

# SECOND LEGISLATIVE COUNCIL

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

Thursday, 24th March, 1960.

The Council met at 2 p.m.

## PRESENT :

**Speaker**, His Honour Sir Donald Jackson

**Chief Secretary**, Hon. Major I. O. Smith, O.B.E. (acting)

**Attorney-General**, Hon. S. S. Ramphal (acting)

**Financial Secretary**, Hon. W. P. D'Andrade (acting)

} *ex officio*

The Honourable **Janet Jagan**

*Member for Western Essequibo*  
(Minister of Labour, Health  
Housing)

„ „ **Ram Karran**

*Member for Demerara-Essequibo*  
(Minister of Communications and  
Works).

**Mr. R. C. Tello**

*Nominated Member*

„ **F. Bowman**

*Member for Demerara River*

**S. Campbell**

*Member for North Western District*

„ **A. L. Jackson**

*Member for Georgetown North*

**S. M. Saffee**

*Member for Western Berbice*

„ **Ajodha Singh**

*Member for Berbice River*

„ **A. M. Fredericks**

*Nominated Member*

„ **H. J. M. Hubbard**

*Nominated Member*

„ **A. G. Tasker, O.B.E.**

*Nominated Member.*

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

## ABSENT :

The Hon. Dr. C. B. Jagan, Minister of Trade and Industry—on leave

„ „ B. H. Benn, Minister of Natural Resources—on leave

„ „ B. S. Rai, Minister of Community Development and Education—on leave.

Mr. R. B. Gajraj—on leave

„ W. O. R. Kendall—on leave

„ L. F. S. Burnham—on leave

„ E. B. Beharry

„ Jai Narine Singh—on leave

„ R. E. Davis—on leave.

The Assistant Clerk read prayers.

## OATH OF ALLEGIANCE

The acting Chief Secretary, Major I. O. Smith, O.B.E., took and subscribed the Oath of Allegiance.

**Mr. Speaker:** Honourable Members, I am sure, will join with me in giving a very hearty welcome to Major Smith, who is taking his seat for the first time as the Acting Chief Secretary in this Council.

## MINUTES

The Minutes of the meeting of the Council held on Wednesday, 17th February, 1960, as printed and circulated, were taken as read and confirmed.

## ANNOUNCEMENTS

## LEAVE TO MEMBERS

**Mr. Speaker:** Since we last met, hon. Members, the Minister of Trade and Industry, Dr. Jagan, the Minister of Natural Resources, Mr. Benn, the Minister of Community Development and Education, Mr. Rai, Elected Members, Messrs. Burnham and Jai Narine Singh, and Nominated Members, Messrs. Gajraj and Davis, have all been on leave. As you are aware, they are attending the Constitutional Conference with regard to the proposed constitutional advance for this Colony.

APPRECIATION OF THE SERVICES OF  
DR. R. H. McCONNELL

**Mr. Speaker:** You will recollect that, some time ago, this Council passed a Motion of appreciation of the services of Dr. McConnell. I shall read to you a letter from Dr. McConnell in reply to the one sent to her by the Clerk of the Council:

"Dear Mr. Crum Ewing,

Thank you very much for your kind letter of 13th February enclosing a copy of the Council's Resolution expressing appreciation of the work done in evaluating the results of the Cape St. Mary trawl survey.

I am deeply touched by this expression of appreciation and would be very grateful if you would pass on my thanks to all those who have been involved in passing this resolution.

I would also like to say that I very much enjoyed doing this work.

Yours sincerely,  
(Sgd.) Rosemary H. McConnell."

## PAPERS LAID

**The Financial Secretary** (Mr. D'Andrade, acting): I beg to lay on the Table the

- (a) Statement of Loans from Voted Expenditure written off during the year ended 31st December, 1959.
- (b) Comments by the Financial Secretary on the Report of the Public Accounts Committee of the Legislative Council on the Director of Audit's Report on the Accounts of the Transport and Harbours Department for the year ended 31st December, 1957.

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

Sixty-ninth Annual Report of the Chamber of Commerce of the City of Georgetown for the year ended 31st December, 1959.

**Mrs. Jagan:** I beg to lay on the Table the

Report of the Sugar Industry Labour Welfare Fund Committee for the year 1958.

**Mrs. Jagan:** On behalf of the Minister of Trade and Industry, I beg to lay on the Table the

Report of the Director of Audit, British Guiana, on the Accounts of the Controller of Supplies and Prices for the year ended 31st December, 1958.

**Mr. Speaker:** What about the other one?

**Mrs. Jagan:** The Minister of Communications and Works is acting for the Minister of Natural Resources.

**The Minister of Communications and Works** (Mr. Ram Karran): On behalf of the Minister of Natural Resources, I beg to lay on the Table the

Annual Report and Financial Statement of the East Demerara Water Conservancy Board for the year ended 31st December, 1959.

**Mr. Ram Karran:** I beg to lay on the Table the

Telephone (Amendment) Regulations 1960 (No. 8), in terms of section 97(2) of the Post and Telegraph Ordinance, Chapter 132.

