rum; rich people drink rum also and, therefore, it is not right to say that rum is the poor man's drink.

What I would grant him in logic is that from the fact that rich people drink rum you may adduce this argument; that rum is not exclusively the poor man's drink—rum is the drink of poor men and rich men. But then he jumps a big gap and says that since rum is not exclusively the poor man's drink, it is not the poor man's drink. It is a long time since I have studied logic, and I would

not remember how that fallacy is described in the books, but I think it should be patent to all that what the hon. Financial Secretary is seeking to do is to argue his way out a very poor and very bad situation. Then, of course, he will summon to his aid the votes of his colleagues on that side of the Council, and afterwards the illogical will become law.

When a rich man drinks rum, he drinks rum because he prefers the taste. When a poor man drinks rum, as against whisky or any other imported spirit, it is not merely because he prefers the taste, but primarily because it is the spirit the cost of which is within his means. Therefore, by and large, rum for him is his drink—rum is the poor man's drink.

The fact that those in better circumstances drink rum is not argument against the self-evident, that is, that rum is the poor man's drink. But the hon. Minister of Trade and Industry did not attempt to deny that rum is the poor man's drink. He said so when I first met him in 1949, and today he says nothing to the contrary—he is only calling to his aid what the American colonists in Virginia said at the outbreak of the American Revolution.

Well now, since for the second time for the day the hon. Minister of Trade and Industry and myself are *ad idem*, I am fortified in my objection to that false logic which is being imposed on this Council by the hon. the Financial Secretary.

If rum is the poor man's drink, we go a step further. The hon. Minister of Trade and Industry has repeatedly said at public meetings that a poor man after a hard day's work or a week's toil must have his stimulant. If he must have his stimulant—I know some people prefer gin and lime, but the poor man cannot afford it—it is no sense being super-moral and telling him he drinks too much rum and he must stop. Rather, I would go thus far: if the Government wanted British Guiana to go dry, though I will say it is stupid, at least they would have

logic behind them if they made the tax on rum absolutely prohibitive; or if they want, as in India, to make it a breach of the law to consume spirits, save in certain circumstances.

But it is not that; they merely wanted to get money, and with the same lack of imagination with which the Minister credited our last Financial Secretary, they taxed rum. At least the old Government used to wait a year, but this P.P.P. Government would not let one year pass before soaking the poor man. I may not be original in the use of the term "soak", as it was put into currency in this matter by the hon. Minister of Trade and Industry.

Two issues are being mixed up; that they are not taxing rum so as to persuade people not to drink rum, but they are taxing people because they drink a lot of rum, and therefore it is the sitting-duck for this taxation. That is the *raisonne* of this taxation on rum; it is not to reduce the consumption of rum. Look at the Financial Secretary's figures. He is hoping that by putting this extra 80 cents on rum he will get a few more dollars. Or course, there is nothing wrong with developing a country by taxing spirituous liquor, if the tax can be borne by those who have to pay it, but it must be understood that rum appears on the cost-of-living index, therefore you are deliberately making it more expensive for the poor man to live.

The hon. Nominated Member, Mr. Tasker, who has much more experience and intimate knowledge of the subject than I have, has pointed out that the increased tax on rum is likely to reduce the consumption of rum; figures seem to show that, so the Government is hoist with its own petard.

You are making it more costly for the poor man to drink rum. It is no sense working on the waterfront for long hours and trying to do it without stimulant, unless you are a yogi or something. On the other hand, the anticipated revenue will not be got. If you raise

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money you make it very difficult for the group whose cause you say you champion; if you do not raise money you have less than the \$2 million you want. Therefore I do not see on what ground the tax can be justified.

It cannot be suggested that rum is a luxury. Watches and clocks have been deemed luxuries, perfumes and cosmetics—and, perhaps, potatoes too. Is it to be argued now that rum is a luxury? Even if it was centuries ago, it is not now. And to quote the hon. Minister of Trade and Industry, in "Thunder" of 8th January, 1955:

"...it is to be questioned whether more or less everyday articles of consumption by the working class such as rum, cigarettes and beer can still be regarded as luxuries."

