

LEGISLATIVE COUNCIL

(Constituted under the British Guiana
(Constitution) (Temporary Provisions)
Order in Council, 1953)

THURSDAY, 31ST MARCH, 1955

The Council met at 2 p.m.

PRESENT:

His Honour the Speaker,—Sir Eustace Gordon Wood, O.B.E., Q.C.

Ex-Officio Members:—

The Hon. the Chief Secretary,
Mr. F. D. Jakeway, O.B.E.

The Hon. the Attorney General,
Mr. F. W. Holder, C.M.G., Q.C.

The Hon. the Financial Secretary,
Mr. W. O. Fraser, O.B.E.

Nominated Members of Executive Council:—

The Hon. Sir Frank McDavid
C.M.G., C.B.E. (Member for Agriculture, Forests, Lands and Mines).

The Hon. P. A. Cummings (Member for Labour, Health and Housing).

The Hon. W. O. R. Kendall (Member for Communications and Works).

The Hon. G. A. C. Farnum, O.B.E. (Member for Local Government, Social Welfare and Co-operative Development).

The Hon. G. H. Smellie.

The Hon. R. B. Gajraj.

The Hon. R. C. Tello.

Deputy Speaker:—

Mr. W. J. Raatgever, C.B.E.

Nominated Officials:—

Mr. W. T. Lord, I.S.O.

Mr. J. I. Ramphal.

Nominated Unofficials:—

Mr. T. Lee

Mr. W. A. Phang

Mr. L. A. Luckhoo, Q.C.

Mr. W. A. Macnie, C.M.G., O.B.E.

Mr. C. A. Carter

Mr. E. F. Correia

Rev. D. C. J. Bobb

Mr. H. Rahaman

Miss Gertie H. Collins

Mrs. Esther E. Dey

Dr. H. A. Fraser

Lt. Col. E. J. Haywood, M.B.E., T.D.

Mr. R. B. Jailal

Mr. Sugrim Singh

Clerk of the Legislature —

Mr. I. Crum Ewing

Assistant Clerk of the Legislature—

Mr. E. V. Viapree (Ag.)

The Speaker read prayers.

The Minutes of the meeting of the Council held on Tuesday, the 29th of March, 1955, as printed and circulated, were taken as read and confirmed.

PRESENTATION OF REPORTS AND DOCUMENTS

The Attorney General: On behalf of the hon. the Chief Secretary I beg to lay on the table:

The Second Report of the Public Service Commission for the period 1st January, 1954 — 31st December, 1954.

ORDER OF THE DAY

PENSIONS (AMENDMENT NO. 2) BILL

The Attorney General: On behalf of the hon. the Chief Secretary I beg to move the first reading of a Bill intituled:

“An Ordinance further to amend the Pensions Ordinance, 1933.”

Mr. Gajraj: I beg to second the motion.

Bill read a first time.

Bill read a first time.

Consideration of items 2 to 6 on the Order Paper was deferred.

BRITISH CARIBBEAN FEDERATION

Council resumed the debate on the following motion by the **Rev. Mr. Bobb:**

“That this Council, having noted the steps which are being taken by other Caribbean Governments and by Her Majesty's Government towards the creation of a British Caribbean Federation, and the statement of the Secretary of State for the Colonies in Parliament to the effect that the constitutional instruments will provide that British Guiana and other territories which might care to do so will be quite free to join the Federation, is of the opinion that British Guiana should join the Federation, and that the question of this

country's participation therein should be re-examined.

This Council further prays His Excellency the Governor to take such steps as he may deem fit to keep British Guiana in close touch with the action now proceeding towards the setting up of the Federation, and to ascertain the state of public opinion in this country towards participation in the Federation.”

Mr. Jailal: When the Council adjourned on Tuesday afternoon I was about to complete the point that the West Indian Colonies and British Guiana were certainly proving themselves worthy of attaining full nationhood. I had said that I regarded the achievement of India not only as a triumph for the Indian people but for the coloured peoples of the world. Similarly, I feel that if and when Federation gives to these parts a similar status it will be another triumph for the coloured people of the world because, as we well know, the majority of the people living in these parts are coloured people. It will be a triumph indeed, because of a very unpropitious past — something that we cannot be proud of. However, we have been able to arrive at this stage when we are thinking of something on a higher plane. It has been suggested that the time is not ripe for British Guiana to join in a Federation, but I fail to see the opposition's point of view, or the point of view of the hon. Member who moved the amendment.

Mr. Luckhoo: To a point of correction! The point has been made by several speakers that my amendment suggests that the time is not ripe. That is a gross mis-statement of the amendment. It merely says that we should inquire into it now — “if necessary” are the words I used. There is no question of delaying it, as has been suggested. I feel that I should bring that to the attention of the Council.

Mr. Speaker: I quite agree with the hon. Member.

Mr. Jailal: I do not wish to disagree, but the agreement, to my mind, carries a certain delay of action. I wish, however, to make the point that I feel, and I believe other Members also feel, that if we are to enter into equal partnership with the other Colonies the time is now, because if we are to bargain and to try to drive the best bargain we must do it at the beginning. There is no good purpose in waiting until the terms have been set out, and then, as it were, begging to be given an opportunity to go in. Besides that, I gathered from the report made to this Council by the hon. Mr. Gajraj on his mission to the Trinidad Conference, that we could get better representation in the Federal Government than the six seats recommended for British Guiana in the Rance Report. That is an inference I can draw, and I believe I am correct. I feel that with very strong representation we could certainly secure more than six seats because, as other speakers have said, British Guiana has much to offer, and certainly has a strong bargaining force. I think our weakness was in our representation.

Mr. Lee: The hon. Mr. Smellie went to the London Conference as an observer from this Colony, and he has definitely stated that at that Conference it was agreed to accept the 50 seats recommended in the Rance Report.

Mr. Speaker: It is quite clear that the allocation of seats can be increased. I do not think we need pursue that point. On these points each Member has a right to his own opinion, and to say what he thinks he likes. That is why we have to show some patience with differences of opinion. The hon. Member's logic may not appeal to some of us, but please do not interrupt him. He is entitled to draw his own inference as to whether we should join the Federation now, tomorrow, or never at all.

Mr. Jailal: Sir, there are some who have been talking in this Council, and

outside, about our "continental destiny". Continental destiny, yes; if we take our geographical position as it lies on the map. But certainly those who know the problems that exist in this isolated English-speaking land would know that it is difficult to hope for a continental destiny when to the South of us there are people who speak Portuguese, to the East those who speak Dutch, and to the West those who speak Spanish. Quite recently the Venezuelans have openly said that they do not want labour coming into their country from these territories, because there is a difference in language and a difference in customs. There is a basic difference in normal training.

On the other hand we have the Surinamers who, for the most part, are exceedingly friendly to British Guianese. I do say it is one of the places to which British Guianese can go as visitors and feel very happy. But that is where the tale ends. The moment you commence to speak about migrating there, the line is drawn. I know that from my experience of living among them. We are in colour, pigment of skin, probably the same kind of people, but we have an entirely different heritage, an entirely different past and, therefore, I do not see any hope in the coming together of British Guianese and Dutch Surinamers. It is as much for us to hope of coming together with our Brazilian and Venezuelan neighbours.

There is no "continental destiny" for British Guiana. We may build all the roadways to the borders of those countries, and we may be able to acquire some trade and commerce with them, but nothing else. It will take generations to wipe out the existing differences. So the talk of "continental destiny" holds no water.

[Mr. Jaijal]

I want to draw Members' attention to this. Some Members have said in this Council that many people would be drawn into this country. I have made that point already, but I want to reinforce it by saying that if we take Israel for an example, the bigger nations did all they could to put the Jews in Palestine. Formerly they spent much money, and are still doing so, in order to get these 'unwanted' people settled. Britain today is faced with a problem of immigration from the West Indies. I feel that that is something that should go on, because in its continuance British Guiana stands to gain because of its land space. I feel that Britain, and probably other countries, such as the U.S.A., would join hands to find a place for those who now seem to be "displaced" persons. I feel sure that England would be quite willing, at some time in the very near future, to offer us very good terms to let those people come down this way instead, and so British Guiana will gain by it.

