

ANNEX 1

THE EVOLUTION OF GUYANA AND SURINAME: A SYNOPSIS

1. Writing of the Guianas, the renowned Guyanese poet A.J. Seymour mused:

There runs a dream of perished Dutch plantations
In these Guiana rivers to the sea.
Black waters rustling through vegetation
That towers and tangles banks, run silently
Over lost stellings where the craft once rode
Easy before trim dwellings in the sun
And fields of indigo would float out broad
To lose the eye right on the horizon.

These rivers know that strong and quiet men
Drove back a jungle, gave Guiana root
Against the shock of circumstance, and then
History moved down river, leaving free
The forest to creep back, foot by quiet foot
And overhang black waters to the sea.¹

The poem aptly describes all three Guianas - French, Dutch and British - which from East to West, constituted the Northeast Coast of the South American Continent, facing the Atlantic Ocean to the North.

2. It is appropriate, therefore, that the names of all the colonies of the Guianas were those of the main rivers that ran their course within them: Essequibo, Demerara, Berbice, Suriname and Cayenne. And there were others too, like the Amakura, the Corentyne and the Maroni that defined the boundaries of the human habitations. Enclosed by the even greater river systems of the Orinoco and the Amazon, these rivers were the highways to the promised riches of the hinterland beyond the Atlantic: the promise that first lured Europeans to these otherwise unpromising climes. "Guiana" is an Amerindian word that means "land of many waters"; and Guyana's name was chosen at Independence to preserve that early imagery. But the riverine highways were not used for real development; the gold mined for the metropolises was "sugar" and other crops - and their production kept populations, for the most part, on the coastal plain.

3. Seymour's verse captured pages of descriptive prose telling of this dominant reality of the Guianas as a habitation. James Rodway, one of the most authoritative of Guyana's "pioneer historians," addressing this reality at the start of his 1891 *History of British Guiana*, wrote:

every acre at present in cultivation has been the scene of a struggle with the sea in front and the flood behind. As a result of this arduous labour during two centuries, a narrow strip of land along the coast has been rescued from the

¹ *West Indian Poetry* 100 (K. Ramchand & C. Gray, eds., 1971).

mangrove swamp and kept under cultivation by an elaborate system of dams and dykes.²

4. The "narrow strip of land" lies within a coastal plain that covers an area of 1,750 sq miles out of Guyana's surface area of 83,000 sq miles. The maximum width of the coastal plain is about 40 miles on the Corentyne coast to the east but it practically ends on the Essequibo coast. Most of the coastal plain comprises clays at sea level or as low as six feet below sea level. Waterlogged conditions are the consequence of constant flooding from the sea and from the heavy rainfall, which averages about 90 inches per annum on the coast and the near interior. Apart from a few natural sand ridges at seven to ten feet above sea level, all areas of the coast that came under permanent cultivation had first to be drained and protected from further inundation.

5. Writing of this reality in his posthumously published study *A History of the Guyanese Working People, 1881-1905* the Guyanese historian Walter Rodney explained how the geography of the Guianas foretold a Dutch destiny - and the terror of forced labour:

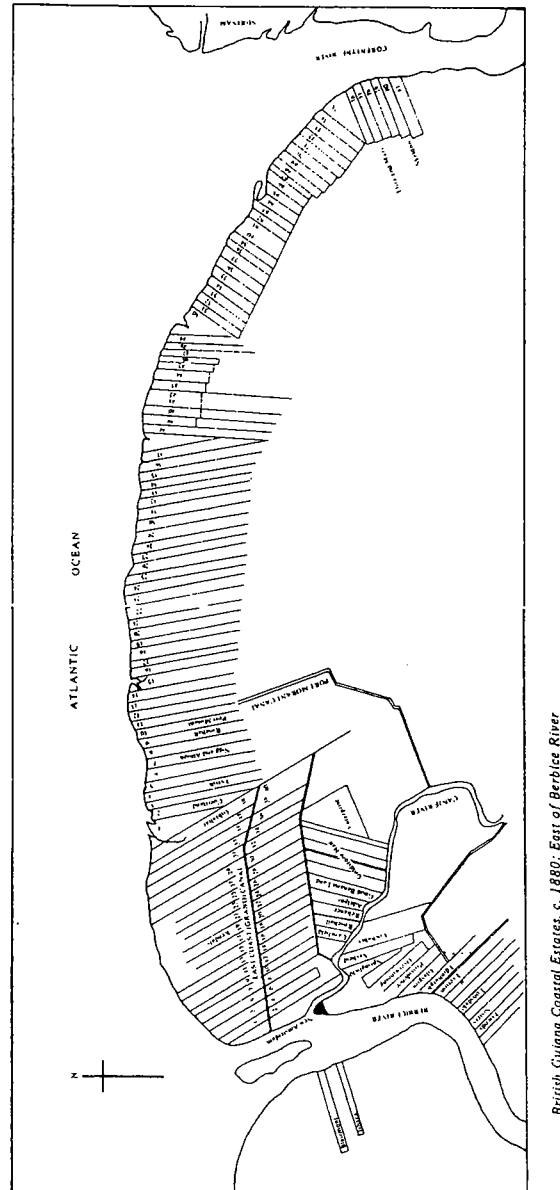
Problems of sea defence and land reclamation had been effectively tackled in the Low Countries during the first millennium, and particularly from the eleventh century onward. The people of the Low Countries gave the world the concept of a polder, referring to a piece of usable land created by digging and then draining a water-covered area. The Dutch population constantly improved their techniques in this aspect of agricultural engineering, and Dutch experience was transferred to the Guianas when it became necessary to carve out individual but contiguous plantation on the coastal plain. Each plantation required a front dam along the sea front, or "facade," together with a back dam of corresponding length and two connecting sideline dams, to complete the rectangular polder. The dams were meant to keep out the salt water at all times, while the fresh water from the swampy rear had to be let in and out in a calculated manner. An elaborate system of canals served to provide drainage, irrigation, and transportation, the volume of water in an estate's canals being regulated by a large koker, or sluice, in the front dam and a smaller back-dam koker.