**Mrs. Jagan:** I beg to lay on the Table the

- (a) Order in Council No. 28 of 1960 made on the 7th March, 1960, in terms of section 4(1) (a) of the District Lands Partition and Re-allotment (Special Procedure) Ordinance, Chapter 174.
- (b) Order in Council No. 29 of 1960 made on the 9th March, 1960, in terms of sections 2 and 4(1) (a) of the District Lands Partition and Re-allotment (Special Procedure) Ordinance, Chapter 174.

#### OTHER NOTICES

**Mr. Jackson:** 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 to permit me, under Standing Order No. 24, to move a Motion, a copy of which has been circulated to hon. Members of this Council.

#### ORAL ASKING AND ANSWERING OF QUESTIONS

##### DAIRY MANAGER FOR MILK PASTEURIZATION PLANT

**Mr. Jackson:** I beg to ask the hon. the Chief Secretary Question No. 1 standing in my name on the Order Paper. "Will the Government say whether the present Dairy Manager of the Milk Pasteurization Plant of the Department of Agriculture is on contract and if it is due to expire early; if so,

has the Government already made plans to find his successor?"

**The Chief Secretary** (Major Smith, acting): The answer is: The present Dairy Manager of the Milk Pasteurization Plant, Agriculture Department, is employed on contract. It is due to expire on the 2nd February, 1961. The Government has already made plans to find his successor.

#### TREATMENT OF OUT-PATIENTS

**Mr. Jackson:** I beg to ask the Minister of Labour, Health and Housing Question No. 2 standing in my name on the Order Paper. "Will the Government state how many Medical Officers are on duty at the Out-Patients' Department of the Georgetown Hospital and how many patients have been treated by them during the period 1st of January and the 29th of February, 1960, both days inclusive?"

**Mrs. Jagan:** The answer is: There were three Medical Officers on duty at the Out-patients' Department of the Georgetown Hospital between 1st January and 29th February, 1960. 14,116 patients have been seen during that period.

**Mr. Jackson:** As a Supplementary Question: Does the Minister regard the number of Medical Officers as adequate to the number of patients who have been examined and who, under the same conditions, may be examined in the future?

**Mrs. Jagan:** I have been advised that if certain other conditions were embraced, the number of doctors at the Out-patients' Department that we have at the moment would be adequate.

If I may be allowed to explain a little further: the Out-patients' Department is overcrowded, for one reason that a large number of patients from the rural areas attend the department. The Government of British Guiana has, at the moment and for the last year, been engaged in the establishment of Health

[MRS. JAGAN]

Centres which will ultimately stop the flow of patients from the rural areas.

Secondly, the number of cases seen by the doctors during the two-month period is not directly a true picture of the number of cases, although it adds up to very much, because included in this number are persons who go daily or weekly for treatment at the Out-patients' Department. For example, persons who may be asked to come for injections daily, once a week or twice a week are included in this number we have before us.

Also included in this number are persons who are casualty cases and who are recorded as being attended to but who are referred to the Casualty Department—as well as others who are screened at the Out-patients' Department and are seen by specialists. Further, there are, unfortunately, persons who are going to the Out-patients' Department who can afford to be seen by private practitioners.

#### INTRODUCTION OF BILLS

##### GENERAL LOANS (INTERNATIONAL BANK) BILL

**The Financial Secretary:** I beg to give notice of the introduction and First Reading of the

General Loans (International Bank) Bill, 1960.

I have obtained the consent of His Excellency the Governor to move the suspension of the relevant Standing Order in order to enable the Bill to be taken through all its stages today.

##### SUPREME COURT (AMENDMENT) BILL

**The Attorney-General** (Mr. Ramphal, acting): I beg to give notice of the introduction and First Reading of the

Supreme Court (Amendment) Bill, 1960.

I, too, propose to ask for the suspension of the relevant Standing Order to enable

the Bill to be taken through all its stages today, and for this purpose I have obtained a Certificate of Urgency from His Excellency the Governor.

**Mr. Jackson:** Mr. Speaker, I beg—

**Mr. Speaker:** I will put your Motion immediately after the Bills.

**Mr. Jackson:** All right, Sir.

#### ORDER OF THE DAY

#### BILLS — FIRST READING

The following Bills were read the First time:

A Bill intituled "An Ordinance to provide for the raising of loans from the International Bank for Reconstruction and Development by the Governor for the requirements of the Colony and of certain statutory corporations, and for purposes connected with the matters aforesaid."

A Bill intituled "An Ordinance further to amend the Supreme Court Ordinance."

#### SUSPENSION OF RELEVANT STANDING ORDER

**The Financial Secretary:** I beg to move the suspension of the relevant Standing Order to enable the

General Loans (International Bank) Bill, 1960

to be taken through all its stages today. Government is at present, negotiating a loan with the International Bank and it has now become a matter of urgency for legislation authorising such borrowing to be introduced.

Question put, and agreed to.

**Mr. Speaker:** Mr. Ramphal, you may also move your Motion, now.

**The Attorney-General:** I beg to move the suspension of the relevant Standing Order to proceed with the

Supreme Court (Amendment) Bill, 1960

to implement the approval which this Government has already given during the debate on the Estimates for the appointment of a sixth Puisne Judge.