All over the world the theory that people of different classes and races cannot live together is being exploded. In the U.S.A. there is a federation of different speaking peoples of all the races of this world. It has worked in Australia. It has worked in Canada, and it has worked in Malaya. I cannot see why federation should fail in the Caribbean. Those people have no different brains; they cannot order their lives any better than we can. We are going to make mistakes which we will have to correct ourselves. Nobody will be holding a stick over us as we make mistakes and correct them ourselves.

I would like now to turn to what I would call the real advantages of Federation. Our advantages mainly lie in agriculture. Let us take sugar in the first place—first things first. Sugar has been regarded as, shall I

call it, the great economy of the West Indies. For some time it dominated the lives of almost all the people, but within recent times that picture has changed somewhat. A certain Member made reference to the fact that cane-farming is being done on a peasant basis in Jamaica. I totally disagree with that, because my information is that there is only about 10 per cent. of peasant cane-farming done in Jamaica. As a matter of fact, quite recently the sugar people in Jamaica forced their producers to cut their acreage, but those acreages that have been cut were not converted into rice, as some people would have us think. Those acreages have gone to bananas, and I have been told by responsible people that the cane-farmers were actually glad because they felt they would make higher profits out of their banana plantation than they would have made out of those lands that canes had been taken off.

Mr. Raatgever: Mr. Speaker, is the hon. Member saying that Jamaica has not a quota of 100,000 tons of sugar at the present time? I do not know if he is trying to say that.

Mr. Jaijal: No; I am not saying that at all. What I am saying is that Jamaica has not converted her sugar lands to rice. I go further and say that when Britain gave £4 million to the Colonies to expand their food production it was not done because Britain wanted Jamaica or Trinidad to compete with British Guiana in the production of rice. What actually was happening in Britain was that they feared that those people would not be able to produce enough food to carry their own burden, and consequently they were quite willing to hand the money out; and British Guiana got the biggest share. It was not the case that Trinidad and Jamaica got

the largest share. In the case of Jamaica it was unfortunate that England should have done that, as it has turned out now. I know that Jamaica cannot proceed with such a policy if British Guiana joins the Federation, because it has already cost the consumer in Jamaica—statistics have proved that—over \$400,000, in what I would call “subsidising” rice.

The Jamaicans, in an attempt to protect their local industry, have had to pay an increased price for the rice that is grown and sold there, much more than the price of rice from British Guiana. But they are trying to protect the local industry. They had so much money invested in it that they had to do that. I do not see the continuance of this in a federal arrangement. I cannot believe that any Federal Government would permit a unit to continue to cause the people to pay more for a product that grows within the federal area in order to protect a small local industry. I cannot believe that, especially when it costs some two and a half times more to produce a bag of padi. It just does not work. It is not sound economics. A similar situation arises in Trinidad. Trinidadians are trying to grow rice. Is it that they are going to do all the work that British Guiana has already done in Block III in order to bring in a small portion of rice yield? I do not believe that. It is impossible to believe that it is good economics.

Sir Frank McDavid: May I ask the hon. Member to permit me to intervene? He is saying it would not be good economics. The point is that economics do not come into it. In a federal structure nothing could prevent British Guiana's rice going into Jamaica and Trinidad completely free of duty, so that automatically the rice production in those territories would be “killed”. It is not

a matter of economics. It is a matter of the practical results of genuine federation.

Mr. Raatgever: I think the hon. Member's argument is entirely wrong.

Sir Frank McDavid: It is not necessary for the Trinidad and Jamaica Governments to go into the question immediately. It will happen automatically.

Mr. Raatgever: The Jamaica and Trinidad Governments are encouraging the people to produce rice and will only allow a limited quantity of rice to enter those Colonies.

Sir Frank McDavid: They cannot do that in a federation.

Mr. Raatgever: They will have to give protection to their own people. I took pains to say that in Jamaica there is unemployment. I did not want to correct the hon. Member, Mr. Jallal, but this £3 million was a grant from H. M. Government for the specific purpose of planting rice. I had made that statement before and I make it again. I got it from the C. D. and W. Report.

Mr. Speaker: I would be obliged if hon. Members would not interrupt a Member by rising to contest any difference of opinion there may be between them as to what may be the result of territories joining a Federation. If a Member is to be interrupted at all, it is because he is believed to be mistaken about certain facts and things of that kind, which he might be relying on in support of his argument, and which are not accurate. I should be glad if Members would not unduly interrupt Mr. Jallal, who usually seems to know what he is talking about.

Sir Frank McDavid: I am sorry to speak again. I quite agree that a Mem-

[Sir Frank McDavid]

ber is allowed to intervene to correct facts which are being mis-stated. I can do so now, if you permit me, because two erroneous statements have just been made.

Mr. Speaker: I quite agree that it is usual to allow a Member to intervene and correct an erroneous statement of fact made by another Member. Do you wish to correct a statement?

Sir Frank McDavid: Yes, Sir, as a matter of illustration, as I know the whole facts of this \$3 million loan. That sum was provided by H. M. Government in order to enable Rice Research experiments to be conducted in various parts of the Commonwealth, and we, like Trinidad and Jamaica, claimed a certain part of that money for research—not for growing rice or the reason Mr. Jailal gave — that H. M. Government gave it for food situation. The rice production was small, and that is why the Government was most anxious to vote this sum of money for research in rice. Such an inference, as events turned out, does not appear to be necessary.

The other point which I hope to correct is the statement that unit members of a federation can do something to protect their own people from genuine trade with the other units of the federation. In other words, if there is a federation, we shall have free entry of our rice into those markets as if they were our own domestic markets. There is nothing the Federal Government can do to prevent it.

Mr. Jailal: I thank the hon. Member, but I still feel that if the people of those islands proceed with the planting of the rice they cannot sell it at economic prices. That is what I am saying, and I did not go way down into the story about how the loan was made. I feel that any research in rice is bound to involve food production as a whole.

Sir I want to refer to two statements made by the hon. Member, Mr. Raatgever. The first appears in yesterday's "Daily Argosy"—the 30th March, 1955,—on page 6—

"...we have a rice industry that can compete with the East. There is no doubt about it because it is easier to get rice from British Guiana than from the East. To get rice from the East you will have to carry large stocks . . ."

and so on. A year ago, in the "Daily Chronicle" of the 28th March, 1954 Mr. Raatgever said —

Mr. Speaker: In this Council?

Mr. Jailal: In a release to the Press.

Mr. Speaker: You will have to read it first. The Deputy Speaker may be in a position to say whether or not it is a correct report.

Mr. Jailal: It says —

"The Deputy Speaker of the Legislative Council, Mr. W. J. Raatgever, C.B.E., in a forceful address in the Council on Friday, March 19, discussed—"

He actually suggested that rice was brought here in ballast and he was afraid that we could not expand our rice industry because the markets would not buy from us. Sir, I do not know which one the hon. Member means to hang on to.

Mr. Raatgever: Sir, I think this is a good point at which to intervene. I have a report by the "Daily Argosy" of what I said here on Tuesday, and if my friend Mr. Jailal had looked closely he would have seen this —

"I sounded a note of warning to the rice industry last year — I think it was three warnings. The first is that we should put our house in order. We will have to meet competition from the East because, from the information that I have, India and other countries in the East were preparing to produce rice in tremendous quantities to swamp the world markets;"

That is what I said, and I advised that we would have to cut down, and adopt proper measures to meet the threats. I went on to say :

"My appeal fell on deaf ears because nothing, up to now, has been done to make the rice market economic. We are still going on in a wasteful way and the result is that at the present time we have no first quality rice in this Colony."

I went on to point out that unless we make the industry economic, and unless the strain of the rice develops, we would not be able to compete with the East. And I will continue to make that point. I have been a businessman all my life and I know what I am talking.

Mr. Jailal: Regardless of what the hon. Member pointed out, I fail to reconcile the two statements. I will make a counter-statement. Rice production is one of the greatest employers in this country, because of the independence it carries with it. A rice farmer, if he sticks to rice alone, is able to make a living out of it, and therein lies the greatness of the industry. The people find employment for themselves, and for this alone, if nothing else, it is something to reckon with. If, as I said before in this Council, it were hampered, many people would suffer and the economy of the country would be affected.