What is happening to my hon. Friend? Is something wrong with his physical or political sight? Certainly in the peak of his youth he could not be suffering from such infirmities.

Why has the Majority Party permitted the old established order to lead them up the garden path? The Majority Party knows to its heart that it is wrong, and therefore in criticizing the Majority Party my criticism is mixed with a great deal of sympathy and concern, over the fact that our young and intelligent minds, the cream, have allowed themselves to become the pawns, the tools, the instruments of the colonial system.

And now, Mr. Speaker, what shall I say about beer? May I first of all point out that fortunately or unfortunately I have no vested interest in Bank Breweries Ltd. I own no shares—not because I think that owning shares in Breweries is something wrong, but because I was too poor when the shares were being sold, and my poverty I confess readily. I have no vested interest nor am I legal adviser to the Brewery. Let me further say this, that at present

advised I feel that this Council is legally competent, in spite of whatever legal undertaking was given by the previous Financial Secretary, to impose an increased excise duty on Banks beer; I concede that as a lawyer. I understand there is advice to the contrary, but I am entitled to my own opinion, and my opinion is that this Council can legally increase the tax on Banks.

May I also say this, that so far as I am concerned, it is not for me to enter into that controversy between the two giants, the Managing-Director of Bank Breweries Ltd. and the hon. Minister of Trade and Industry, except to note a significant point, that the latter gentleman in one of his many excursions into the daily Press sought to establish by referring to the balance sheet and calculations that Bank Breweries Ltd. could absorb the increased duty. It was in "The Daily Chronicle" and he used figures—figures are not my particular interest or field, but the hon. Minister of Trade and Industry made his conclusion from his figures. That is significant, and it shows exactly what the Minister had in mind. If it were not so he would have got up and denied it.

**Dr. Jagan:** If the hon. Member has the article I would like him to produce it. The point about the article was that it was a consumer tax, and the argument was that if a consumer tax would cause a reduction in sales Bank Breweries, to protect its own interests, could afford to absorb the tax.

**Mr. Burnham:** I am grateful for the elucidation. I shall deal with the two points separately. I shall start with the first "if". It is a consumer tax, they say. Very well, are we going to be told that Banks beer is the rich man's drink? Government is deliberately setting out to increase the cost of beer to the poor man, and Banks beer is definitely the poor man's drink. The fact that the rich man also drinks Banks beer is perhaps because he is patriotic, or he prefers the taste, but he can afford to pay for Heineken or any one of the imported beers.



This Government, which is supposed to be the protector of the poor man and the guardian of the proletarian rights, tells the people "We will make you pay more for rum, beer, potatoes and everything else, and we are going to ask you to make certain savings. We are reminding you that some years ago it was proposed to cut down civil servants' salaries, but we are not telling you what we are doing with Ministers' salaries. If you talk too much we will tell you that those who work should not be above paying increased taxation, so that those who do not work may get something." All nonsense. Those who work have the responsibility in many cases of assisting relatives who do not work. It is not a question of whether or not a working man is prepared to make a contribution, but a question of whether he can afford to make a contribution.

The good Minister of Trade and Industry says that if the Directors of Bank Breweries believe that the people cannot afford to buy Banks beer at the increased price, and if the Directors' contention is right that it will mean a drop in sales, they should be public-spirited and say that Bank Breweries will absorb the increased tax. That is the stage at which the Minister enters into his complicated mathematical calculations. Maybe he is right that Mr. D'Aguiar and his fellow shareholders can afford to absorb the tax. I do not know. I do not set myself up as a statistician or an economist, but it is significant that the suggestion that the tax be absorbed is a sort of climax or crescendo to the letter written by the Minister when all the time he was saying "Banks has made profit; Banks can pay the increased tax." All the palaver about its being a consumer tax was never really meant.

I go so far as to say that the whole tenor of the public statement by the Minister of Trade and Industry has been that Banks can pay — not that the people can pay. Let us assume that Bank Breweries can pay; let us assume the worst against the Directors of the Company—that they are unpatriotic and are not prepared to

absorb the tax, and that they want to line their pockets with all the profits they can put their ten fingers on. If these assumptions are correct we may say that morally they are a reprehensible lot, but, unfortunately, we are not in Sunday school; we are not in Church, nor are we in an institution where lectures and diatribes are delivered on morals.