Question put, and agreed to.

### GENERAL LOANS (INTERNATIONAL BANK) BILL

**The Financial Secretary:** I beg to move the Second Reading of a Bill intitled

“An Ordinance to provide for the raising of loans from the International Bank for Reconstruction and Development by the Governor for the requirements of the Colony and of certain statutory corporations, and for purposes connected with the matters aforesaid.”

The purpose of the Bill now before Council is to obtain authority for the Governor to borrow from the International Bank for Reconstruction and Development sums required for the purposes of the Colony or for the purposes of a statutory corporation.

As was indicated in the Government's Sessional Paper, No. 5 of 1959 at paragraphs 48 and 49, the 1960-1964 Development Programme calls for a loan finance of \$72 million. Of this amount it is hoped to raise something like \$38 million through the United Kingdom, either by means of Exchequer Loans from Her Majesty's Government or from the London Market, and possibly a further \$10 million by local borrowing. This leaves a gap of \$24 million for which other sources of finance must be sought.

The Public Loan Ordinance, No. 9 of 1960, provides specific authority for the borrowing of the \$72 million required for the Development Programme. It provides that the money should be raised under the provisions of the General Loan and Stock Ordinance and the General Local Loan Ordinance for borrowing in London and in the Colony, by means of Exchequer Loans and also by means of any other form of borrowing

authorised by Ordinance or by Resolution of the Legislative Council.

The purpose of this Bill is to enable this borrowing for the purpose of the Development Programme under the provisions of the Public Loans Ordinance from the International Bank for Reconstruction and Development. The Government is now negotiating a loan with the Bank with this object in view, and in order to pursue this negotiation to finality it is necessary that this legislation should be enacted.

The essential provision of the Bill is contained in Clause 3, which authorises the Governor to borrow from the International Bank for the purposes of the Colony or for the purposes of a statutory corporation and to apply the loans so borrowed for the purposes for which they are lent as specified by any loan agreement concluded with the Bank. Any such loan agreement must be laid in this Council within 14 days of the conclusion or, if the Legislative Council is not sitting, within 14 days after the commencement of the next ensuing session of the Council.

Clause 5 relates to the charges on the general revenues and assets of the Colony to secure repayment of the principal of any such loans on the basis agreed on; and also to secure payment of interest and any other loan charges. It is the usual provision to secure such loans.

Clauses 4 and 6 secure the repayment of any such money and of the loan charges from the assets and revenues of the corporation for which the money was borrowed so as to ensure that it will be recoverable by the Colony to which the loan is made in the first instance, and also by the International Bank from whom the money is borrowed.

Clause 7 similarly secures the repayment of any sum borrowed by charging on the general revenues and assets of the Colony any sum guaranteed by Her Majesty's Government in the United Kingdom. Under the constitution of

## [THE FINANCIAL SECRETARY]

the Bank, any loan not made directly to a member-country of the International Bank, but made to the Government of one of the territories belonging to the member-country, is required to be guaranteed.

The remainder of the Bill comprises formal and consequential provisions to facilitate the legislation. I beg to move that the Bill be read a Second time.

**Mrs. Jagan:** I beg to second the Motion.

Question put, and agreed to.

Bill read a Second time.

Council resolved itself into Committee and approved the Bill as printed.

Council resumed.

**The Financial Secretary.** I beg to report that the Bill passed the Committee stage without amendment. I therefore move that the Bill be read the Third time and passed.

Question put, and agreed to.

Bill read the Third time and passed.

### SUPREME COURT (AMENDMENT) BILL

**The Attorney-General:** I beg to move the Second Reading of the Bill intitled:

“An Ordinance further to amend the Supreme Court Ordinance.”

During the debate on the Estimates for 1960 this Council approved of the establishment of a sixth post of Puisne Judge with the object of bringing the judicial establishment of the country to a Chief Justice and six Puisne Judges. The salaries of the Judges are not provided for by the annual Appropriation Ordinance,

and for that reason are not included directly in the Estimates, although the posts themselves appear on the establishment. The salaries of the Judges are in fact provided under the Supreme Court Ordinance, and for that reason are not subject to annual review. It becomes necessary, therefore, to enact special legislation to make provision for additions to the judicial establishment. The object of the Bill then is merely to give formal legislative approval of the increase to which this Council gave its blessing when the Estimates were originally presented.

During the debate on the Estimates the Attorney-General invited the attention of Members of the Council to the continuous increase in the volume of litigation and the work of the Courts, and to the fact that despite the self-sacrificing efforts of the Chief Justice and his brother Judges it had proved virtually impossible to cope with the recurrent work much less to tackle effectively the backlog of arrears, and the situation, instead of improving, showed signs of getting steadily worse. This Council, on the recommendation of the Government, agreed at that stage to an increase for this purpose.