I overheard a remark by a certain gentleman when I was going to the Rice Conference in Trinidad last year — "I would hate to face 1955 without a West Indian contract." This remark was made by Mr. John Fernandes, Chairman of the Rice Marketing Board, and it has a lot of weight. The rice producers of this country would be in a terrible dilemma if we had no contract. We should do nothing at any time to remove the opportunity of having a contract. But, if we have a federation we would have no need for a contract. The

market, as Sir Frank has said, would be a domestic market.

The situation that has arisen in this country, whereby people have been forced or asked to co-operate and eat coloured "Brown B" rice, would have been spread not only across the coast lands of British Guiana, but throughout the West Indies. Our rice did not suffer because we had a bad strain. Our rice suffered because of the elements, and no other reason. Our rice was planted correctly, as we know it. Our yields have improved as evenly and as good as any other part of the world, except where people plant half an acre of rice and are able to manure the soil with a high concentrate of manure. They can get a larger yield, but it would not be economic to plant 800 or 900 acres in that manner here, as in Japan where the man who plants half an acre gets a higher yield.

However, if we could, the people of the entire West Indies would have been able to share this burden and dispose of the situation which exists today. So I feel that one of the primary things a federation will do is to obtain for us a complete and full domestic market. We would not have to run to England or to Venezuela or to try the French Islands in order to sell some portion of our produce. The British West Indies would prove a reasonably large market for some years to come.

There have been those who say it would not affect the market. This is only the next best in theory, and it is not based on practice. I would like to examine it a little bit further. Let us assume we did not federate, and at the end of next year we approach the West Indies for a contract to give us every hope of maintaining our standard. Our present price of rice is higher than the world market price by a small margin.

Mr. Raatgever: It was not so when the contract ended last year. The market has changed and is liable to change again.

Mr. Jailal: This liability to change can be up or down, but the tendency is to go down. So I submit that the hon. gentleman who is not dealing in rice today, and who is not following the trend —

Mr. Raatgever: I am still representing the Rice Marketing Board on the B. G. Development Corporation, so I think I know something about it.

Mr. Jailal: I regret to say, with due deference to the hon. Member that being a member of these Boards does not necessarily mean that one follows something very closely. I am stating emphatically that the trend is now worse, and people who have been following it knows that it is now worse.

Be that as it may, if we had to go to the Islands for a contract, trying to maintain these prices (which farmers have literally gone their ends out to deserve by putting their property or farm in mortgage as tight security in order to procure lands or machinery) and, let us say, we failed to maintain at least the present price, what would be the position of the rice farmers of this country if we came out without a contract? The position would be untenable. If we succeed in breaking rice and giving to the East the \$9 million of business, what would be the position of the peasant rice farmers of this country?

When we have broken rice the natural tendency would be the flooding of labour over to sugar, which would then once again become our only economy. Those who were able to run back to their cattle would be able to save themselves, but those who were not in a position to do so would have to go in and labour on

the sugar estates. When the sugar industry finds itself with much more labour that it has now, the natural tendency would be to bargain for prices, and the price of labour would naturally fall. I feel that a note of warning should be sounded to our peasant farmers in this respect. We cannot afford to break rice.

Sir Frank McDavid made the point that lower duties, or no duties at all in the West Indies market would create a better position for British Guiana rice. In a Federation that would be true. Let us say that in a Federation we would still have to bargain for our rice. It would have to be decided what tariff we would have to pay. It is my opinion that in the interest of our rice farmers we cannot afford to stay outside of the Federation, because it is my view that they are the people to whom early benefits will accrue from Federation.

I would like to refer to some of the other industries of this Colony, dealing first with bauxite. The hon. Mr. Raatgever made some very caustic remarks about contracts with Companies that are taking ore out of this Colony. I would like to add to that. We are known to be large producers of aluminium ore, and it is known that shortly we will have a small hydro-electric plant operating in this Colony. Jamaica also produces aluminium ore. In a Federation wouldn't we have a stronger reason for forcing the Companies concerned to smelt the ore here or somewhere within the Federation? I see very good argument for that, and I think that with strong reasoning we might be able to force the Companies to install a refining plant here. By the same reasoning, if British Guiana wanted to have a sugar refinery for the processing or what is called granulated sugar we would be faced with the fact that we do not manufacture sufficient sugar in this Colony to feed

a refinery, but with the combined production of the West Indies and this Colony there would be good ground for urging the establishment of a refining plant.

Mr. Speaker: I do not know if the position is altered, but some years ago we were told that the entire production of sugar in the West Indies could not support a refinery. That statement has been made; I do not know how true it is today.

Mr. Jialal: I cannot agree with that, because I cannot see why we should hold on to the same argument of 25 years ago. Things have changed since then. Let us look at the other industries that we are not able to develop ourselves. We have a small match factory which produces a few matches per month. Trinidad also has a match factory. I believe that out of a Federation would come a merger of such small industries, and that more money would flow into the places where the primary products are made—where the match sticks are made.

I have heard about fibre factories and so on. We do not have the men with the necessary experience and the will to put money into such enterprises. In Jamaica and Trinidad there are more experienced investors. We certainly need and should get a bit more leadership in the business world. Our interior presents a problem. One has to have great courage to fight it. People talk about our 85,000 square miles of territory; they do not talk about the swamps and the shoals of white sand. We really do not have as magnificent a country as some people would have us believe. We are not in this country a people who are willing to go out into the wilds. We have had a nucleus of men going into the interior in search of gold and diamonds, and some who work in the timber forests, but we have not enough of such people.

Our people do not really know the value of what lies behind our coastlands, and they are not prepared to go there. On the Potaro road there is a settlement which has been made by people from the small islands of the West Indies who have developed a small community, and I feel that any immigration to this Colony will tend to go that way, as there is no place on the coasts for them. Some speakers want us to believe that people from the West Indies would be dumped in Georgetown, but there is no place in Georgetown for an influx of immigrants. I must say that the speeches of the opposition have been tainted with a certain amount of selfishness. We should try to catch the spirit of Khayyam in his famous lines:

"Dreaming while Dawn's left Hand was
in the Sky

I heard a voice within the Tavern cry,
'Awake my little ones' and fill the Cup
Before Life's Liquor in this Cup be
dry."

I feel that this country should catch that spirit. If we could hold on to it by joining the Federation we would be laying the foundation for a great future. It is my feeling that we of the British Caribbean are one people. We have one hope and one destiny.

Mr. Carter: In studying the question of Federation of British Guiana with the British West Indies one finds it so intriguing that one is reluctant to express an opinion in view of the arguments both for and against it. I was very much troubled when the hon. mover asked that his motion be given priority. I wondered what was the urgency, even though I knew there was to be a conference in Trinidad within a few days on the question of freedom of movement within the proposed Federation. But since the hon. Mr. Gajraj has given us his report on the discussions at that conference my fears have been very much allayed.

[Mr. Carter]

Before I go further I would like to make our unparalleled position very clearly understood. His Excellency the Governor in his wisdom has appointed 24 Members to this Council as representatives of the people, but none of us can rightly claim that he or she represents any particular constituency. It therefore follows that in such unique circumstances each individual Member of this Council is a representative of every citizen and every constituency, and as such bears a very heavy responsibility to the people, whatever his or her decision may be on this very important question.

I would like to indulge in a little exploration as to how the people of this country feel and think about Federation. There are some who do not even know that Federation is the topic of the day. There are others who do not know or care to know what Federation means. There are some who accept it because they believe it would benefit the Colony immensely. There are some who would accept it later when the Development Programme is better established. There are others who are fearful and suspicious because they are ignorant of the facts, but they may accept it if they could be better informed. There are some others who feel that West Indians would flood the country and vie with them for the few jobs there are; that they may accept lower wages or may add to our present ranks of unemployed. There are yet others who would not accept Federation under any conditions. This cross-section of opinion is quite natural, and in a Democracy it must be respected. None of us has any right to criticise those who feel as they do.

As a representative of the working classes I have to be extremely careful in my examination of this question, because I have discovered that selfishness, narrow-mindedness, short-sightedness and malpractices of those who guided the

destiny of this country in the past are responsible for our having today to entertain a motion for Federation. Those leaders were always afraid to do anything. They never accepted any plan for British Guiana, and any progressive idea was always greeted with the cry: "It is going to cost too much money." It all boils down to the fact that British Guiana seems never to have had any plan for its development. Today we are asked to accept Federation with the British Caribbean islands, and I have discovered beyond any doubt, by the same methods of examination, that the people of this country stand to benefit from Federation, therefore I will support the motion.