The fact is that the impression that is conveyed is that this Government is prepared to be dishonest and to forget its undertaking with respect to tax holidays by merely taking advantage of a legal technicality—that since the exemption was only with respect to income tax and the duty on things imported, and since Excise tax notionally is a tax on the consumer, it will introduce an increased excise tax. Government then says: "Let us use our democratic powers at the street corners and tell the people that if Bank Breweries charge you more they are a set of rascals. They can afford to pay the tax. Don't let them soak you as we are attempting to soak you." The Directors of Bank Breweries may decide to absorb the tax, but what is the impression that gets abroad. We find that in far-off England it is being said, rightly or wrongly, that the British Guiana Government of today is not honouring its promises with respect to tax holidays to would-be investors, and the Majority Party knows quite well that such impressions are not easily removed. I am not interested at this moment in whether or not the conclusion drawn outside of British Guiana that this Government does not honour its undertakings is right or wrong. I am looking at the matter objectively.

What is the impression abroad? The impression abroad is that the British Guiana Government does not honour its undertakings to investors, and will use every trick of the game, every legal technicality to get around its original undertaking not to tax a new industry within a five-year period. Nor am I any more interested in what the Financial Secretary was telling us about the difference between a five-year and a seven-year period. Those technicalities are not for me, a

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layman, looking at this matter objectively. If that impression gets abroad it is all the more ruinous in its effect because it has arisen from an incident in which a locally owned industry was concerned. That is material. The impression gets abroad that this Government does not even honour its promises to its own people—a group of people who, with imagination and energy, were able to establish the first public company in British Guiana and to make a success of that company. If the British Guiana Government will not honour its promises to its own people, how will it honour its promises to outsiders? There is no doubt that the Government itself is alive to the fact that this impression has gone abroad, for why would the Leader of the Majority Party go out of his way when the Canadian Trade Delegation was here, to say “We give you our solemn word of honour that we will honour all undertakings”? I say it was necessary for him to do that because of the impression that had gone abroad as a result of the treatment to Banks beer.

I am not interested in the figures, I am interested in the objective impression. If that impression is current abroad, do you think you can easily attract would-be investors when you go around shouting about the evils of capitalism and free enterprise? This Government has already admitted that the unemployment situation is so grave that anything is likely to happen. That was said in the United Kingdom by a responsible Member of this Government.

This Government says that it needs new industries; it has admitted that it is necessary to get investments not only local but foreign to assist in the setting up of these industries, and yet it is acting in this manner. Government is going to achieve the opposite of what it says is good for the country by being niggardly.

I know that a responsible Minister of this Government has already said—

I refer to the hon. Minister of Labour, Health and Housing—that the Majority Party does not propose to take off this tax. In spite of our differences I am going to appeal to the Majority Party, not for their own political benefit—it does not matter to me whether the P.P.P. go down like the Assyrians in the Red Sea or not—but in the interest of British Guiana to reconsider the matter and withdraw the increase in the excise tax on beer.

**The Minister of Communications**  
(Mr. Ram Karran): You mean the Egyptians.

**Mr. Burnham:** I am most grateful to the hon. Minister of Communications and Works whose biblical studies seem to be much deeper than mine. I will correct myself. I do not care if the P.P.P. like the Egyptians of old, were to be drowned in the Red Sea. It is a fact that 88,823 persons have signed a petition praying that there be no increase in the excise tax on beer. There is no sense in telling me that the Managing Director is one of the most skilful organizers of propaganda in British Guiana. In that case I would recommend him to be the next Minister of Propaganda in British Guiana. The fact remains that several people have signed the petition asking that the excise duty be not increased.

The Majority Party is now faced with its own game. When Sir John Waddington's Commission came down here some time ago—at the time we were all together—we toured the country because we wanted to get the signatures of the people, and we said that the voice of the people was the voice of God. How long has the voice of the people become the voice of the devil? Now the P.P.P. or the Majority Party is in a position to show that it respects the voice of the people, it is doing otherwise.