The problem is not peculiar to British Guiana; it is one which is being faced by all the territories in the area, more particularly the larger ones. Increases in the volume of litigation occur in all branches of the law. There have been increases on the civil side as well as on the criminal. Within very recent times there has been some relief in relation to the criminal jurisdiction of the Courts, in that the work of the Court of Criminal Appeal which occupied the time and attention of three Judges, has now been taken over by the Federal Supreme Court which, as all hon. Members are aware, visits British Guiana from time to time to dispose of civil and now criminal appeals. An acting additional Judge has been appointed and, since his appointment, has been engaged in tackling the work on the civil side. There are, therefore, signs of relief, but these mea-

sure are largely of an interim nature, and there is need for a permanent increase in the strength of the Judiciary. Justice delayed, it has been said, is justice denied, and this measure, and the increase which it seeks to provide for, reflect the determination of the Government to find a fulfilment of the promise of Magna Carta, which is that we will deny to no man any justice or right. That is a fulfilment which all hon. Members would wish to endorse, and I invite hon. Members to give their approval to this Bill. I beg to move its Second Reading.

**The Financial Secretary:** I beg to second the Motion.

**Mr. Jackson:** One is very glad to hear the admission by the Attorney-General that conditions in our Judiciary, as far as the hearing of cases is concerned, are far from satisfactory, and that this measure is an attempt to improve what is undoubtedly a bad situation which litigants have had to face in respect of cases in the Supreme Court. It seems to me, however, that the action which is being taken now does not go far enough, and this observation I make is supported by the views expressed by the Attorney-General this afternoon. I wonder whether Government has given any consideration to the fact that almost throughout the year and year after year one Judge sits in Berbice? So that because of the length of time and the frequency with which one Judge has to be in Berbice, the situation will not be much improved by this measure.

I do not know whether the Attorney-General will have any objection to an Amendment of the Bill when it reaches the Committee stage, to have the number of Judges increased by one more. That should not be difficult because money for the payment of the salaries of Judges is not voted by this Council. It is provided by law, and if Government recognizes the need for doing justice and the fulfilment of Magna Carta, as the Attorney-General has just said, it should never be unwilling to see every possible step taken so that

its intention should be fulfilled. I propose to move an Amendment of the number of Judges proposed, but I wish to congratulate Government on its effort.

**The Attorney-General:** I welcome, and I am sure the Government welcomes, the support it has received from all quarters in this Council in this matter. The most careful consideration was given to the question whether the increase in the Judicial Establishment, of which approval is now sought, would be adequate to meet the demands now being made on the Judiciary, but it was felt that an increase of this kind should only be sought cautiously, and, if I may say so, judiciously. One factor in the capacity of the Judiciary to deal with the volume of litigation is the substitution of the Federal Supreme Court for the Court of Criminal Appeal, but this has taken place only recently.

The Federal Supreme Court paid its first visit to British Guiana in the exercise of this jurisdiction only last month, and the Government considers that it is right to allow the change-over a certain amount of time to see whether it would in fact relieve the Judges of any significant time which could be devoted to their normal recurrent work and the backlog of arrears. If experience shows that there is need further to strengthen the Judiciary I am certain that the Government, fortified with the promise of support from Members on the other side of the Table, would bring such a proposal forward.

Question put, and agreed to.

#### COUNCIL IN COMMITTEE

Council resolved itself into Committee to consider the Bill clause by clause.

Clause 1.—*Short Title* — passed as printed.

Clause 2.—*Amendment of section 6 of Chapter 7, Number 23 of 1955.*

**Mr. Jackson:** Mr. Chairman, Sir—

**The Chairman:** This is a financial Clause.

**The Attorney-General:** Sir, the effect of an Amendment to this Clause would be to impose an increased or additional charge on the revenues of the country.

Clauses 2 and 3 passed as printed.

Council resumed.

**The Attorney-General:** I beg to report that the Supreme Court (Amendment) Bill, 1960, has passed through Committee stage without amendment, and I beg to move that the Bill be now read the Third time and passed.

**The Financial Secretary:** I beg to second the Motion.

Question put, and agreed to.

Bill read the Third time and passed.

### PROTEST AGAINST SOUTH AFRICA'S RACIAL POLICY

**Mr. Jackson:** I beg to move the suspension of the relevant Standing Order in order to move the Motion standing in my name on the Order Paper, which reads:

“Be it resolved: That this Council protests against the racial policy adopted by the Government of South Africa which has resulted in bloodshed and the loss of many lives;

And be it further resolved: That this Council requests His Excellency the Officer Administering the Government to inform Her Majesty's Secretary of State for the Colonies that this Council views with grave alarm the inhuman attitude adopted by the Government of South Africa in the pursuit of its present policy resulting in the death of many Africans who sought to maintain their rights and freedom;

And be it further resolved: That Her Majesty's Government be requested to solicit the intervention of the United Nations Organization, allied organizations,

and countries opposed to South Africa's racial policy with a view to having that territory abandon its present policy.”

**Mrs. Jagan:** I beg to second the Motion.

**Mr. Speaker:** A Motion has been moved under Standing Order 24, which states that

“Notice shall not be dispensed with in the case of a motion, or in respect of any proceedings for which notice is required, except with the consent of the Speaker and the unanimous assent of the Members present at the time.”

Question put, and agreed to.

Motion affirmed.

Relevant Standing Order suspended.