But in doing so I must appeal to the people of British Guiana to have faith in us, faith in their country, and faith in the future, because the people of the British West Indies are from the same stock as ourselves. When Sumintra, Ramsingh and Cuffy were put ashore in Trinidad and Jamaica, Tiwarry, Samaroo and Cudjoe were put ashore in British Guiana. We therefore have the same history and tradition, the same outlook, the same ideals and aspirations, all of which pooled together could build a strong and virile West Indian Federation to the credit of this Interim Government and to generations to come. One of my greatest fears was allayed by the report given us by the hon. Member, Mr. Gajraj, on the decision reached at the Conference in Trinidad on Freedom of Movement within the Federation.

But there is one other great fear or point which I would like to labour, because I did not hear it aired to my satisfaction by other Members. It is a sore point which, I believe, can be remedied by negotiation through our representatives, or through the foresight of whoever will be responsible for drafting the final instruments. That is, the basis of allocation of seats in the Federal Legislature. I do not agree with those Members who

feel satisfied that we should enter the Federation with six seats, according to the Rance Report recommendation, and that as our population increases from time to time we would be allowed more seats. This country has an area of 83,000 square miles, and although its population is not yet half a million I still feel that our size and population together provide a good enough balance to Jamaica's 1½ million population to give us a parity of seats with Jamaica. I would not agree to Federation if we are to be given only six seats.

British Guiana's vast land space and its potentialities of minerals, timber and water are our assets as against human population which, rightly speaking, is not an asset but a perishable commodity which can be swept off the Islands by hurricane, storm, or other serious catastrophe, and as I see we are thinking of entering Federation, it should be done only on a parity of seats. I go further. Since our country is blessed with freedom from terrestrial and marine disasters; since it will eventually become host to all the surplus population of the West Indies; since development will make it the industrial unit of the Federation, and since we have land enough and to spare, the Federal Government should be set up in British Guiana.

My reason for seconding the amendment was chiefly to encourage debate on every phase and angle of the motion, because a great many of our people do not realize what this Federation with the British Caribbean would mean to the Colony's future. At this point I would advocate that public meetings be held throughout the country by people who know, so that Federation can be explained and the people would know where they are going.

I have not touched on finances or development, as those were handled by other Members. I do not

feel that I should say much more on the motion, because every Member who has spoken has exhausted himself on almost every phase of the question. I am happier now than I was a week ago, for if I had spoken then I would have opposed the motion vehemently. Nevertheless, now that I have discovered the good that Federation holds out to British Guiana, the conflict with my conscience is settled, and I can arrive at a decision for our well-being.

Lt-Col. Haywood: Sir, I rise to take Ramadin's place in the batting order. At the moment, I understand that one of our opening batsmen is to close the innings. I rise to speak on the motion, and I do so without scruple and diffidence. Without scruple, well knowing that I am entitled to do so, and without diffidence, from the reliance I place on the sense of fairplay in all hon. Members of this Council, and in the majority of Guianese for that matter. I feel that it will be conceded by this time that I am something more than a stranger in a strange land. I have deliberately waited until near the end of this debate to add my quota, because I felt that Members who were born here had the prior claim to set out the arguments in detail.

Nevertheless, I am entitled to speak, and as I do so I would like to say, quietly but solemnly, that no individual or group of individuals has made the mistake of trying to put any pressure on me one way or another. So much for that. Moreover, I have done my best to look at this problem from all angles, knowing that it is one that affects the life of every man, woman and child in the country. My views are my own, and I hold no one responsible for them. I have no axe to grind on behalf of any particular race or section of the community.

[Lt. Col. Haywood]

I have now completed twelve years in British Guiana, and to anyone who would pin on me the label "bird of passage" I retort that it has been a remarkably slow flight. This "bird" has tried to identify itself closely with British Guiana. This "bird" has flown or "hopped" extensively throughout the country and has made friendships that it values among Guianese "birds" in all their attractive variety of plumage. Furthermore, the West Indies—to use the general term—are by no means an unknown quantity to me. I have visited Trinidad, Tobago, Jamaica, Grenada, Barbados, St. Lucia. I have had long and interesting conversations with people from Antigua, St. Kitts, Montserrat, British Honduras, Bermuda and the Bahamas. As a background, I have visited Surinam, French Guiana, Martinique and Guadeloupe. In short, I am able to look at the picture of Federation projected on a wide screen.

Sir, this motion, in my opinion, is timely. In some quarters it has been described as being a waste of time. I do not agree. I will say that it has done much to make up for valuable time that has been wasted. For far too long, far too little thought has been given to Federation, and we have been adjured now that we should not leave it to a few senior officials and to a handful of commendably enthusiastic politicians and thinkers to keep alive the study of the subject. I believe this debate, even if it achieves nothing else, has caused hundreds of Guianese — thousands, I hope — to talk of Federation, and that is the way it should be.

In some ways I do regret speaking late in the debate. After each adjournment I have had to cross out from my notes some point I intended to make, for I have no intention of

travelling slowly over ground that has already been thoroughly surveyed. Nevertheless, I would like to get it on record, that I am well able, if it becomes necessary or desirable to do so, to speak in considerable detail on the subject of Federation. I am not going to repeat the details, but I do assure hon. Members that I have followed their arguments very closely, and during the few moments that I did not actually hear them speak I made up for it the next morning when I got the newspapers.

Some six or seven years ago, when I first began to give serious thought to the subject of the Federation of the Caribbean Colonies, I came to the conclusion that political advancement in the Caribbean was being unduly hastened, although I did appreciate the growing desire of these Colonies to govern themselves. It seemed to me that, after many years in which the political education of the masses had been neglected — and I stress the word "neglected" — the United Kingdom was trying to rush matters. There was something of the attitude of a Fairy Godmother having a wand and saying that on such a date at such a time all you good people, inexperienced as most of you are in political thought, will suddenly be transformed into full-fledged democrats, well trained in the responsibilities of universal adult suffrage. In short, we were being asked to construct a "Federal Palace," before we had even built a "British Guiana cottage." To me then, it seemed to be a case of putting the cart before the horse.

But even in those days, five or six years ago, I did put forward my views as I conceived them. The time came when I had the chance to speak to Sir Hubert Rance himself. In company with other Guianese citizens I then advocated less emphasis on political federation and more stress

on regional co-operation. But what has happened in these parts in the last six or seven years? There has been increasingly successful regional co-operation. There have been mistakes made. There has been selfishness, shortsightedness, even greed, but the debit side is little indeed compared with what now stands on the credit side.

To avoid repetition of what previous speakers have said, I will not list the number of occasions—big and small—on which the Caribbean Colonies have demonstrated that in unity there is strength. By working as a team they have made their united voice heard at many an important conference. The Caribbean Colonies have made most commendable progress in recent years, and I stress that they have done so largely because they have worked as a team. It is good to think that a number of British Guianese have been worthy members of the team, not least among them, my friend, the hon. Member, Mr. Raatgever.

It is now abundantly clear that a number of the Caribbean Colonies who have been working together so successfully will soon join hands in Political Federation. A few years ago many of us thought that Political Federation was still a long way off. We now see that it is just around the corner. It is, therefore, most timely that we should review our position. To put it another way, Mahomet will not go to the mountain, but the mountain has come and placed itself right in front of Mahomet, and Mahomet is unable to ignore the mountain.

Sir, I am well aware that our first venture with universal adult suffrage was brief and inglorious, but we shall try again—and we all want the next

time to be a success. I find that I have got to the point where I believe that we ought to take on the double task of putting our own house in order and of tackling Federation at the same time. I believe that one task will help the other.

The hon. Member, Miss Collins, said that for British Guiana "Federation is Salvation". She may well be right. So much needs to be done here, and we need so much help. Last year \$44 million was made available. A big sum of money, but, at the same time, a small sum! I have been told that to put only one road in order—the road from Georgetown to Rosignol—will cost something like \$9 million. At that rate \$44 million will easily be spent, achieving much, but still leaving much to be done. Sir, let me be bold and say that to burst British Guiana open will cost not \$44 million but nearer \$440 million. Nobody is going to hand us such a vast sum on a plate as a present. We need Investments and we need Loans. Those who invest will expect dividends, and those who lend will expect not only the interest on their loans, but eventual repayment of the capital.