An enduring Dutch and European contribution to the technology of Guyanese coastal agriculture is undeniable. Yet one must guard against the mystification implicit in the assertion that it was the Europeans who built the dams and dug the canals. In their own homelands, Dutch peasants and workers provided the labour to construct the polders. The Dutch in the Guiana colonies were capitalist entrepreneurs: they were few in number; and they merely supervised the labour of Africans subjected to slavery. The Venn Sugar Commission of 1948 (Commission of Enquiry into the Sugar Industry of British Guiana) estimated that each square mile of cane cultivation involved the provision of forty-nine miles of drainage canals and ditches and sixteen miles of the higher level of waterways used for transportation and irrigation. The Commissioners noted that the original construction of these waterways must have entailed the moving of at least 100 million tons of soil. This meant that slaves moved 100

² James Rodway, *History of British Guiana* (Vol. 1), 1 (Georgetown, Guyana, 1891).

million tons of heavy, water-logged clay with shovel in hand, while enduring conditions of perpetual mud and water.³

6. The map below (which Rodney used to illustrate his analysis) showing 'individual but contiguous' British Guiana coastal estates, around 1880, between the Berbice and Corentyne Rivers, depicts the intensity of this coastal concentration.⁴



³ Walter Rodney, *A History of the Guyanese Working People - 1881-1905*, 2-3 (1981).

⁴ Walter Rodney, *A History of the Guyanese Working People - 1881-1905*, 10-11 (1981).

7. Small wonder that Rodney started his study with the observation that “judged by the area of concentrated settlement and cultivation, the colony of British Guiana was no less insular than the societies of the West Indies, with which it had so much in common.”⁵ That same epithet of “insularity” the Dutch sociologist, Harry Hoetink, was later to use in relation to Suriname.⁶

8. Beyond this coastal belt bordering the Atlantic and keeping it out, lies the vast reserves of rainforests which the author and naturalist W.H. Hudson immortalised in *Green Mansions*, and mineral potential now beginning to be fully tapped – as with bauxite in both countries, but more substantially so in Suriname, and some gold and diamonds.

9. In *Netherlands America: The Dutch Territories in the West*, Philip Hanson Hiss wrote in 1943 of the topography of Suriname thus:

From an approaching ship the coast of Suriname looks no different today than it did in the year 1500, when members of Columbus’ third expedition landed on its shores. The broad yellow river roads disappear into the jungle winding through the deep green of tropical rainforests broken only by occasional Bush Negro and Indian villages. The outlines of abandoned plantations are softened by secondary growth and in places are almost entirely obliterated. But even in the days of greatest prosperity, cultivation did not extend more than a mile from the rivers, except in the vicinity of Paramaribo.⁷

10. This is a description not altogether unfamiliar to Guyanese though on the Guyana coast sugar and rice cultivation still thrive and in Suriname the bauxite industry is making inroads into the hinterland. That hinterland is forbidding to the uninitiated. In 2004 there was published in Guyana a slim volume called *The Mataruki Trail*; the story of the British-Guiana-Brazil Boundary Commission 1929-1939 based on the manuscript of one of the members of the Commission C. Arthur Hudson. In it is a short authentic description of the Guyana hinterland by one who endured its rigours:

Beyond this (the ‘coastal fringe’) there is a central belt of white-sands and clay, an old sea-bed, with an average height of 200 feet above sea level, which contains most of the mining areas, bauxite, diamonds and gold. Except for those and a few lumber camps it is sparsely inhabited: it is mostly dense forest, and greenheart and other commercially useful timbers come from this belt.

The interior two-thirds of the country rises from an average of 1,000 feet to an extreme of 8,600 feet at Mount Roraima in the west, and about 3000 feet in the South on the Acarai range. With the exception of some

⁵ Walter Rodney, *A History of the Guyanese Working People - 1881-1905*, 1 (1981).

⁶ Harry Hoetink, *The Dutch Caribbean and its Metropolis*, in Emanuel de Kadt, *Patterns of Foreign Influence in the Caribbean* 111 (Oxford University Press, 1972).

⁷ Philip Hanson Hiss, *Netherlands America: The Dutch Territories in the West* (1943).

savannah lands in the south-west near the Rupununi River, which affords sparse grazing for cattle, this mountainous region is covered with dense tropical rain forest, and is practically uninhabited even by aboriginal Indians.⁸

11. Mining operations – bauxite and gold – and forestry have grown larger over the last seventy years; but the hinterland of both Guyana and Suriname remains almost as formidable an obstruction to links with South America for these two coastal Republics as it was at the time of the British Guiana-Brazil Boundary Commission. In recent years, however, air and road development are challenging the barrier of forest and mountain, and it is now possible to travel by dirt road from Georgetown to Northern Brazil.

12. But Guyana and Suriname have traditionally looked out to the north: Guyana to the Caribbean archipelago with which it has a sense of kinship, and Suriname beyond the Caribbean to Holland. Today, however, they both look to the potential of their sea to the immediate north, and it is the geography of this maritime area as described in Chapter 2 of the Memorial that is most apposite to these proceedings.