In 1951 the Majority Party felt that it was unreasonable for the Waddington Commission to refuse to accept *in toto*

what thousands of people had signed their names to. We said at the time, "These signatures represent what the people want." Incidentally the signatures on this petition are more numerous than the signatures the Majority Party got in 1951—

**Mr. Speaker:** This is the Second Reading of the Bill, and we want to go into Committee stage.

**Mr. Burnham:** Not this evening, Mr. Speaker. I repeat that the number of signatures attached to this petition is greater than the number of signatures attached to the P.P.P. petition with respect to the constitution, and it is only logical that the Majority Party which has always told us that the people are right should now accept the prayer of the petitioners. Is the hon. Minister of Trade and Industry going to continue making himself inconsistent? In 1955 he said that taxing rum is taxing the poor man's drink and it was wrong. In 1959 you do the same thing and you want people to accept it because Dr. Jagan says so!

**Mr. Speaker:** You should not say so.

**Mr. Burnham:** I apologize. I am saying that the Majority Party is now faced with its own medicine, but I am not giving a qualitative judgment. I am merely directing its attention to facts. This petition was sent to the Public Petitions Committee, and the Committee recommended to this Council that the prayer in the petition be granted. The recommendation of the Committee is not based on whether or not the brewery can carry the tax.

**Mr. Rai:** On a point of correction. I should like to draw attention to the fact that the Committee which is known as the Public Petitions Committee did not arrive at a unanimous decision that this Council should accept the prayer in the Petition.

**Mr. Speaker:** Your point of correction is not well made. You will have an opportunity on this matter later. The minutes of the Committee show the Members who voted for and against the Petition, and hon. Members of this Council are well aware of what took place. The recommendations of the Committee are now before this Council, and the Report has been signed by the Chairman and Members of the Committee.

**Mr. Rai:** I am merely saying that the decision was not unanimous.

**Mr. Burnham:** I see the hon. Member for Central Demerara's difficulty. He believes that the Committee cannot submit a Report or make a decision unless it is unanimous. It was a majority decision of the Committee, and I am surprised that a democrat like my hon. and learned Friend does not know that.

**Mr. Rai** *rose*—

**Mr. Burnham:** I am not yielding unless it is on a point of order. The decisions in this Council are majority decisions in most cases, but nobody can say that they are not proper decisions. Perhaps the increase tax on beer may also be by way of a majority decision. I know that the hon. Member arrived late, but he will have an opportunity to speak on this matter and give his point of view. What I am saying, and there is no fear of contradiction, is that the Public Petitions Committee recommended that the prayer in the Petition be granted. It is not for me to tell all of these literate Members in this Council that if they look at the minutes of the Committee they will see that three Members voted for and two against the decision.

I should like to remind the hon. Member that the Committee was appointed from this Council. I feel that Government should note the reason given by the Committee for its recommendation that the prayer in the Petition be granted. The Committee did not enter into any controversy about the profits on

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Banks beer, the number of employees, the cost to the workers, the cost to the consumer, about the transferring of capital from British Guiana to Barbados and so on. The Committee considered the matter objectively and carefully before making the recommendations now before this Council.

**Mr. Rai:** That is not so.

**Mr. Burnham:** Some Members do not seem to understand that they must stand up and speak in this Council. After having considered the matter carefully the Committee recommended that the prayer in the Petition be granted. The Committee felt that if there was this immediate tax—

**Mr. Rai** rose—

**Mr. Burnham:** If my hon. and learned Friend cannot read and understand his own Bill, I will send him an "ABC" chart. The Committee felt that if these increases were imposed immediately the results would be inimical to future investments in the country. I recommend the adoption of the Committee's Report because it is a Report which shows that the people reporting did not jump to easy or quick conclusions; they did not enter into any controversial matters, but attempted to look at the matter objectively.

One final point I would plead. I would ask Government not to be in a hurry to increase the tax on Banks beer. Let us say that their net profits this year was \$1 million instead of \$700,000. Their profits next year may not be in the same proportion, but you will collect a lot of revenue by way of income tax eventually. In any case, do you think it is fair to tax them the very first year when you do not know exactly what is going to happen next year? The hon. the Financial Secretary himself admits that if they had made a loss it would have been a good argument for the reduction of the excise tax.