**Mr. Speaker:** I take it that the consent is unanimous, and therefore the hon. Member may proceed. Before you proceed, however, I wish to make this observation so that you may keep within the rules. The Motion itself does not seem to me to offend the rules, but I want to remind you that South Africa is a sovereign territory and it is a Dominion, and you may know that even in the Houses of Parliament in London they do not permit motions criticising the policies of the different Dominions of the Commonwealth. In like manner it would not be proper for us to do so.

I do not think that there is anything which transgresses the rules in your request as set out in clauses 2 and 3 of your Motion, and therefore I wish that in moving this Motion you stick strictly to the rules, otherwise you may lose the effect of what you wish to say, because I may have to stop you.

**Mr. Jackson:** Mr. Speaker, I thank you very much for referring to that aspect, which one ought to observe.

The world today is completely upset by the events which have taken place in South Africa during the course of this

week. So upset is the world over these incidents that almost in every part of the British Commonwealth of Nations protests have been made. The Prime Minister of India speaking in the Indian Parliament said that news of the shooting and killing of South Africans on Monday were not the end of an episode but a prelude to future conflict. He also deplored the large-scale killings in South Africa which he compared to the 1919 massacre in that country when more than 400 demonstrators were killed.

Hundreds of millions of people in Asia and Africa would never accept the spirit of racial mastery and segregation behind the killings. In the United Kingdom there has been widespread dissatisfaction and demonstrations have been going on ever since the news of the killings have been brought to world knowledge; and according to the information which has come over the radio the House of Commons in London—the Mother of Parliaments, as we are accustomed to say—will soon be debating this very issue. The Premier of Jamaica, Mr. Manley, has tabled a Motion dealing with the killings in South Africa and perhaps the entire question of racial discriminatory practice in South Africa by the Government against the native population.

In fact there is world-wide dissatisfaction and indignation over these incidents, and I notice that it is reported that "The Washington Post" commented on the killings in South Africa as a warning and as a writing on the wall. A statement was made in Denmark by the Foreign Minister who said he hoped that the reaction to the killings would be a serious approach towards considering a solution for the racial problem in South Africa. In Sweden one newspaper made the comment that South Africa is the only country where injustice has been put into a system and made constitutional law. It is also reported that the State Department of the United States of America has issued a statement of protest against the very conditions

which this Motion seeks to bring to the attention of this Council today.

It therefore follows that if this Council accepts this Motion, we would be joining forces and falling in line with nations and countries which are of the view that every human being has certain rights and privileges which he or she must enjoy in the land of his birth; and if these nations and countries hold the view that any attempt to restrict or withhold these rights and privileges is something which ought not to be countenanced, then the condemnation by all these Governments and States and people is a condemnation in the right direction. And it is my view that if this Council accepts this Motion, we would be acting in accordance with the conscience of people in every part of the world, and the consciences of many, if not all, Guianese people, seeing how many people have been shot—men, women and children, who have either been wounded or killed, as reported.

Who can help but being moved to action? Who can prevent himself or herself from being stirred into action in this matter? The reports are most disturbing. To quote merely the headlines in "The Daily Argosy", Georgetown, of Tuesday 22nd March last:

**"RACIAL TENSION EXPLODES IN  
BLOOD AND DEATH IN  
SOUTH AFRICA**

**56 KILLED AS POLICE OPEN FIRE  
ON AFRICANS PROTESTING PASS  
LAWS**

**"MANGLED BODIES OF MEN, WOMEN,  
CHILDREN LAY SPRAWLED IN STREETS"**

The news report stated that at least 56 persons were dead and 162 injured, many of them seriously in the Johannesburg area, while many others dead and injured were reported to be involved in similar riots several hours later in Cape-town.

I doubt very much that there is any Member in this Council who did not feel as I felt on Tuesday morning when I read those headlines in the newspapers. I am

[MR. JACKSON]

sure that the newspapers in this Colony have carried information regarding this very matter before, and, I assume, that before very long they will be writing and condemning the policy of the South African Government again, because this is a subject which has been dealt with before by newspapers all over the world.

In spite of the restraint which one may feel about criticizing the Government of South Africa; in spite of the fact that one would want to be as cautious as possible in this matter; in spite of the fact that one would like to be kind to every human being and every Government, it is difficult to avoid the conclusion that this act of the South African Government is inhuman. It is ungodly, and it springs from the people who, perhaps, as far as my analysis goes, are somewhat irreligious.

**Mr. Speaker:** I will have to stop you. I have already given you a hint, but you do not seem to take it. You have said enough and you can leave your Motion there, but if you are going to transgress the Rules and criticize the policy of a Sovereign Government I cannot permit that. You may be able to say what you have in mind somewhere else, but this is a Legislative Council. I will have to stop you however much I may sympathize with you. I appreciate the way you feel, but principles are principles and they must be maintained.

**Mr. Jackson:** There seems to be the view that the killing of the people in South Africa is unjustified. The view is held that the people who have been shot, killed and wounded have been seeking to maintain a right—a human right—a right to move about as freely as they ought to in the land of their birth, and because of the repressive laws under which they live they have been forced to the stage where resistance became necessary. Because of the desire to continue struggling for their rights they demonstrated—a course of action pursued by people in all parts of the world.