I. The Plantation System: A Shared Past

13. European contact with the Guianas dates back to at least the beginning of the 17th century. The area was known as the “Wild Coast,” the unexplored littoral of South America lying between the Amazon and Orinoco River systems. It was the region of which Sir Walter Raleigh could write:

a country that hath yet her maidenhead, never sacked, burnt nor wrought. The face of the earth hath not been torn, nor the virtue and salt of the soil spent in manurance, the graves have not been opened for gold, the mines not broken with sledges'.⁹

The histories of Guyana and Suriname are inseparable from the character of their colonial experience – an experience that was largely common to both. The economic and social foundations of both countries have common histories in the efforts of British and Dutch colonists to address both the challenges and the opportunities of the wild and fertile environment that they found upon their respective arrivals in the Guiana region. Chapter 1 of the seminal work by Surinamese scholar R.J. Van Lier, *Frontier Society: A Social Analysis of the History of Suriname*, first published in 1949, is entitled the “Plantation of Surinam” and begins with an overview that has relevance to both Guyana and Suriname in its “plantation” analysis. The following are pertinent extracts from this Chapter:

The economic and social foundation on which the Society of Surinam was to develop further was also laid by the first English colonists. On the West Indian Islands and in the Guianas commercial undertakings were established with the aid of European capital for the purpose of producing staple

⁸ C. Arthur Hudson, *The Mataruki Trail: The Story of the British Guiana Boundary Commission, 1929-1935*, 3 (Joseph Singh, ed., Georgetown, Guyana, 2004).

⁹ Sir Walter Raleigh & Antonio Galvao, *The Discoverie of the Large, Rich and Beuutiful Empyre of Guiana* 96 (Robert Robinson, ed., 1596).

commodities for the European markets in the 17th century. In that century sugar was the main product in Surinam, while in the 18th century coffee, cocoa, cotton, tobacco and indigo exports began to play an important part as well. This tropical country turned out to be eminently suited for the large-scale cultivation of products which, although at first luxury articles for a privileged minority, gradually came to be regarded as daily necessities by the populations at large of certain European countries.

The English first began to exploit Surinam under the plantation system. It is a form of cultivation which is also encountered in areas outside tropical regions, but is most prevalent in areas in which Europeans engage in farming under tropical conditions. In the southern states of the U.S.A., in the West Indian islands and in Central and South America the plantation was the socio-economic unit determining the character of the society. For the plantation was not only a type of economic enterprise, but was also a social unit and even possessed public and cultural features. So much so that Thompson was able, with justification, to give the following definition of the plantation: "It is a form of political organisation for the purpose, of producing an agricultural staple which usually is sold upon a world market," thus giving the "political" aspect stronger emphasis than usual.

...

The British imported the swiftly expanding plantation system into Surinam in the 17th century. It is apparent from old documents from the end of the 17th century and the beginning of the 18th century how strong the influence of the Portuguese still was, Portuguese names being used for the various stages of the sugar-refining process and for the factory at that time.

Plantation agriculture received a fresh impetus when a group of Jewish estate owners came and settled in Surinam in 1664. George Warren, who is responsible for one of the earliest descriptions of Surinam and who spent some time in the colony a few years before 1667. i.e. shortly before it was conquered by the Zealanders, reports that at that time there were some 40 to 50 sugar estates in Surinam which yielded a significant profit for their owners.¹⁰

14. Just how important in this context was the plantation system out of which both Guyana and Suriname were born is well illustrated by the following passage from the Epilogue in Robin Blackburn's *The Making of New World Slavery: From the Baroque to the Modern: 1492 to 1800*¹¹ -

By 1800 there were 600,000 slaves in the British West Indies, another 150,000 slaves in colonies occupied by Britain, 857,000 slaves in the United States, about one and a half million in Brazil and around 250,000 in Spanish America. Given Britain's prominence in Atlantic trade, and bearing in mind that the

¹⁰ R.A.J. Van Lier, *Frontier Society: A Social Analysis of the History of Suriname* 20-26 (1971).

¹¹ Robin Blackburn, *The Making of New World Slavery: From the Baroque* 581 (1997).

slave population comprised a high proportion of field or craft workers, it could be said that Britain acquired the produce of around one million slaves, each working for an average of 2,500 to 3,000 hours in the year and producing crops worth around £18. About half of these slaves worked on British-owned plantations.¹²

- among them, plantations in Berbice adjoining Suriname.

15. The human dimension to this history is material to its appreciation. The Guianas were a human habitation before European exploration, even if not as intensively as some other parts of the Americas. And European occupation as colonisers relied extensively on labour from beyond Europe and the Americas. The British and the Dutch, as people, have left Guyana and Suriname; but the people they met there – Carib and Arawak Indians - and, more preponderantly, the people they brought there – mainly Africans, “East” Indians and Javanese - are the forbears of today’s Guyanese and Surinamers. And the systems that conditioned their lives over the centuries of colonisation are an integral part of the history of Guyana and Suriname.

A. The Original Peoples

16. Where once they were the sole inhabitants, the original peoples of the Guianas are today no more than eight percent of Guyana’s population, and two percent of Suriname’s. They are the survivors of the relentless march of history. In 1992 the Report of the West Indian Commission (Time for Action) addressed the matter of the Region’s “original peoples.” It was the year of the Quincentenary of Columbus’ first landfall in the Hemisphere. The Commission of “eminent West Indians” had been set up by the Heads of Government of the Caribbean Community (CARICOM) in 1989 as part of a process of “preparing the people of the West Indies for the 21st Century.” This, inter alia, is what the Report said:

We state at once that we feel no quincentenary fervour. Far from it. That first landfall turned into a veritable holocaust for the original inhabitants of the Region. ... The conquests and dispossession that brutally marked the period after 1492 saw the depletion of populations to the point of genocide through oppression and Old World disease, the deracination of a long established way of life over a great region of the earth, the sudden near extinction of cultures and civilisations which held their own worth and were nurtured through centuries of adaptation and creativity.¹³

17. The Commission was reflecting on the presence and condition of the communities of aboriginal peoples in five CARICOM countries – Belize, Dominica, Guyana, St Vincent & The Grenadines and Trinidad & Tobago. Suriname became a member of CARICOM in July 1995. Had the Report been written after that date what the Commission said of the five CARICOM states and their Amerindian communities would have applied substantially to Suriname as well.