Not for one moment do I suggest that we shall not get some grants and some more loans from H. M. Government, even if we stay out of Federation. Such a suggestion would be nonsensical, even wicked. But I do not see that we are going to attract really huge sums of money here for a population of less than half a million. Even if we wait twenty or more long years and increase to the strength of one million, we would still be unable to cope with the financial problem of full-scale development.

[Lt.-Col. Haywood]

If we become part of the Federation we shall gain hundreds and thousands of new allies, for the Federal Government would not be able to escape the obvious conclusion that, in the interest of the whole Federation, British Guiana must be developed to the utmost. I too say that Guianese must first be given a full chance to obtain full employment, and that there must be no lowering of the modest standards of living that our people have achieved. Immigration, properly planned and controlled, would speed up development, and let us bear in mind that the descendants of immigrants would almost become Guianese, and Guianese taxpayers at that—the people who would swell Government's revenue and the sort of people to help the Comptroller of Customs and the hon. the Financial Secretary to sleep soundly at nights. In short, as I see it, Federation, Immigration, Development and Prosperity would march along together.

Healthy love of one's country of birth or adoption is well and good, and I have not the slightest desire to offend those who have spoken of the possibility of a Dominion of British Guiana, when I say that they are being unrealistic. There will be no Dominion of Jamaica, no Dominion of Trinidad, no Dominion of British Guiana, but I am completely and utterly certain that there is going to come into being a Dominion of the British Caribbean people—Guianese, Trinidadians, Barbadians, Jamaicans and all the others.

In Federation, in the Dominion that is to be, Guianese will still be Guianese, and Jamaicans Jamaicans. Why not? A Yorkshireman is none the less a good Englishman because he tries twice a year to thrash the Lancashireman at cricket. Crossing the Atlantic, the man from South Carolina will make

you understand that he does not come from North Dakota, but he is still a good American. There is plenty of scope for local loyalty. There will be pride in being a citizen of British Guiana, pride in being a member of a Federation speaking with its own voice in International affairs, and pride in being a member of a Dominion holding up its head among equals.

I believe that a majority of Guianese will support this Council, if we pass the motion. It may be a bare majority, but I believe there would be more with us than against. I am certain, however, that those who have made up their minds are heavily outnumbered by those who have not done so. The real majority will find it impossible to reach a clear conclusion until they know what new terms we can agree upon, if we send delegates to discuss the question of our participation in Federation, and also have it explained to them how those terms would work out in practice.

I have the hope that delegates from British Guiana will soon be sent to meet representatives from the Islands and from the Colonial Office. I believe those delegated would have their bargaining power strengthened immeasurably, if we pass the motion in its present form, for by doing so we would give a clear indication that we are in earnest.

I am well able to see that the bargaining would be hard and shrewd, but I take it we would send men who could hold their own; men of vision; men able to do something more than combat insularity with parochialism. On this point of insularity, let us remember that the Caribbean Islands are in good company. It was only some twenty years ago that a London newspaper, one morning, carried the headlines "Violent Storms in the English Channel. Europe Cut Off!" Poor little Europe! From Calais to Moscow, and from Hamburg to Athens, all cut off from Britain! I would wager that the majority of Englishmen

did not see the joke until it was pointed out to them. I would also wager that, when they did see the point, they had a good laugh at themselves.

If we join the conference table why be afraid that we shall be like a milksop sitting in a poker school with a gang of card sharpers? Surely there would be none of the atmosphere of a poker school at the Georgetown Cricket Club! In the doughty warriors among the ranks of Tuscany I see the qualities we need. Our delegates would need something of the modesty of a Macnie, the placidity of a Phang, the resolution of a Raatgever, the liveliness and the lustiness of a Lee — yes, and the stamina of a Sugrim Singh.

Remember, too, that the understanding of compromise, of healthy give-and-take, has been developed in recent years. Is not the recent conference in Trinidad an encouraging example? The biggest hurdle, perhaps, is the question of our representation in the Federal House of Assembly in the early years. Let us try again to clear that hurdle. As time goes by, and as our population and our production of wealth increase, is there any real doubt that our representation would also be increased?

If we stay out of Federation, I am of the mind that it would be a tragedy, a surrender to fear. We would deserve to have said to us the lines spoken in "Julius Caesar" by Messala when he looked down on the corpse of Cassius:

"Mistrust of good success hath done this deed.

O hateful Error, Melancholy's child,
Why dost thou show to the apt ears of men,
The things that are not."

At this stage we are being invited to state our serious opinion. When the Legislative Council knows the terms on which we could now join in Federation, and knows, also, the wishes of the people, then would be the time for this Legislative Council, or its successor, to turn an

opinion into a decision, into action. Meanwhile, it is my duty to express an opinion. My opinion, my conviction, is that British Guiana would have a better future inside Federation than outside, and for that reason, and that reason alone, I support the motion.

The Attorney General: Mr. Speaker, I hope this Council will pardon me if I begin on a personal note. Hon. Members are fully aware that I am a West Indian. I come from the small Island of Barbados, but I have had the privilege of being in British Guiana since June, 1944.

Mr. Sugrim Singh: A naturalised Guianese.

The Attorney General: I am grateful to the hon. Member, Mr. Sugrim Singh, for his compliment. But I think this Council would be generous enough to appreciate that any reference I may make in the course of this debate, and any comments which I may utter, will be actuated by the highest motives, and by what I regard as a true interest in this Colony.

I have listened with very great interest and attention to the speeches of the hon. Members of this Council — opinions expressed for and against this motion which seeks the acceptance of Federation in principle. I believe I am right in saying that this debate has engaged the attention of this Council for some time, and this is the 13th day — I hope there is no one in this Council who is in any way disturbed by that fact.

Before dealing with the motion itself I wish to refer to certain aspects of the debate. I desire to pay a tribute to you, Sir, for taking what I respectfully suggest was the correct course as Speaker of this Legislature, in accepting the motion and placing it before

[The Attorney General]

the Legislature for the purpose of debate, and also for the ruling which you gave. I wish also to pay a tribute to you, Sir, for the decision which you gave on the objection raised by the hon. the Deputy Speaker. I think the Council will share with me the deep satisfaction for the manner in which you have presided over this debate, particularly having regard to its importance; for the tolerance and the latitude which you have accorded the various speakers, and for your keen appreciation of the issues involved as well as for your quick perception of various aspects of this matter, which is not without controversy and some difficulty.

I would also wish to commend the hon. mover of this motion for bringing it forward, and for the careful, restrained and lucid manner in which he presented it to this Council. May I also take this opportunity of commending all those Members—and I think everyone has spoken — for the thoughtful manner in which they have approached the question and expressed their views. I think it would not be out of place if I expressed my appreciation of the high standard of the debate, the thought, care and, in many instances, the research shown in the preparation of this motion and its presentation.

But I hope that although there are some Members who have expressed themselves very strongly against Federation, the result, whatever it might be, will be accepted as an honest and sincere endeavour of the Members of this Legislature to deal with this problem which, as I said before, is not without controversy, I am happy to note that the question has been argued from almost every conceivable angle, and I am glad that the opposite side of the

picture has been presented fully and very forcibly.

Although I may not agree with the views and the arguments advanced by the opponents of Federation, I think it is very desirable that every opportunity should be given for the presentation of their views, and I am in full agreement with the point made by the hon. Member, Mr. Sugrim Singh, that an opposition is a very necessary part of our democratic government. Let us preserve our balance, our sense of proportion and a proper perspective. I accordingly endorse his statement that it is one of the fundamental principles of constitutional practice and of our legal system of jurisprudence, that we should hear the other side. Perhaps I may quote from the speech of the hon. Member, Mr. Macmillan, in concluding the debate in the House of Commons on the 22nd October, 1953, on the question of the suspension of the British Guiana Constitution:

“Parliamentary Government, as we know so well, depends upon a high degree of mutual forbearance and good will. We differ often in this House and disagree on many things; but the only reason our system works is because we know that in the last analysis we agree about a great many more—and these more important and fundamental.”