And this is the strangeness of the Government's attitude. With tongue in cheek they say it is an excise tax, but with tongue in cheek they say, "If you had made a loss, we would have reduced the excise duty". It shows they are both thinking of an easy means of getting some money off Banks because the industry prospered in the first year. The Majority is on that side, and as the "Columbus" for Central Demerara remarks, the votes are on that side. But history has a habit of establishing that intelligence and preponderance of Members do not frequently coincide.

**Mr. Jai Narine Singh:** Rum in British Guiana has become a very serious menace to the community and its well-being. Every day a large number of persons appear in the courts of British Guiana on charges of disorderly behaviour, and it is mostly due to rum-drinking. It has become something of a dope, like opium in China, and a curse on the culture of the Colony. I hope to see the day when British Guiana would not get 10 per cent. of its revenue from peddling "dope". Rum has been responsible for wounding and murders. Every time a wounding takes place, rum is at the back of it; every time a murder takes place, the people involved had been drinking rum somewhere.

Not so long ago the granting of licences to carry on spirit shops was a restricted thing throughout the length and breadth of the Colony. Today every village has two or three or four rum shops. Every town has dozens, and rum is therefore peddled everywhere. So I cannot say that rum is a good thing and should not be taxed. You cannot say it is the poor man's drink. It is the poor man's poison and ruin, since he can get a bottle at almost every street corner.

Now I come to the question of beer. Let me say at the outset that I am against the tax which the Government has sought to impose on beer, because I think Government has committed a breach of faith in this connection.

**Mr. Benn:** Nonsense!

**Mr. Jai Narine Singh:** Nonsense or not, let the Minister of Education understand that when his colleagues's word is given it becomes the sacred word of the Government. From the various documents I have perused, I am accusing the Government of a breach of faith with Bank Breweries, and I am saying so without reservation. It is wrong that a Government, having given its word, should take it back. I have done more than reading documents, I have gone to the previous Financial Secretary and discussed the matter with him, as he had to enter into correspondence in the matter in the early days. Has Government taken the trouble to consult him? It is the sacred duty of the Legislative Council to honour the undertaking with the Brewery that it would enjoy certain safeguards.

I am not concerned in the least whether Bank Breweries Ltd. prospers under tax concessions or continues in operation, but I am concerned with the principles behind the issue, and I feel that Government has committed a breach of principle which has been observed from time immemorial.

I remember in Finance Committee when the question of Radio Demerara came up and I spoke of the continued subsidy of \$30,000 to that Company which was, I understood, paying dividends of 24% and 25% to its shareholders, Government said it was a previous commitment that was being honoured, an undertaking by the Legislative Council, and so the money was voted. Why then, does this Government not stand by the decision of a previous Government in the matter of Banks beer?

If a Motion was moved on the floor of this Legislative Council in which Government's intention to tax the beer was set out, and that motion was passed, then the Government would have been justified in committing this breach; that is, if the tax were equitable or right. The point is, it should come from the Legisla-

tive Council, but Government has of its own volition sprung upon this Brewery, which can be likened to a growing child, and seeks to stifle its growth. The Government is distinct from the Legislative Council. For this tax to be collectable it should have come from the Legislative Council itself, but the Legislative Council did not suggest it. Government sprang upon Bank Breweries, as a child in its growing stage, and cramped its further growth.

But the Managing-Director of Bank Breweries, Ltd. has tried to damage the good name and reputation of British Guiana by saying that our Government has committed a breach of faith, and he has carried his propaganda outside of the country. For that I cannot forgive him. As a Guianese it was his duty to fight the issue here and stand by the result, but instead of that he says he is going to invest money in Barbados.

**Mr. Ram Karran:** To a point of order! I think it is most unfair for the hon. Member to stand here and attack a person outside.