¹² *Ibid.* at 581.

¹³ Report of the West Indian Commission, *Time for Action* 383-384 (1992).

18. The original peoples of the Guianas did not escape the fate that befell aboriginal communities elsewhere in the Hemisphere; but because they were fewer and more scattered the outcome was less dramatic. Yet their fate remains a legacy of the region's history, with all its implications for the present.

B. Slavery and Indenture

19. So too the fate of the peoples the colonisers brought to Guyana and to Suriname under the systems of slavery and indenture: African slaves and, with the abolition of slavery, Indian and Javanese indentured labour. Their descendants are now the substantial populations of Guyana and Suriname. In 2000, Guyanese of Indian descent accounted for slightly over 50 percent of the population and Guyanese of African descent for 36 percent.¹⁴ In Suriname, the proportions of persons of Indian and African ancestry are 37 percent and 31 percent respectively though if the "Maroons" are included, the latter figure is nearer 40 percent. The Maroons are the descendants of runaway slaves who developed initially as an enclave community in the "bush" country of Suriname. The Javanese are 15 percent of the country's population.¹⁵

20. But beyond the demographic impact of transportation, it was the systems of human degradation that held sway over 300 years that cruelly scarred the history of both countries. It was one experience with differing shades of brutality, differing methods of coercion, but a common experience of human bondage. The condition of slavery in the days, for example, of the first major rebellion in Berbice in 1763 (put down with Dutch help from Suriname) were very different from that of indenture in the end years of the system. The fact that the slave was private property and that slavery implied permanence were basic differences – however much they tended to be overshadowed by the similarities. Yet, at the moment of transition 150 years ago, apprenticeship so shaded into indenture that Lord Brougham could speak in the House of Commons of "indentured apprenticeship"¹⁶ when referring to slavery between 1834 and 1838 and Lord John Russell could himself describe (and reject) indenture in 1840 as "a new system of slavery."¹⁷

21. In Walter Rodney's *A History of the Guyanese Working People: 1881-1905* is an account (particularly in Chapter 2 – "The Evolution of the Plantation Labour Force in the Nineteenth Century") of these two systems as they functioned in the colonies that are today Guyana, shaping for all time the demographic landscape.¹⁸ In Judge M. Shahabuddeen's

¹⁴ United States Central Intelligence Agency (CIA), "Guyana", in *The World Factbook 2004*, available at <http://www.cia.gov/cia/publications/factbook/geos/gy.html> [last updated 27 January 2005, last checked 03 February 2005].

¹⁵ United States Central Intelligence Agency (CIA), "Suriname", in *The World Factbook 2004*, available at <http://www.cia.gov/cia/publications/factbook/geos/ns.html> [last updated 27 January 2005, last checked 03 February 2005].

¹⁶ *Hansard's Parliamentary Debates, Third Series* (Vol. 40 - 16 Jan to 20 Feb 1823), 597 (1838).

¹⁷ Quoted in Hugh Tinker, *A New System of Slavery* (Oxford University Press, 1974):

I should be unwilling to adopt any measure to favour the transfer of labourers from British India to Guiana ... I am not prepared to encounter the responsibility of a measure which may lead to a dead loss of life on the one hand, or, on the other, to a new system of slavery.

¹⁸ Walter Rodney, *A History of the Guyanese Working People - 1881-1905* (1981).

book *Constitutional Development in Guyana, 1621-1978* are two Chapters on these systems: Chapter 28 – “Equality Before the Law: Part II – Slaves,” and Chapter 29 – “Equality Before the Law: Part III – The Indentured Labourer.”¹⁹ Because Guyana until 1916 had a Roman Dutch legal system, much that is contained in these Chapters is of relevance to both Suriname and Guyana.

22. In 1988, an International Conference on The Genesis of a Nation was organised by the University of Guyana to mark the 150th anniversary of the beginning of Indian indenture (5 May 1838) and the end of slavery (31 July 1838) in Guyana. By way of an introduction to the published papers of the Conference, the History Department of the University prepared a brief historical introduction on Africans and East Indians in Guyanese History. The following is an extract from that Introduction:

At least from the late 17th century African slaves constituted the bulk of the labour force of the Dutch, who also had some Amerindian slaves and free Amerindian employees. African slaves served the Dutch and later the British principally as agricultural workers on the sugar, coffee and cotton plantations, skilled artisans, and domestics, but also of boatmen, fishermen, grooms, pedlars, carriers, woodcutters, watchmen, builders of roads and diggers of canals. It was principally their labour that laid the foundation for the economic and material development of the Guiana colonies.

In the late 18th century the system of slavery began to come under serious attack, culminating in the abolition of the trade in slaves from Africa to Guyana in 1805 and the abolition of slavery in Guyana and the other territories in the British West Indies in 1834. ... The slaves, of whom there were 82,874 in British Guiana in 1834, were required to work for an additional period of years called apprenticeship which finally ended in 1838.

...

Planters feared that the slaves at the termination of the apprenticeship period would abandon the plantations and seek an alternative form of livelihood. This fear materialised in the years after 1838, when a majority of the ex-apprentices deserted the plantations to settle mostly on land, usually abandoned estates, which they purchased especially on the coast. This situation produced a labour force through the immigration first of Portuguese, West Indians, and East Indians and later Africans and Chinese.