As I said in my opening remarks, in the United Kingdom demonstrations are taking place as a result of the killing in South Africa. In British Guiana we have been accustomed to demonstrations for one purpose or another. It is not my intention to go back into the past and bring up what has taken place long ago, because it is known to everyone of us. However, we are accustomed to having demonstrations without any resort to violence either by the people taking part in the demonstrations, or by the Government. We know that even if the people taking part in the demonstrations are inclined to become disorderly, it has not been the custom of our Government to take the course of action which has been taken in South Africa on Monday last.

It seems to me that there was no warning given to the demonstrators, if what we have read in the newspapers is correct. It also seems to me that, without any warning, shots were fired and people killed, and that should never happen in a country supposed to be governed by laws for the good of all the people who inhabit it.

We are here to pledge, as we have pledged before, that the people are entitled to certain rights and privileges, and our acceptance of this Motion this afternoon will be a further demonstration of our faith in the rights of the individual. Our acceptance of this Motion will offer support to a people who are aggrieved, and it will stimulate Guianese as well as people the world over to a course of action which will bring pressure to bear on the Government of South Africa.

**Mrs. Jagan:** I take great pleasure in seconding the Motion brought by the hon. Member for Georgetown North. Yesterday when I spoke to the Clerk of Council, having in mind the same type of Motion, I was extremely pleased to see that the hon. Member had also considered the matter urgent enough and had submitted a Motion which he anticipated would be discussed here today.

I am grateful to hon. Members for allowing this Motion to be taken at this meeting. I know that everyone of us in this Chamber and the public in general were deeply concerned over the events in South Africa. We were doubly concerned when we read our newspapers today, and found that four Members of this Legislative Council were involved in an incident which took place outside of South Africa House in London yesterday while protesting against what had taken place in South Africa.

I know that hon. Members of this Council are concerned over what has taken place and are anxious that everything will turn out well. At the same time I presume that most Members of this Legislative Council feel as I do — we are very happy that other Members of this Council have been able to express, in no uncertain terms, their stand on this issue. I also presume that most Members feel very proud that they have so participated.

The issue in South Africa has been like a kettle boiling for a number of years; it is bound to be explosive because it is in itself an explosive situation. The gap between the "haves" and the "have-nots", and the "whites" and "non-whites" is so tremendous that the situation is bound to get out of hand, and will continue to explode until the balance has been rectified. If we look at the land holdings alone in South Africa, we will find on examination that the acres held *per capita* of population are tremendously revealing. The number of acres held by the European population in South Africa is 92 as against 3.8 held by the native African. When we examine the yearly income of workers in the gold mining industry of South Africa based on the 1953 figures, we find that there are 294,598 Africans employed and their annual *per capita* income in terms of U.S. dollars is \$171. But when we balance this \$171 *per capita* income that the African gold miner gets against the \$2,910 that the white gold miner gets, we cannot help seeing that the tremendous gap is beyond

all proportions. Therefore there must be a tremendous difference of opinion and dissatisfaction when such conditions exist.

The boiling point always comes with other incidents, but the background, no doubt, to the problem is the tremendous economic discrepancies between the "haves" and "have-nots" as well as the racial distinction between the "whites" and "non-whites". During the past 30 years, between 1930 and today, the Pass Laws which have been introduced by the South African Government have expressed racial superiority and resulted in a large number of convictions. As the number of convictions under the Pass Laws increases, I should imagine that the tempo of the population would increase in equal proportion. The number of convictions of Africans under Pass and Allied Laws in South Africa is as follows:

1930	1940	1955
42,000	99,000	337,603.

We know that the incident on March 21 took place on the question of enforcement of Pass Laws whereby members of the "non-white" population are obliged to identify themselves by carrying a ticket or pass at all times when moving from one area to another.

In fact the total number of convictions of all South Africans of African origin for all offences in 1954 reached the enormous proportion of slightly over 1,000,000 convictions, and that is why I said, originally, that it is something like a powder keg in South Africa. This Council can only feel the greatest sympathy for those who have lost their lives, and particularly for the families of those who have lost their lives. We know that their position cannot be easy in the future and we also know that those who participated in the demonstration may well get punishment. We cannot forget those 156 people, some very prominent persons, who were convicted and are still under arrest since 1956. I think many of us recall the arrests and the fact that the trial has been going on for a long period.

[MRS. JAGAN]

I might refer to a most interesting study of South Africa By Dr. W. A. Hutton, an American writer, entitled "Decision in Africa". He also has pointed out to us what goes on in South Africa, among which is the use by private white farmers of African prison labour. We hear much of prison camps in these days. It seems that we do have convict prison camps in South Africa. Persons sent to gaol for the violation of various laws are hired out to private farmers and so enhance the income of those for whom they are working. We understand that a large number had been so employed, and this had been going on for, at least, 20 years.

I was interested in seeing a circular which was issued by the British Guiana Civil Service Association. I do not know if it is proper for me to refer to it. I would like to read a paragraph, for it seems as though all sections of Guianese life are disturbed by the incident of Monday last. The circular, addressed to the members of the British Guiana Civil Service Association, states:

"Monday, March 21st, 1960, must never be forgotten. It will be written in the pages of history with the blood of those innocents who died that we might see the folly of our complacency, of our disunity and of our own treachery. Some may say that *these* are the weapons, not bullets, which slaughtered the people—cattle in the eyes of the supermen—whose only crime was the colour of their skin."