Now, Mr. Speaker, if you will permit me, I should like to refer to the motion itself:

“That this Council, having noted the steps which are being taken by other Caribbean Governments and by Her Majesty’s Government towards the creation of a British Caribbean Federation and the statement of the Secretary of State for the Colonies in Parliament to the effect that the constitutional instruments will provide that British Guiana and other territories which might care to do so will be quite free to join in Federation—”

I pause there to emphasise the fact that in that preamble we are recog-

nising the fact that we are part and parcel of a most important movement in the Caribbean area, and that whatever we do and however opposed we are, we cannot ourselves put the hands of the clock back—or stop the Demerara Rivr from flowing. The flood-gates are open. The most important part of the motion comes next : that this Council—

“is of the opinion that British Guiana should join the Federation.”

With regard to that first part of the motion there has been much controversy, because it has been suggested that this Council, having regard to its nature and structure, is unable by collective voice to express an opinion on such an important and vital matter. With this I do not agree, and I shall seek to develop that point a little later on.

The second part of the motion is that part in which the hon. mover is cherishing and seeking to salvage, or at least to preserve out of the whole motion, and that is, that the question of this country's participation therein should be re-examined.

The second and final paragraph of the motion goes on :

“This Council further prays His Excellency the Governor to take such steps as he may deem fit to keep British Guiana in close touch with the action now proceeding towards the setting up of the Federation—”

The hon. Member, Mr. Raatgever, made some very strong comments with regard to Mr. Gajraj being sent the conference recently held in Trinidad without reference to this Council. But involved in this part of the motion is the same point — that the Governor himself should take steps as he thinks necessary. I think that hon. Members will agree that this really

means that the Governor should continue from time to time to take whatever steps he may deem necessary, expedient and desirable to keep in the closest possible contact with all the movements that are going on in connection with Federation. Then the resolution proceeds :

“and to ascertain the state of public opinion in this country towards participation in the Federation.”

That, in fact, is the most important aspect of the resolution, and the one which, obviously, having regard to the nature of this Council, must present the greatest difficulty, and must occasion the most serious consideration and thought. I have mentioned that the hon. Mr. Luckhoo has introduced an amendment, the effect of which is to ask that the question of Federation should be re-examined, thereby excluding any expression of opinion by this Council as a collective body, brought into existence under the British Guiana (Constitution) (Temporary Provisions) Order in Council, 1953. I think it would be proper if I reminded this Council and the country that the policy of the U. K. Government has been for a long period to assist the development of colonial territories toward self-government. May I refer to the speech made by the late Col. Oliver Stanley in October, 1948, which is reported in the proceedings of the Commonwealth Parliamentary Conference, at page 122, and in which he said :

“We are rather apt to talk as if Constitution-making were a sort of game, and if only the British Government were sufficiently kind-hearted it would give a Constitution which some of the territories would accept. Now, there is really a little more in it than that. A Constitution is not merely a bit of paper which appears to transfer power from one party to another; it is also the machine under which perhaps millions are going to live, and on the good working of which the prosperity

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and happiness of millions are going to depend. For an advance of that kind there have to be two sides: not only he who gives but he who accepts; and both have their responsibility and their obligation.

"I have always been a believer in the future of Dominion Status for the West Indies. But I have always been certain that Dominion Status for the West Indies depended upon a federated West Indies. When I was Colonial Secretary I think I first officially stated the policy of His Majesty's Government on that point, and it has since been pursued with energy by my successor. Now, making federations is not a very easy job. There are men here from Australia and Canada who know how long it took to evolve their Constitutions; and in a way their task was easier. Even the model to which reference is often made of the Federal Constitution of the United States in its embryo form took twelve years after the Declaration of Independence.

"If the federation of the West Indies is a broad and difficult question, there was inside the West Indies one small federal question of much smaller dimensions, and which should have been much easier: namely, the federation of the Leeward and Windward Isles, where no less than nine separate Governments are in existence in a small area with a small population. Even when I was Colonial Secretary I proposed the federation of the Leeward and Windward Isles: that was five years ago. Mr. Mervynshow the representative of the Windward Isles, holds a position of considerable responsibility there. But after five years still nothing has been done on that small and comparatively simple question of federation.

"I agree with Mr. Gomes. We have to call for something on both sides, and the political future of the West Indies depends not only on the progressive spirit of His Majesty's Government at home, but also on the reality and responsibility with which the West Indians themselves are prepared to face a responsibility which we are anxious to transfer to them."

I hope hon. Members will not think that in this reference to West Indians "we" Guianese have been in any way left out, because hon. Members are aware that it was as a result of a

despatch from Col. Stanley that we had the first debate on Federation in this Council in 1945 on the motion by Mr. Hubert Critchlow, when it was decided to send delegates to the Conference at Montego Bay, at which you, Mr. Speaker, Dr. Singh and Mr. Seaford (now Sir Frederick) were delegates, with Sir Frank McDavid and myself as advisers. When that debate took place on the motion by Mr. Critchlow I think there were four Members of that Legislative Council who are still with us—you, Mr. Speaker, Mr. Lee, Sir Frank McDavid and myself.

You will pardon me, Sir, if I refer to what I said then, because at that time the Governor, Sir Gordon Lethem, having referred to the despatch from Col. Stanley which clearly he had played a conspicuous part in framing, asked me to address the Council as a West Indian, as I am doing now. I think I told the Council that any comments which I might make in the course of my address would be actuated by the highest motives, and by what I regarded as the best interests of British Guiana; that I was not seeking to make debating points, or in any way to be adroit or clever. I am stating what are the facts recorded in *Hansard*.

I wish to pay a tribute to the hon. Mr. Raatgever for what the hon. Mr. Smellie described as his consistency. I am sure all hon. Members appreciate the fact that Mr. Raatgever believes that anyone putting his hand to the plough and looking back is not worthy, so having once taken up the attitude of a strong protagonist of anti-federation, he consistently pursues that course. I am sure, however, that if any of the arguments which have been adduced by hon. Members in the course of the debate have convinced him, he would, with the same courage and forthrightness, agree to accept Federation. I am sure that there have been many points raised in the course of the debate which must have made some dents in his armour,

May I be permitted to return to the point I was making—that in October, 1945, almost 10 years ago, the same question was exercising the minds of legislators, and in the course of my speech I said:

“I suggest that the question which arises for our determination in this Council is whether we approve in principle of the idea of Federation, and, secondly, if we approve of the idea of Federation, whether we are prepared to take part in a conference at which the details of the machinery will be worked out.”

Ten years have gone by, and I find myself still seeking to convince hon. Members. Some have been convinced and some satisfied in the course of time, and I am glad to know from the speeches which have been delivered, that the majority are now in favour of Federation in principle. The difficulties we realised then are still ahead, but we have gone one step farther, and it has taken us 10 years to make that one step, to make that change in the life and history of this Colony. Somebody has asked: “Why the change?” The answer is: “You have got a short memory.” I doubt whether any hon. Member in this Council would have dared to put such a question a few months ago. Shall we always watch the river flow by towards its mouth while we stand on the banks helpless, in a state of complete inaction? Let us not be, like Rip Van Winkle, fast asleep, to wake up and find that the events have passed us by.

In this second half of the 20th century we are going to see more startling changes than we have seen in the first half. Must we not adjust ourselves and our circumstances to the rapidly changing events of the world? Must we still believe that what was good 40 years ago is necessarily good today? I doubt that, and I do not think any Member can put his hand on his heart and say he agrees with such a position, such an attitude. In those days the hon. Mr. Lee was one of the most ardent pro-

tagonists of Federation that one can imagine and, perhaps, the hon. Member would not object to my saying so.

Mr. Lee : No.

Mr. Speaker: And Mr. Critchlow.

The Attorney General: I will give Mr. Lee's comment. On the 5th of September 1945, the hon. Member said—I am reading from *Hansard*, column 741—

“Mr. Lee: The hon. Member for North Western District referred to some of the points in the Secretary of State's despatch —”

Mr. Lee: I was not the hon. Member for North-Western District.

The Attorney General: Mr. Lee was speaking and he began his speech by saying—

“The hon. Member for North-Western District referred to some of the points in the Secretary of State's despatch on which I had intended to speak. —”

Mr. Sugrim Singh: The motion for Federation was accepted and the hon. Member said so.