East Indian immigration began in 1838 at a time when the ex-slaves were still locked in a serious struggle with the plantocracy over the conditions of the apprenticeship scheme. The first East Indians arrived in British Guiana from India on 5 May 1838 and were assigned to the plantations of John Gladstone, an enterprising planter with political connections in Britain.

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¹⁹ Judge M. Shahabuddeen, *Constitutional Development in Guyana (1621-1978)*, 597-622, 622-639 (Georgetown, Guyana, 1973).

Between 1838 and 1917, 236,000 East Indians were brought to British Guiana. Their contribution to the development of the country in this period was profound. It was due above all to their efforts that the colonial economy was rehabilitated after 1838 and survived.²⁰

23. In its essentials, this account holds true of developments in Suriname to the middle of the 20th Century. But there were important differences which a comparative picture reveals. From the section on "Origins of the Ethnic Groups in Suriname" in H.E. Lamur's study, *The Demographic Evolution of Suriname, 1920-1970 - A Socio-Demographic Analysis*,²¹ this comparative picture emerges:

Negroes were imported from Africa, to work on the plantations, as early as 1650. Although the slave trade was prohibited in 1814, it lasted until 1826. During these 175 years, some 300,000 to 350,000 Negroes were imported. When slavery was abolished in 1863, the total number of emancipated Negroes was 36,902, and the total population 52,963. The estimate of the total number of imported slaves is based upon the contractual agreement between the West India Company, the city of Amsterdam, and Governor van Sommelsdijck in 1682. This called for the minimum yearly import of 2,500 slaves (Hartsinck 1970: 638-740; Stedman 1813:290). The profit motive on which slavery was based makes it likely that this quota was achieved in most years. From 1682 to 1814, there must thus have been at least 330,000 involuntary black immigrants.²²

For the period after the prohibition of the slave trade, the number of new slaves dropped to 1,000 per year, until in 1826 improved methods of registering slaves made it almost impossible to smuggle slaves into Surinam (van Lier 1971:125; Teenstra 1833:59; Wolbers 1861:546).

Because the emancipated Negroes were unwilling to continue working on the plantations, and because of their low rate of natural increase, there was a serious shortage of plantation labourers after 1863. In order to fill the need, contract labourers were brought to Surinam.

From 1853 to 1872, some 5,400 immigrants arrived: 500 Portuguese from Madeira, 2,500 Chinese, and 2,400 West Indians from Barbados. After 1869 both China and Portugal closed their harbours to emigrants. In Surinam, these two groups did not adjust well to plantation labour. After their contracts were ended, these immigrants turned to storekeeping and trade, and in time many returned to their homelands.

²⁰ Introductory Report on Africans and East Indians in Guyanese History, prepared by the Department of History, University of Guyana, for Conference on The Genesis of a Nation (20 January 1988).

²¹ H.E. Lamur, *The Demographic Evolution of Suriname, 1920-1970 - A Socio-Demographic Analysis* 24-25 (1973).

²² This figure has been put much lower by some writers: cf. Johannes M Postma, *The Dutch in the Atlantic Slave Trade, 1600-1815*, 186-212 (1990), where the suggested number is 220,000. Variations in other figures have been suggested by more recent writers.

Between 1872 and 1916, 33,824 contract labourers were imported from what was then British India. Of this number, 11,350 returned to India while the rest settled as independent farmers.

From 1853 to 1933, 33,299 contract labourers emigrated from the island of Java in what was then the Dutch East Indies. Of this number 7,229 were repatriated. Some of the remaining Javanese stayed on the plantations, and the rest became independent farmers.²³

24. Despite the similarities, Suriname and Guyana, or Suriname and Berbice as they were until 1831, did not develop in an integrated way. For one thing, for most of the time, the metropolises were different; but there was more besides. Addressing the differences between Suriname and the islands of the Netherlands Antilles, (for example, Curacao) Harry Hoetink made an important point in Emanuel de Kadt's *Patterns of Foreign Influence in the Caribbean*. In the Chapter on "The Dutch Caribbean and its Metropolis," Hoetink wrote:

Suriname, although part of the South American mainland, has always been more of an 'island' than Curacao from the point of view of its relations with its immediate environment. The country, with at present some 320,000 inhabitants and a territory more than four times the size of Holland, has always been oriented towards the metropolitan power. Its contacts with neighbouring countries, including Brazil, have been scarce and insignificant, apart from the occasional border conflict, such as the one with Guyana which was making headlines in 1968.²⁴

25. There was more than the Corentyne River dividing Guyana and Suriname over the centuries. Writing in *Slaves, Free Men, Citizens: West Indian Perspectives on The Range and Variation of Caribbean Societies*, David Lowenthal illustrated some of these similarities and differences - as of that time - in the following way:

Let me illustrate with data on the European Guianas. Here, I think, comparisons have special validity because these territories are contiguous, because their inhabited areas are remarkably alike physically, and because their settlement for a long time followed similar models, particularly in Surinam and British Guiana, which were drained and diked for plantation agriculture along the same lines until the late 18th century.

Ethnic heterogeneity characterises both British Guiana and Surinam, principally because many indentured labourers were brought in after the emancipation of the slaves. One half the population of each territory today is of Asian origin, virtually all Indian in British Guiana, while three tenths is Indian and two tenths Javanese in Surinam.

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²³ H.E. Lamur, *The Demographic Evolution of Suriname, 1920-1970 - A Socio-Demographic Analysis* 24-25 (1973).