**Mr. Jai Narine Singh:** What is the point of order?

**Mr. Speaker:** He is addressing the Chair. He rose to a point of order but he is not proceeding any further.

**Mr. Jai Narine Singh:** I wish to make it very clear that the Government erred very grossly in its breach of faith with Bank Breweries, but at the same time I will not condone any attempt by Bank Breweries or anyone to besmirch the good name of this country outside. This is the forum in which such issues must be fought, and that is where I feel that Bank Breweries has committed a breach of faith with the people of British Guiana who have subscribed to its shares. Because the Government has committed, as is claimed, a breach of faith we hear an echo that the Company proposes to establish a brewery in Barbados.

**Mr. Speaker:** Now that you have said that, please go back to the principle of the Bill.

**Mr. Jai Narine Singh:** I am speaking on the principle.

**Mr. Speaker:** I am not stopping you from speaking.

**Mr. Jai Narine Singh:** I must say that you have been treating me most unjustly here.

**Mr. Speaker:** I think you must apologize for saying that. I have not treated you unjustly; I have not stopped you from speaking. A Member rose to a point of order and I said I must wait to hear the point of order. The point of order was not made and I asked you to resume. You resumed your speech and you spoke about people besmirching the good name of British Guiana. I did not stop you but I said that you had made your point, let us continue on the principle of the Bill. I am most indulgent in this Council. I give every Member an opportunity to speak, and I do not think Members can say that I unduly stop anyone. If a Member is off the mark I give a gentle hint, and oft-times he does not proceed further. I do not think you should say that I treated you unfairly, because it is not so. I have never done that in this Council, and I think Members will agree that I have been most indulgent even when they are off the mark.

**Mr. Jai Narine Singh:** May I put it this way?

**Mr. Speaker:** I think you ought to withdraw that statement.

**Mr. Jai Narine Singh:** I beg to withdraw the statement. Let me put it this way: In this Council it is our duty when our Government commits an error, to say so in unmistakable terms, and when members of the community adopt an attitude which would hurt our country this is the forum in which we should make our disapproval very clear.

I feel that efforts have been made to hurt British Guiana. Today when the P.P.P. is in power and running the Government the management of Bank Breweries seeks to besmirch the good name of British Guiana. We must protect the good name of British Guiana if we love our country.

The question of taxation is always a matter for Government. In some countries the Government does as it likes and sometimes runs the country to ruin. In 1956 British troops invaded Egypt and caused great consternation in the country, bringing ruin to millions and death to thousands of people, but the Government did not fall. That, however, did not cause members of the British public to besmirch the good name of Great Britain, because whatever differences of opinion there may be the people remain loyal Britons. I feel that Government should reconsider the imposition of the tax on beer from the point of view that it would be committing a breach of faith with the Company.

**Dr. Jagan:** Hon. Members have taken an opportunity to repeat what was said on previous occasions. In fact there has been so much repetition that I am considering the question of recommending that a recording machine be installed in this Council, so that in future we could save the time and energy of hon. Members who want to repeat what they have said before. As a result of this repetition and unwarranted attacks on the Government, it will be necessary for me to go over certain points again.

Members of the Government are constantly asked in this Council, what is Government doing for the unemployed people in British Guiana? Quite recently Government agreed to increase the price of copra by \$20 per ton in order to stimulate coconut production. Every year Government has to face a deficit as a result of the importation of oil from overseas, and the taxpayers have to pay thousands of dollars to assist in keeping the cost of living down to a certain level. Nevertheless, hon. Mem-

bers on the other side of the Table are still saying that Government is not concerned about the people and the cost of living.

In order to keep the cost of living down, Government decided to subsidize coconuts which would have been increased by 2 cents per pound as a result of the \$20 per ton increase in copra. This will cost Government approximately \$111,000. It is a pity we do not have a school where Members could receive lectures in this country. Some Members who are leaders of Parties think that the first prerequisite in politics is for one to have a loud voice, that one need not have any knowledge of economics and finance. The days of flamboyant politics are over. The names of Bustamante and Butler are no longer—

**Mr. Speaker:** You need not refer to politicians in the other Islands.

**Dr. Jagan:** We have to deal with economic realities. I think I shall have to recommend to the I.C.A.—

**Mr. Jai Narine Singh:** On a point of order. Is this relevant to the issue before this Council? Is this not partiality on the part of the Speaker of this House?