The circular adds:

"It is fitting that denouncement of this massacre should come first from that nation which was 'conceived in liberty' and 'dedicated' to the proposition that *all* men are created equal."

I believe they are referring to the immediate expression of disapproval taken by the American State Department and which was referred to by the hon. Member for Georgetown North. I believe that the hon. Member would be with me if I move a very small Amendment to his resolution. After "And

be it further Resolved" I would ask him to accept these words:

"That this Council observes two minutes' silence as a mark of respect to those killed on March 21, in the Union of South Africa and."

**Mr. Bowman:** I would like to add my quota against the shootings that took place in South Africa not so long ago. We are living in the second half of the 20th Century, and it puzzles me to know that in spite of the fact that mankind has practically reached the zenith of civilization—where man has excelled his predecessor in the scientific field and in every human endeavour—some of us on this earth today still believe that we are superior to others. Every religion professes or manifests that mankind, in general, shares the brotherhood of man and the fatherhood of God. The Christian religion, especially, propounds this idea.

It is true that we have heard quite a few Ministers of the Christian religion voice their protest. I remember, particularly, the Rev. Michael Scott. But I would say, today, that the Christian churches have not raised their voices sufficiently where such inhuman treatment is concerned, particularly in Africa. I believe, also, that the British Government is not doing enough because, from our own experience, we see that the British Commonwealth of Nations is constantly expanding, and in spite of the fact that all things are subject to change, some people have refused to accept changes. I am referring directly to the South Africans.

Recently the Prime Minister of Britain went to South Africa and told the people there to accept the fact that "the wind of change" was blowing, but the South Africans, like stubborn mules, have refused to accept this fact. I believe that the British Government should take more positive steps; and I would like to move an Amendment to the third Clause of the Motion when the time comes.

I am one of those who believe in certain traditions of the British, but I would like to state that if the British allow some members to continue to practise discrimination, it is only natural that some of us would want to quit—not only quit, but I, personally, believe in the Law of Moses which says: “An eye for an eye and a tooth for a tooth”. Why must we be treated like wild animals? Now—

**Mr. Speaker:** I think you have forgotten to quote the last paragraph: “But I say unto you, that ye resist not evil; but whosoever shall smite thee on the right cheek, turn to him the other also.”

**Mr. Bowman:** Sir, I say what I feel. [*Laughter*].

**Mr. Speaker:** You were quoting, so I felt like completing the quotation.

**Mr. Bowman:** I did not feel like quoting the whole [*Laughter*]. However, I feel that some positive steps should be taken by the British Government. It was during this week that I read in the newspapers where the Leader of the British Labour Party, Mr. Gaitskell, said that some more positive steps should be taken to make South Africa realise that their policy is inimical to the interest of the Commonwealth. I support this Motion whole-heartedly, and if I had the means at my disposal I would go further. However, when those of us who want to speak have finished, I would move my Amendment to the Motion.

**Mr. Hubbard:** We are contemplating a moment of tragedy in the history of this world's affairs. The tragedy of the moment is so great that, perhaps, generations that follow us may point to 21st March as a great turning point in the lives of the peoples of this world.

The practice of Herrenvolk in Europe led to the greatest carnage in the history of the world. The continuance of the practice of Herrenvolk might well lead to a tragedy as great as, if not greater than, the shameful killing of man

by man which took place during World War II.

All of us here will lend our support to this protest; but protests over wrong doing often stir the wrong doer to the justification of his evil. Let us send our protest, but let us hope that those in many lands, whose voices like ours tremble in anger at this shame, will do something more positive. Let us hope that those men who keep their sanity in a changing world will try to curb the insane minorities who hold on to their privileges as the dying to the last breath of life. The minorities and the majorities, the different races, the different peoples inside national confines and outside national confines, must live together if mankind is to live at all.

Today we stand in need of greater statesmanship than this world has ever required. We, in our little obscure land of Guiana, can offer our own little example of the living together in harmony and amity of many people in one nation. We can offer that example to a wider world; to look at this tiny example and translate it into the greater terms of the world, so that those whose actions affect us may in turn be affected by the example of our behaviour, and produce tolerance and the will to live and let live, which is the only salvation of man.

I support this Motion, but at the same time I say to the world “Let us end this prejudice”, and I say to the people “Let us forget ethnic origins and different pigmentations and different cultures.”

**Mr. Tasker:** I rise to support this Motion whole-heartedly. I have the memory of a very unfortunate visit to South Africa some years ago which I can say without hesitation was the most unhappy visit I have ever paid to any country anywhere in the world. I had to go there on business, and why my visit was unhappy and became progressively more unhappy was because, as the Minister of Health has pointed out, for the

[MR. TASKER]

visitor in South Africa who has been used to a freer air and to an easy social movement of people, there is a cloud that sits on one's shoulders from the moment one arrives in the country to the moment one leaves. Certainly that was my experience, and I travelled throughout the Union.