²⁴ Harry Hoetink, *The Dutch Caribbean and its Metropolis*, in Emanuel de Kadt, *Patterns of Foreign Influence in the Caribbean* 111 (Oxford University Press, 1972).

Several factors help to account for these differences. For one, slavery lasted 25 years longer in Surinam than in British Guiana. In the interim many slaves fled the country and, when emancipation finally came, in 1863, the Negroes still left on Surinam estates were not willing to wait out an additional decade of indenture. In British Guiana, many former slaves pooled their savings to buy up estates and turned to subsistence agriculture; in Surinam, most of them moved off the land.

The delay of emancipation also retarded the introduction of indentured workers. East Indians began to enter British Guiana as early as 1841, but did not reach Surinam until after 1873, and the Javanese came there still later, between 1891 and 1939. Neither group in Surinam has had as long to become assimilated as have the East Indians of British Guiana.²⁵

26. Yet, whatever the differences, slavery and indenture shaped the history of both Guyana and Suriname.

II. The 20th Century Political Dimension

27. A shared history of colonialism, slavery and indenture meant that one reality above all was common to both Guyana and Suriname: for over three hundred and fifty years – certainly throughout the 17th, 18th and 19th centuries, and most of the first half of the 20th - the ancestors of today's mainstream Guyanese and Surinamers played no direct part in the governance of their countries, and none in the emergence and evolution of border issues between them. The populations of independent Guyana and Suriname have inherited these issues as part of the untidy legacy of a colonial era in which their forbears were marginal players.

A. Winds of Change in the Caribbean

28. But events moved quickly after the end of World War II. The first half of the 20th century had seen initial stirrings for social and political change develop by the thirties into gale force winds. Everywhere in the British West Indies, there were demands for change on the economic, social and political fronts. With an unreformed colonial constitutional system stifling direct political action, the demand for change was driven by a fledgling trade union movement and strikes became the whiplash which the working classes applied with increasing frequency to the colonial establishment. And more and more in the English-speaking Caribbean - these demands came to have a regional character.

29. At the turn of the century, of the thirteen British West Indian colonies only in British Guiana was there an elected majority in the legislature, and then only in respect of financial matters in the Combined Court - which was a Dutch constitutional legacy. In the Bahamas, Barbados, and Jamaica there were elected members, but everywhere in a minority. The restricted nature of the franchise, where it existed, only made matters worse. As late as 1938 in Barbados, - and nowhere was the "parliamentary system" more lauded - the registered

²⁵ David Lowenthal, *Slaves, Free Men, Citizens: West Indian Perspectives on The Range and Variation of Caribbean Societies* 208-210 (1973). See also Professor Lowenthal's earlier article on "Population Contrasts in the Guianas" in the *Geographical Review*, Vol. 50 (1960) at 41-69.

electorate was 3.3 percent of the population and the income qualification for membership of the Assembly was four times as high as for registration as a voter.²⁶

30. The economic depression brought to maturity the growing working class movement, and the demand for economic justice reinforced the case for constitutional advance. Between 1935 and 1938, a succession of strikes throughout the region called attention to the need for political reform. In 1938 the British Government appointed the West India Royal Commission with wide terms of reference "to investigate social and economic conditions in Barbados, British Guiana, British Honduras, Jamaica, the Leeward Islands, Trinidad and Tobago, and the Windward Islands, and matters connected therewith, and to make recommendations."²⁷ These movements of the thirties were, of course, centred in the respective colonies, and the traditional insistence on reforms in the individual legislatures was centre stage. Extension of the franchise and of the elected membership on the Legislative Council were the immediate demands.

31. However, dissatisfaction with gradualist constitutional reform led frustrated West Indian politicians to believe that the path to political freedom lay through a federal union. Meanwhile, a system of "inter-colonial conferences" had begun to establish structures of functional cooperation on a regional basis. By 1938, the concept of "federation" (with which there had been earlier experimentation among various groups of islands) was rooted in West Indian political soil. "Dominion status" for a federal union seemed to hold safer promise of attainment than "self-government" for the individual colonies. Throughout the 40s and 50s, whenever the need for social and political reform was advanced, the claims of federation were never far behind. But federation was in a race against time. In the immediate post war years, political reform in the British West Indian colonies began to move rapidly within the wider decolonisation context. Still, federation held its ground: the ultimate goal of West Indian political ambition was not "responsible" government but nationhood, and there were few in the 1950s who visualised its achievement on the level of the individual colonies.

32. Accordingly, the regional dimension of political change in the British West Indies prevailed, and the Federation of the West Indies was established in 1958. But British Guiana was not a member of it. That this was not explicable on grounds of "difference" from the West Indian islands, including a "Dutch connection," has been well explained by Prof. Gordon K. Lewis in his work *The Growth of the Modern West Indies*:

This pervasive feeling, that Guyana is geographically and economically different from the other Caribbean lands – the leading Opposition point in the Legislative Council's debate on Federation of March 1955 - has tended to obscure the general truth that the historical development of the Guyanese society has been shaped by the same forces shaping the development of the island colonies – colonization, slavery, sugar monoculture, the Crown Colony system. There was the same diffusion of English culture forms which made it so difficult for Guyanese, as for island West Indians, to build up the inborn sense of cultural tradition so essential to self-confidence; and, surprisingly, that process was not countermanded by any continuing Dutch cultural influence after the transfer of 1803, save perhaps, for the continuing influence

²⁶ See, generally, Gordon K. Lewis, *The Growth of the Modern West Indies* (1968).