The Attorney General : I know he did, but I am only just trying to emphasize and point out to hon. Members that my learned and hon. friend has gone back very far. He has travelled the road from 1945, but not forward.

Mr. Lee: I sat at a round table conference and that made me so.

The Attorney General: I will come to that. Continuing his speech the hon. Member said—

“I cannot conceive of any Member of this Council, who has the progress of this Colony at heart, opposing this motion. Having supported the recommendations of the Royal Commission in every detail, I cannot conceive of Members turning down this suggestion of federation with the West Indies. The hon. the Sixth Nominated

[The Attorney General]

Member (Mr. Edun) stands for adult suffrage as the basis of self-government, yet he says he is not in favour of federation. I am positive that had he read the despatch he would have seen that the Secretary of State is directing the Legislative Council to pursue a policy with the aim of federation. That is what we are here for — to stress Government policy. Members talk about a United Colonial Service, a West Indian University and a United Medical Service. Aren't these things a step towards self-government?"

Since that time—ten years ago—there has been a greater advance towards unity, a greater unifying process going on. There have been more people getting together, more conferences, and the hon. Member not only spoke in support of the motion but went as an observer to the several meetings of the Closer Union Committee, and instead of being able to guide and assist this Council he came here and presented us with a speech, the likes of which I never heard.

Mr. Macnie: To a point of information! Is it not the case that other Members besides Mr. Lee — in fact several Members of this Council — who occupy seats in this Council have had a second thought themselves?

The Attorney General: Mr. Speaker, I thank the hon. Member for his untimely interruption. What I have said is that he (Mr. Lee) has gone back.

Mr. Macnie : That is a matter of opinion — whether he had a second thought.

The Attorney General: If the hon. Member has an opinion, why should I not have one and express it too? I am only expressing an opinion in so far as the hon. Member's attitude is concerned. So far as his views are concerned, he is perfectly entitled to them. I said that to the hon. Member. What I am

doing is to comment on the changed views of the hon. Member, particularly having regard to the fact that he went as an observer and he told this Council that his change-over was due to something that took place at one of the Conferences in Jamaica. I think, Sir, if the hon. Member considers the matter seriously he would undoubtedly realize that what he told this Council was not sufficient; was not cogent or compelling; was not in any way justification for his changed attitude. He has not told us that the economics of the West Indian Islands are poor; that they are poverty-stricken. I do not think what the hon. Member said did him any credit, and I have a great affection for him, as he knows.

Mr. Lee: Mr. Speaker, I may tell the hon. Member that all my notes which I took as an Observer in the Closer Union discussions were handed back and burnt in Jamaica. They were strictly confidential and, therefore, I could not, either in this Council or anywhere else, say exactly what happened.

The Attorney General : I am not asking the hon. Member to divulge any secrets of the Conference table where he occupied a position as an observer on behalf of this country. All I am saying is that the reason he has advanced to this Council is one that can carry no merit, and which does not do him any credit for expressing it as a reason for his change. I think I am justified in making that comment. I am making it in good part and I hope he appreciates that, and that the high regard and respect existing between us will continue.

The motion is undoubtedly one of very great and vital importance not only to British Guiana but also to the other Caribbean territories, and because of this importance it is the bounden duty of this Legislature to give the fullest consideration to every point that has been

advanced for or against the principle of Federation, which means much to the present generation and even moreso to the generations to come.

Here I would support the congratulations which the honourable Member for Agriculture (Sir Frank McDavid) expressed on the day that the news was received of the quick solution which had been reached by those West Indian leaders who gathered at the Conference in Port-of-Spain, Trinidad, to which we had sent an observer in the person of the hon. Member, Mr. Gajraj. It was in fact a matter of the greatest importance in the life, the growth and the development of the Caribbean area because, as the hon. Member, Mr. Jailal, said, it is more or less the birth of a nation, the birth of a West Indian nation, and what we are doing here today, and what we have been doing these past twelve days, is to discuss this important motion because it also means a tremendous lot to the people of this country.

Involved in the consideration of this motion is the question of the constitutional rights of this Council, composed, as it is, of 24 Nominated Members with three ex-officio Members. You, Mr. Speaker, have ruled that the motion was the subject of debate by this Council, the honourable Member, the Rev. Mr. Bobb, in introducing it referred to the constitutional right of this Council to debate the motion, and the hon. the Chief Secretary stated that he thought the Council was legally competent to do so. The hon. Member, Mr. Sugrim Singh, also expressed agreement with this point of view.

The question as to the competence of this Legislature to debate a matter of this sort has been the subject of much discussion outside this Council, and indeed of much comment, but I would venture to say that some of those who have taken a stand against have little knowledge of Constitutional Law

or Practice. I think it is true to say that none of the legal Members of the Council raised the question, on grounds of law, of the incompetence of this Council to consider it. In fact the hon. Member, Mr. Luckhoo, and the hon. Member, Mr. Ramphal, did take the view that this Council is competent to discuss the question.

Perhaps, it would not be considered improper if I gave reasons in support of the view that the Council is quite competent to debate the motion, not only to express an opinion but, in its corporate capacity as a Legislature, to express an opinion such as the motion seeks to do. I wish to state here and to emphasize the fact that from a constitutional point of view there is nothing in the Constitution to prevent this Legislature from debating the motion and expressing its opinion. I would go as far as to say that this Legislature is competent to determine whether British Guiana should federate or not, but the value of that determination must obviously and consequently depend on the support which it receives. In the particular circumstances of the structure of this Legislative Council the hon. Mover has adopted a course of moderation and of prudence. Having regard to the fact that this is not a democratically elected Council, the hon. Mover is seeking to obtain, in some way, the support of the country, if the opinion is that Federation is acceptable and should be accepted in principle. Apart from that, from the very nature of the subject of Federation, it must be the desire of the people to federate.

I will not seek to go into the history of the debate in 1951 and the results of the voting in that debate. I think the hon. Member for Agriculture has made a very careful analysis, and has suggested to hon. Members that there is no ground or justification for the conclusion that the people of this country are against Federation. I agree with what

[The Attorney General] what the last speaker has said — that this debate has achieved one very great and important object; it has focussed the attention of the people of this country on this question, and the fact that it has been somewhat protracted cannot be regarded as in any way wasted time or wasted effort, because as the result of the speeches which have been made, in course of time many people would be discussing this question and seeking to ascertain what Federation really means. I agree entirely with the views of the hon. Member, my gallant friend who sits at the end of the table (Lt. Col. Haywood).

If hon. Members would bear with me I should like to refer to the United Kingdom-British Guiana Act of 1928, because that is the basis of our Constitution. That was passed by the United Kingdom Parliament. It is a very short Act. Section 1 says:

“It shall be lawful for His Majesty in Council to create and constitute and substitute for the existing Legislature a Legislature for the Colony of British Guiana in such form and with such powers as His Majesty in Council may determine and from time to time to alter and amend the Constitution of the Legislature and any powers thereof.”

Mr. Sugrim Singh: “From time to time and to alter the Constitution” — I did not get that clear.

Mr. Speaker: It is in the bound volume of the Laws.

The Attorney General: The hon. Member can find it in Volume 1.

Mr. Sugrim Singh: I was wondering whether it read “from time to time this Legislature would alter the Constitution of Her Majesty in Council”.

The Attorney General: I am sorry the hon. Member has not seen it before in the Laws of British Guiana.

Mr. Sugrim Singh: I am aware of the Section. I asked the question to lay emphasis on the words “Her Majesty in Council from time to time to alter the Constitution”. Not an interim Legislature. I am going to make the point a little later.

The Attorney General: May I proceed, Sir? For the benefit of the hon. Member if he wants emphasis to be made in the correct place, I shall repeat the text of Section 1 —

“(1) It shall be lawful for His Majesty in Council to create and constitute and substitute for the existing Legislature. . .”

The hon. Member has read Clementi's “Constitutional History of British Guiana” as to what happened in regard to that. The section continues—

“(a) Legislature for the Colony of British Guiana in such form and with such powers as His Majesty in Council may determine, and from time to time to alter and amend the constitution of the Legislature and any powers thereof and any such Order in Council may provide that, notwithstanding the powers conferred on the Legislature thereby, there shall be reserved to or conferred on His Majesty full power by Order in Council from time to time to make laws for the peace, order, and good government of the Colony of British Guiana.”