**Mr. Speaker:** If the hon. Member repeats that remark I will have to use strong measures. He asks whether the hon. Member is speaking on the matter before this Council. He does not wait to get a reply, but makes remarks regarding the impartiality of the Speaker. I would suggest to the hon. Member, in his own interest and in the interest of this Council, that he becalms himself and when he raises a question he should wait for the ruling from the Chair. I have a lot of patience, but if Members want to rule, criticize, raise questions and be judges in their own cases, then they can act as Speaker.

If hon. Members are not prepared to be patient and they want to rule, then the Chair will have to take, very reluctantly, strong measures to keep them in

order. The hon. Member used a remark which, I am sure, tomorrow he will be sorry for using. I do not think he will have the support of any Member in this Council so far as his remark is concerned.

I understand that Dr. Jagan was saying that if Government could not get money to borrow it would be necessary to tax the people. I assumed that he was proceeding to say that if Government had to find money to do certain things then it would be necessary to impose additional taxation on the items selected. If that is so, then there is some relevancy in the matter. People must wait and hear what is being said before arriving at hasty conclusions. It is necessary to listen to what a Member has to say before I can say whether it is relevant or not.

I shall ask hon. Members not to be so impatient, and that the conduct of this Council be kept on a high level. Members must not speak across the Table, or get in the habit of interrupting each other from time to time. Perhaps an occasional remark will do no harm, but when it develops into a running commentary from one side to the other it does a great deal of harm. I am sure the hon. Member for Georgetown South will agree with me that he spoke too hastily.

**Mr. Saffee:** I should like to draw Your Honour's attention to the fact that I am being constantly disturbed by persons sitting behind me, and I cannot hear what you are saying.

**Mr. Speaker:** In that case I will ask the Marshal to remove the person who is creating the disturbance in this Council. Members of this Council must not be disturbed. Only the other day the hon. Member for Georgetown South made a complaint, and I gave a word of warning to the people in the gallery.

**Dr. Jagan:** I am glad that you rightly anticipated the line of argument I was following. I mentioned one item,

[DR. JAGAN]

coconut oil, which is being subsidized by Government. There are also other items in the Development Budget which have been agreed to in this Council. Government proposes to build 114 schools; the vote for the expansion of Pure Water Supply has been increased from \$25,000 to \$700,000 and so on. There is no magic formula by which money can be found. Some people try to get money by resorting to printing presses, but that system does not always bear fruit.

I should like, for the benefit of hon. Members, just to make two relevant quotations which I think are pertinent to our present position. I will quote from a book called "Economic Theory and Under-Developed Regions" which was written by a very famous Swedish Economist of world recognition. In Chapter 7 of his book Dr. Myrdal states :

"There is no other road to economic development than a compulsory rise in the share of the national income which is withheld from consumption and devoted to investment. This implies a policy of the utmost austerity, quite independently of whether the increased savings are engendered by high levels of profits to be ploughed back in industrial expansion or by increased taxation."

That is one quotation, Sir. There are others I would like to make from the

same book. Members should take a little more time for reading.

**Mr. Speaker:** We will stop at that quotation.

**Dr. Jagan:** Yes, Sir, But I would just like to say that Dr. Myrdal also made this point, that when a poor and backward nation starts on its own, it would soon find out that political independence most certainly does not mean that it is automatically on the road to economic development. It would be up against stagnation or regression, and so long as general development is low, forces will be working all the time against it, internally and outside.

#### ADJOURNMENT AND FUTURE SITTINGS

**The Chief Secretary:** I beg to move that this Council do now adjourn until next week Tuesday, 17th March, at two o'clock. It is our intention to sit on Tuesday, Thursday and Friday from 2 p.m. to 7 p.m. and on Wednesday from 2 p.m. to 5 p.m. I am sorry it is necessary to continue sitting long hours, but the way the debate is going leaves us to do nothing else.

**Mr. Speaker:** I declare the Council adjourned until then.

*Council adjourned at 7 p.m.*