²⁷ West Indian Royal Commission, Cmd. 6607, 377-82 (1945).

of the unique cultural abilities of the Dutch to deal with the problems of water control. But it was the same Crown colony regime, in which the Governor, as elsewhere, was the lynch-pin of an autocratic machine of government. The psychological consequences of the system, especially as they affected the Guyanese politician type, were also the same as elsewhere and are not to be regarded, as some English writers too readily assume, as peculiar to the Guyanese psychology.²⁸

33. In any event, for a variety of reasons, the federal experiment failed. Island nationalisation prevailed over regionalism. Following quickly on the heels of a lost referendum on "federation" in Jamaica (called by one of its strongest advocates, Norman Manley), the Federation of The West Indies was dissolved on 31 May 1962; ironically, the day on which it was to have achieved Independence.²⁹ The two largest units of the Federation, Jamaica and Trinidad and Tobago, became independent States the following month.

34. Relations between the Netherlands and the Dutch colonies of the Caribbean followed a different path after World War II. In the wake of the independence of Indonesia, the Netherlands initiated discussions on a "New Style Kingdom," granting more autonomy to Suriname and the Netherlands Antilles. In the late 1940s and early 1950s several Round Table Conferences took place on this issue, resulting in the adoption of the "Charter of the Kingdom" (*Statuut voor het Koninkrijk der Nederlanden*) in 1954. Following acceptance by the parliaments of the Netherlands, Suriname and the Netherlands Antilles, it entered into force on 29 December 1954.

B. Guyana's Independence

35. Guyana achieved independence on 26 May 1966, four years after the dissolution of the Federation of The West Indies. It had already endured thirteen years of political turbulence since 1953 when Britain had suspended the Constitution and sent troops to British Guiana. The story of those years, compounded of nationalist aspiration, Cold War politics, external intervention and eventually ethnic political segmentation, has been the subject of massive documentation and analysis. Suffice it here to quote from Prof. Gordon Lewis's work already cited:

The salient facts of the post-war Guyanese "permanent crisis" are well known: the rise after 1950 of the bi-racial People's Progressive Party (PPP), replacing the old racialist organisations of the East Indian Association and the League of Coloured Peoples; the electoral victory of 1953 and, in the same year, the suspension of the constitution by a characteristic act of Churchillian gunboat diplomacy; the subsequent interregnum marked by the split between the Jaganite and Burnhamite factions leading, almost inexorably, to the growth after 1962 of widespread racial-political violence; the imposition of the

²⁸ Gordon K. Lewis, *The Growth of the Modern West Indies* 258-259 (1968).

²⁹ See John Mordecai, *The West Indies: The Federal Negotiations* (1968), and *Why Federations Fail: An Inquiry into the Requisites for Successful Federalism* (Thomas Franck ed., 1968) in which there is a special Chapter on the West Indian Federation. See also, J.H. Proctor, Jr., "Constitutional Defects and the Collapse of the West Indian Federation," *Public Law*, Summer 1964, at 125-151.

Sandys formula of proportional representation designed, as actually occurred in 1964, to overthrow the Jagan Government under a thin guise of constitutionalism; the emergence of Forbes Burnham as the "favourite son" of the Anglo-American alliance seeking to bring Guyana into the fold of her "free world"; and, over all, the final and almost total demoralisation of the society, making of the act of independence (1966) simply one more step in the complex power play at once cause and effect of that demoralisation. And all of this, be it noted, has been reported in the world press in generally paranoid Cold War terms as a struggle of "freedom" against the rise of "communism", with Dr Jagan and his wife cast in the role of the villains of the piece; so that it has been almost impossible for the foreign reader to understand the concatenation of forces seeking to break out of the shell of the Guyanese colonial framework, whether that framework be seen as the old British regime or the new American neo-colonial regime.³⁰

36. Judge Shahabuddeen's treatise on *Constitutional Development in Guyana: 1621 - 1978*, in Chapters 23 to 26, chronicles the constitutional evolution that unfolded.³¹ Under the enabling provisions of the Independence Constitution of 1966, Guyana became a Republic in 1970 retaining the "Westminster system." The repeal and replacement of the Independence Constitution in 1980 ushered in an Executive Presidency, but continued the existing multi-party system and the requirement for general elections at five-yearly intervals.³²

37. Yet the overall legacy of those years was one of deterioration in the Guyanese political order, and not until 1992 did Guyana return to a relatively stable political environment with free elections and changes of Government - the Opposition People's Progressive Party (PPP) under Dr Cheddi Jagan winning the Carter supervised General Election in 1992. The PPP still holds office under the Presidency of Dr Bharat Jagdeo.

C. Suriname's Independence

38. By an Act of 22 November 1975, the position of Suriname within the Kingdom was terminated by amending the Charter of the Kingdom with an article to the effect that the legal regime laid down in the Charter would no longer apply to Suriname as from November 1975. There was no official transfer of sovereignty, since the people of Suriname themselves would realise their independence on 25 November 1975.

39. The issue of migration to the Netherlands has been a particular feature of the decolonisation process in Suriname and places it in a relatively different position from other Caribbean countries. It deserves a special word. Writing specifically on what they describe as "A Caribbean Exodus," Oostindie and Klinkers have this to say with specific reference to Suriname:

³⁰ Gordon K. Lewis, *The Growth of the Modern West Indies* 270-271 (1968).

³¹ Judge M. Shahabuddeen, *Constitutional Development in Guyana (1621-1978)* (Georgetown, Guyana, 1973).

³² *Ibid.* at 552-572.

The announcement of the transfer of sovereignty also marked the beginning of an exodus from Suriname to the Netherlands, which was a major setback for a Republic yet to come into being. Paralysed, The Hague watched events unfold.