It is not hard to identify this cloud, because it is based on fear, the fear of losing entrenched positions; and because fear is negative and restrictive, it seems to me that it must only be a matter of time — though Heaven knows the time may be long— before these things are put right. The question, of course, is whether they are going to be put right, as the hon. Nominated Member, Mr. Hubbard, hopes, by a form of adult education; or whether they are going to be put right less happily with a great deal of bloodshed.

The hon. Member, Mr. Hubbard, has suggested that in this matter B.G. has a lesson for other parts of the world. I want to endorse that view because it seems to me that here in British Guiana, and in other parts of the Caribbean, we have managed to find a way of life for people of many races which is indeed a lesson. Talking the other day in Jamaica with Mr. Peter Abrahams, a distinguished South African author now resident in Jamaica, and Editor of the "West Indian Economist", I was particularly struck by the vehemence with which he spoke of the relief he found in living in Jamaica, and of the tremendous encouragement which he had derived from his own experience there in terms of hoping for a solution of the racial problem in the Union.

But while I think we can with reason take credit for a far more reasonable and intelligent approach to our racial and social affairs here than obtains in other parts, I would stress that we can continue to take credit for it only at the price of eternal vigilance. I am not

suggesting, of course, that there is any analogy between the tensions that arise here in British Guiana and those in the unhappy Union, but it is a cause for widespread anxiety that our own racial relations here are not improving, and the same factors of fear, religious freedom, cultural ties, minorities, colour, creed and race are involved. While, therefore, whole-heartedly supporting this Motion by the hon. Member for Georgetown North, and while hoping that it will be one more on the growing pile of protests which ultimately the Government of the Union of South Africa will not be able to ignore, I think we should recognize that all is not as well in our own country as we sometimes think.

I would like to ask the Mover of the Motion if he would accept a very small Amendment of clarification where he refers in the first and second paragraphs to the "Government of South Africa." My understanding is that South Africa is merely a geographical term, and that the reference should be to the Government of the Union of South Africa.

**Mr. Speaker:** I shall put the question.

**Mr. Bowman:** I should like to move an Amendment to the last line of the resolution for the insertion, after the word "policy", of the words "by the imposition of an economic embargo." I would also like to substitute for the word "having" the word "forcing", the word "to" between the words "territory" and "abandon" and the word "racial" between the words "present" and "policy".

**Mr. Jackson:** May I be permitted to make an observation. I am accepting the Amendments put forward by the hon. Nominated Member, Mr. Tasker, and by the Minister of Health.

**Mr. Speaker:** I do not wish to put the hon. Member for Demerara River off his stride, but seeing that the Motion

asks for "the intervention of the United Nations Organization, allied organizations, and countries which are opposed to South Africa's racial policy", is that not enough? Or does he want to tie them down to do a particular thing? Would he not prefer to leave them free?

**Mr. Bowman:** Sir, the British Government has a Permanent Representative there——

**Mr. Speaker:** I am only pointing out to you that you do not need to tie them down to doing a particular thing and nothing else. That is what I mean.

**Mr. Bowman:** It is for them to accept or reject it! If you will permit me, Sir, I will say why I suggested that.

**Mr. Speaker:** I am not trying to discourage you in any way. It is a matter for the Members of this Council if they wish to tie themselves down.

**Mr. Bowman:** Verbal protests have been made for years. I remember reading that the South African Delegates to the United Nations walked out on more than one occasion when protests against the inhuman treatment of the natives in South Africa were made there. I think that something other than verbal protests should be resorted to in order to force these people's hands. "Words are wind and blows are unkind." We are not asking for blows.

I also remember that after Italy invaded Abyssinia the League of Nations was asked to impose an economic embargo on Italy, and I think that something of the kind should be done now. What is the use of protesting, verbally or otherwise? Something tangible should be done! That is why I am asking that Members accept my Amendment.

**Mr. Speaker:** The Amendment has not been seconded, and therefore it falls to the ground. Does the hon. Mover wish to reply?

**Mr. Jackson:** No, Sir, except to say that I thank Members for their support.

**Mr. Speaker:** The amended Motion reads:

"Be it resolved: That this Council protests against the racial policy adopted by the Government of the Union of South Africa which has resulted in bloodshed and the loss of many lives;

And be it further resolved: That this Council observes two minutes' silence as a mark of respect to those killed on the 21st of March in the Union of South Africa, and requests His Excellency the Officer Administering the Government to inform Her Majesty's Secretary of State for the Colonies that this Council views with grave alarm the inhuman attitude adopted by the Government of the Union of South Africa in the pursuit of its present policy resulting in the death of many Africans who sought to maintain their rights and freedom.

And be it further resolved: That Her Majesty's Government be requested to solicit the intervention of the United Nations Organization, allied organizations, and countries which are opposed to the Government of South Africa's racial policy with a view to having that territory abandon its present policy."

Question put, and agreed to.

Motion affirmed.

**Mr. Speaker:** Since this Motion has been adopted, it means that this Council should observe two minutes' silence, and we will do it now.

*Two minutes' silence observed, all standing.*

**Mr. Speaker:** Council is now adjourned to a date to be notified later.