Subsection 2 reads—

“Before any such Order in Council creating and constituting such Legislature or altering the constitution or powers thereof is made, a draft thereof shall be laid before each House of Parliament for a period of not less than twenty-one days on which House has sat, and if either House of Parliament before the expiration of that period presents an address to His Majesty against the Order or any part thereof, no further proceedings shall be taken on the draft, without prejudice to the making of a new draft Order.”

The period now is forty days instead of twenty-one. The first Order in Council under which this Legislature worked was the British Guiana (Con-

stitution) Order in Council, 1928, and there have been several others. I do not propose to go through the list unless the hon. Member, or any other hon. Member, so desires. It will be within the knowledge of all hon. Members that in April, 1953, there was the British Guiana (Constitution) Order in Council made as the result of the Waddington Report, and on the 9th of October, 1953, the Constitution was suspended, and we then had the British Guiana (Constitution) (Temporary Provisions) Order in Council of 1953 under which this Legislative Council is constituted. I hope I have made that point perfectly clear.

Under the British Guiana (Constitution) (Temporary Provisions) Order in Council of 1953, Part IV deals with the Legislature and section 28 reads:

"There shall be a Legislative Council in and for the Colony, which shall consist of a Speaker, three ex-officio Members and not more than twenty-four Nominated Members."

Section 41 empowers the Governor, with the advice and consent of the Legislative Council, to make laws for the peace, order, and good government of the Colony. Section 48 provides for the introduction of Bills, etc. It reads:

"(1) Save as is provided in subsection (2) of this section and subject to the Standing Orders of the Council, any Member may introduce any Bill or propose any motion for debate in, or may present any petition to, the Legislative Council, and the same shall be debated and disposed of according to the Standing Orders of the Council."

This is the point raised by the hon. Member, Mr. Raatgever —

"(2) Except with the recommendation or consent of the Governor signified thereto, the Council shall not proceed upon any Bill, amendment, motion or petition which, in the opinion of the Speaker or other Member presiding, would—

(a) dispose of or charge any public revenue or public funds of the Colony,

or revoke or alter any disposition thereof or charge thereon, or impose, alter or repeal any rate, tax or duty; or

(b) suspend the Standing Orders of the Council or any of them."

It will be recalled that the hon. the Deputy Speaker raised that point at the beginning, before the debate started, in questioning the right of the hon. Mover to proceed with the motion as presented; that the result of this debate would create —

Mr. Raatgever: I was asking whether His Excellency had consented, because the motion could not be moved until consent was given. I was not suggesting that the motion be thrown out. I was only pointing out —

The Attorney General: I hope I am not giving the wrong impression as to the effect of the hon. Member's point. I was not seeking to suggest that the hon. Member was, at any time, aiming to have the motion thrown out.

It is to be noted that the proviso to Section 50 of that Order in Council says:

"Provided that the Governor shall reserve for the signification of Her Majesty's pleasure any Bill which determines or regulates the privileges, immunities, or powers of the Legislative Council, or the Members thereof."

So, I suggest to hon. Members that this itself will suggest that it is contemplated that the Legislature has certain constituent powers.

As I have said, I wish just to make it clear that the powers of this Legislature derive directly from the British Guiana (Constitution) Act, of 1928. That was a specific Act of the United Kingdom Parliament, and every Legislature of this Colony since that time has been a creature of that Act. Of course this Council is also a creature of that Act. The powers and com-

[The Attorney General]

petence of each Legislature are limited and confined to the provisions of that Act or its Instruments, and I would again emphasise what subsection (1) says :

“It shall be lawful for His Majesty in Council to create and constitute, in substitution for the existing Legislature for the Colony of British Guiana in such form and with such powers as His Majesty in Council may determine, and from time to time alter and amend the constitution of the Legislature and any powers thereof:”

So what we have here flows directly from the parent or British Guiana (Constitution) Act of 1928. I hope hon. Members appreciate that point. Therefore the Temporary Provisions Order in Council comes from the same parent Act. The Order in Council, 1953, brought into existence or provided the machinery whereby we had the ministerial system which was carried on for a short time.

The question arises as to how large are these powers, and how extensive is this competence. I would emphasise Section 41 of the Order in Council which says that it should be lawful for the Governor, with the advice and consent of the Legislative Council, to make laws for the peace, order, and good government of the Colony. In those words there is the power to legislate in its widest terms.

The power to debate and discuss matters of interest to the Colony is dealt with in Section 48 of the Order in Council, to which I have referred. The qualifications of this power refer to the disposal of public funds and the suspension of the Standing Orders of the Council. I think that was the point the Deputy Speaker made.

Mr. Raatgever: The point is that we have to go to His Excellency to get a suspension of the Standing

Orders, and in the previous Legislative Council we did not have to do it; instead we came here and then moved the suspension of them to have a discussion. You know that, Sir.

The Attorney General: We all know that, and I have done it many times myself. What I am trying to say is this, that even in this matter the debate or discussion is not prohibited, but is merely dependent on the prior consent of the Governor. I am glad the hon. the Deputy Speaker agrees with me on some points.

It may be suggested notwithstanding, that a matter of this kind, affecting the Constitution of this Colony, is nevertheless outside the scope of this Council's deliberations. I do not consider that a valid contention, but the Order in Council itself denies the justification of such a thing, and I again repeat that Section 50, subsection (2) deals with the Governor's authority to assent to Bills passed by this Council. I am repeating this in different ways in order that hon. Members should not be under any misapprehension as to the position. The proviso to section 50 clearly contemplates constitutional powers being invested in this Council. I think the conclusion is clear and incontrovertible—that this Council is fully competent, legally and constitutionally, to discuss and debate the question of British Guiana's participation in a British Caribbean Federation.

I hope I have covered that constitutional aspect which I have seen discussed so often in the Press, where it has been laid down with such dogmatism that we are incompetent to discuss the matter; that the hon. mover had no right to introduce the motion, and that this Council could not consider it.

The second point which arises is whether it is politically prudent for

this Legislative Council, constituted as it is, to discuss what steps should be taken to support the view of the Council if it agrees that Federation is acceptable in principle. For practical purposes, the question of the wisdom or the prudence of this Council to consider this matter without a mandate from the people, is answered by the part of the motion which prays His Excellency to take such steps as he deems fit in the circumstances to ascertain the views of the country on this question of Federation.

So that for good and for sufficient reason it is essential that the motion, as presented by the mover, should be dealt with as a whole and not in any way truncated or reduced. I presume the hon. Member, Mr. Luckhoo, who has moved the amendment, means that His Excellency the Governor would be invited to have this matter re-examined. But if I may say so, that is completely nebulous. It is vague, it is indefinite. What we are seeking to do here in this Council, on the basis of the Rev. Mr. Bobb's motion, is to express our opinion, to give a lead to the country, to debate and discuss, and having done that, to ask the Governor to keep in touch with whatever movements or steps are being taken, and at the same time, to ascertain or seek to ascertain the views of the country, bearing in mind that this is not a democratically-elected Government. I think that from the point of view of political wisdom and appreciation of the issues, that is all that is involved. I hope I have made myself perfectly clear on that particular aspect of the question.

I think all hon. Members who have spoken agreed that it is essential in some form or other to ascertain the views of the people. I do not propose at this stage, to go into the methods by which the views of the people might be ascertained, but I will invite hon. Members to bear in mind the statement of the hon. the Chief Secretary which he made at the beginning of this debate. May I, Sir, reiterate and emphasise what the Chief Secretary said:

"The merit of the motion, as Government understands it, is that if it is adopted and implemented we may hope by that time to be in a position, if it is the country's wish, to start discussion with the Federation as to the terms on which British Guiana may join."

Mr. Speaker: I think that this is a convenient moment to stop. I would like to say now, since Members present now may or may not be here tomorrow, that it looks to me as if the motion might be put tomorrow. I give notice of that, because the mover of the amendment has no right to reply

Mr. Luckhoo: Oh, no

Mr. Speaker: I shall be glad to be told of something I have never heard before. I am not restricting the hon. mover (Mr. Bobb), but I presume he will exercise his right of reply. Shall I give notice that when that is done, the debate will be over?

The Council was adjourned until the following day, Friday, 1st April, 1955, at 2 p.m.