On 26 June 1975, five months before the transfer of sovereignty, Suriname and the Netherlands reached full agreement on a migration policy to be adopted following independence. Surinamese residing in the Netherlands on Independence Day, 25 November 1975, would receive Dutch citizenship. Surinamese nationality would be obtained by those born in Suriname as well as living there, or having their main residence there at the date of independence. With Surinamese nationality being obtained, Dutch nationality would be lost. Furthermore, Surinamese wanting to take up residency in the Netherlands after independence would be exempt from visa requirements until November 1980 on the condition that they could prove to have acquired accommodation and means for subsistence. This was a compromise; Suriname had not wanted any visa requirements at all, whereas initially the Netherlands had. In this way the virtually free migration to the Netherlands would continue unimpeded during the first five years following independence.

For Suriname the results of this episode have been dramatic. Between July and November 1975 the emigration flow continued: each month 3 to 4,000 Surinamese, unconfident about the economic and political future of their country, left for the Netherlands. Dutch policies failed to allay serious doubts of many concerning the future of the Republic. The Dutch cabinet had to admit that once again the flow was larger than expected. Suggested solutions even included reducing the amount of available airline seats on the route Paramaribo-Amsterdam - where the Royal Dutch Airlines KLM was making good money by considerably increasing its number of flights - buying these and thus blocking them. In the end, however, The Hague simply allowed things to take their natural course.

Between 25 November 1975 and the same date in 1980 another 30,000 Surinamese would settle in the Netherlands and obtain Dutch nationality. As pointed out above, due to the exodus the total population of the Republic has barely grown, while the size of the Surinamese society within the Netherlands, including second and third generations, is now estimated at over 315,000. For the just over 400,000 citizens of the Republic of Suriname this development has had far-reaching and, according to some, catastrophic effects.³³

40. It is interesting that the Surinamese exodus to Holland may have been a factor in opening up migration of Guyanese to Suriname, particularly in the sugar industry.³⁴ But while, on the whole, these separate "independence" processes have tended to keep Guyana and Suriname apart, other developments in the larger Caribbean - admittedly in comparatively recent years - have been working to bring them closer.

³³ *Ibid.* at 186.

³⁴ Institute of Economic & Social Research, University of Suriname, *The Impact of Migration on the Social & Economic Transformation of Suriname* (1983).

41. Between 1980 and 1987 and again briefly in 1990, Suriname was ruled by a military regime under Desi Bouterse.³⁵ Since 1990, however, Suriname has had a vigorous multi party system and political rivalries which have not been irrelevant to the escalation of the maritime dispute with Guyana.

D. The Caribbean Community

42. While the period from the dissolution of the Federation in 1962 to the present has been one of progressive decolonisation of the English-speaking Caribbean (there are now eleven independent Caribbean States), the process of regionalism which the federal experiment epitomised has continued and has engaged both Guyana and Suriname. From an initiative by Antigua, Barbados and Guyana in 1965 establishing the Caribbean Free Trade Area (CARIFTA), the Caribbean has deepened a process of economic and functional cooperation through the Caribbean Community and Common Market (CARICOM) - to the point where a Caribbean Single Market and Single Economy (CSME) and a Caribbean Court of Justice with both original and appellate jurisdiction (replacing the UK Privy Council) are due to become operational in 2005.

43. As important as this deepening process has been the widening of the Community. Inspired by the recommendations of the West Indian Commission³⁶ in 1992, CARICOM - of which the British Dependent Territories in the Caribbean are Associate Members (except Montserrat which is a full member) - has now welcomed into the Community Spanish-speaking the Dominican Republic, French-speaking Haiti and Dutch-speaking Suriname. After centuries of separate development, Suriname and Guyana are entwined in the ambitious Caribbean project for a Single Market and Economy. Suriname's President attends CARICOM Summits as a Caribbean Head of Government with equal status with all others, and Suriname plays a full part in the Caribbean integration process. In 2005, Suriname will assume the rotational Chairmanship of CARICOM.

44. And Guyana and Suriname share the CARICOM umbrella in the all important international economic negotiations in which both countries are engaged. They share the services of the Caribbean Regional Negotiating Machinery (CRNM) in relation to negotiations at the World Trade Organisation (WTO) and with the European Union - as African, Caribbean, and Pacific (ACP) countries under the Cotonou Agreement, and for an Economic Partnership Agreement with Europe; and they function jointly as CARICOM countries in the Free Trade Area of the Americas (FTAA) negotiations, also assisted by the CRNM.

45. And Guyana and Suriname are companions in other regional and hemispheric endeavours, including the Association of Caribbean States - the ACS (of which all Caribbean island states and the countries of Central and South America on the Caribbean littoral are members), and the Organisation of American States - the OAS (of which all Western Hemisphere countries, except Cuba, are members) and of its many associate bodies. In the United Nations, Guyana and Suriname are both members of the Group of Latin American and

³⁵ Gert Oostindie & Inge Klinkers, *Decolonising the Caribbean: Dutch Policies in a Comparative Perspective* 266, n. 3 (2004).

³⁶ Chapter XI:2 "CARICOM, The Wider Caribbean and Latin America," in Report of the West Indian Commission, *Time for Action*, 426-436 (1992).

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Caribbean States (GRULAC), and regionally are members of the Economic Commission of Latin America and the Caribbean (ECLAC).

46. In their particular continental identity, Guyana and Suriname are Contracting Parties to the Treaty for Amazonian Cooperation and, late in 2004, they became founder members of the Community of South American Nations made up of the Mercosur countries (Argentina, Brazil, Paraguay, Uruguay), the Andean Community (Venezuela, Colombia, Ecuador, Peru and Bolivia), Chile, Guyana and Suriname.

47. While their erstwhile metropolises are deepening their economic and political integration in the European Union, Guyana and Suriname are steadily enlarging the possibilities of their own cooperation which centuries of colonialism had inhibited.