



AMNESTY

No 8. 4th October, 1961
Subscription £1-1s. for six months

NEW HOME FOR
OUR LIBRARY

see page 7

Some Laws should be Disobeyed

*"ABU" puts the case for
passive resistance*

page 2



Indonesian Editor Gaoled

*One more instalment of the
LUBIS saga*

page 4



Liberia Disbars a Lawyer

*Peter Archer writes on the
CASSELL case*

page 5



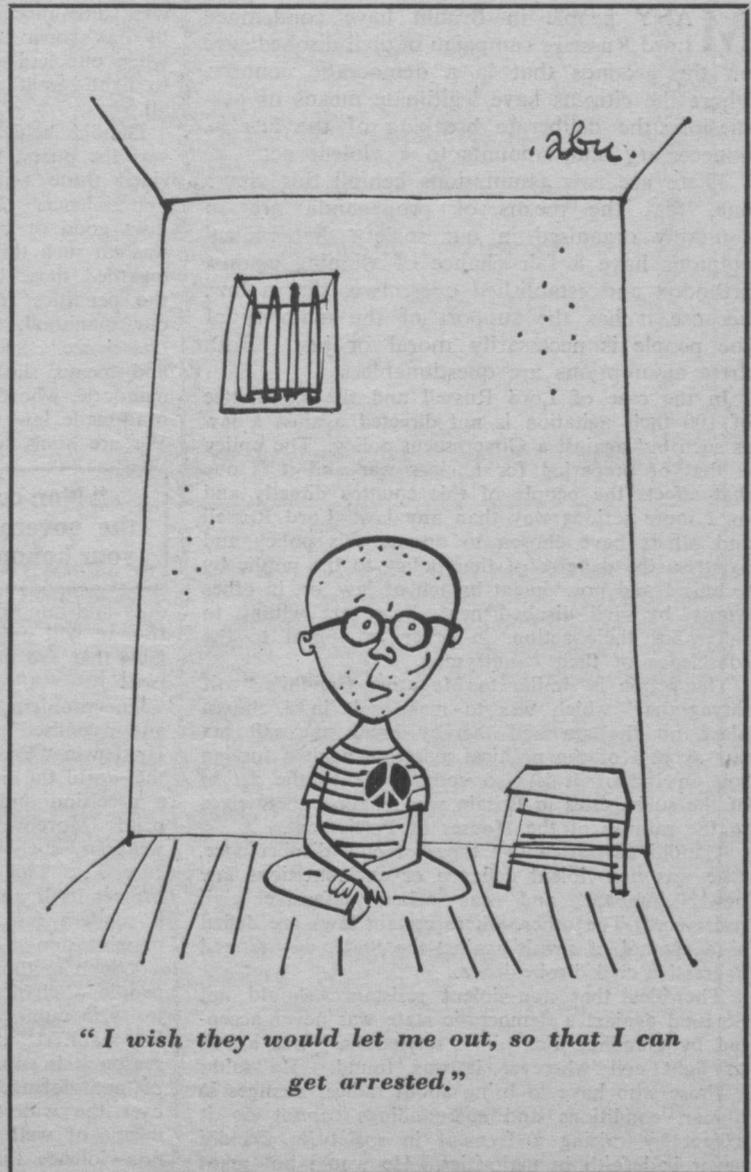
France Clamps Down on her Press

*by Maitre Nicolas Jacob,
Editor of "La Vie Judiciaire"*

page 5

Details of Amnesty's
Christmas Card

page 3



Amnesty readers are already familiar with Abu's cartoons; below, Abu who comes from India—birthplace of the passive resistance movement—sets out the arguments for non-violent non-co-operation in a democratic society.

SOME LAWS SHOULD BE DISOBEYED

By ABU ABRAHAM

MANY people in Britain have condemned Lord Russell's campaign of civil disobedience on the grounds that in a democratic country, where the citizens have legitimate means of persuasion, the deliberate breaking of the law is, unnecessary and amounts to a violent act.

There are two assumptions behind this view: one, that the means of propaganda are so equitably organised in our society that radical opinions have a fair chance of winning against orthodox and established ones; two, that a law, because it has the support of the majority of the people is necessarily moral or just. Both these assumptions are questionable.

In the case of Lord Russell and the Committee of 100 their agitation is not directed against a law as such but against a Government policy. The policy is that of preparing for nuclear war and it is one that affects the people of this country directly and in a more serious way than any law. Lord Russell and others have chosen to oppose this policy and to stress the dangers of that policy to the public by technical and non-violent breach of law, or, in other words, by civil disobedience. They are willing to suffer for their action, in order to appeal to the conscience of their countrymen.

The action is similar to Mahatma Gandhi's "salt satyagraha" which was to make salt in a chosen place on the sea and thereby break the salt tax law as part of the political agitation against foreign rule in India. It is also comparable to the action of the suffragettes in Britain who chained themselves to the railings of the Houses of Parliament.

Gandhi advocated two types of civil disobedience. One was non-violent defiance of an obnoxious law newly imposed, and was called defensive civil resistance. The other, where certain laws are defied as a symbol of revolt against the State, was termed aggressive civil disobedience.

The idea that non-violent resistance should not be used against a democratic state was never accepted by Gandhi. For him "satyagraha" was a call to fight evil wherever it was found. He said: "Those who have to bring about radical changes in human conditions and surroundings cannot do it except by raising a ferment in society." Gandhi never had faith in majorities. He would not grant that the majority alone could see the truth. Truth

was something which one had to find and achieve by one's own exertion and selfless realisation. And when one had realised the truth, it was one's duty to fight for it alone if necessary and even against all.

Gandhi held the opinion that civil disobedience was the purest type of constitutional agitation, provided those who practised it believed sincerely in non-violence. He said: "That we should obey laws good or bad is a new-fangled notion. There was no such thing in former days. The people disregarded those laws they did not like, and suffered the penalties for their breach. It is contrary to our manhood, if we obey law repugnant to our conscience. Such teaching is opposed to religion, and means slavery. A man who has realised his manhood, who fears only God, will fear no one else. Man-made laws are not necessarily binding on him. We are sunk so low that we fancy that it is our

"Non-co-operation is a duty when the government, instead of protecting your honour, robs you of it."—Gandhi.

duty and our religion to do what the law lays down. If man will only realise that it is unmanly to obey laws that are unjust, no man's tyranny will enslave him."

The problem of resisting evil policies in an armed and organised modern state is discussed by Aldous Huxley in "Ends and Means." He says: "All over the world the police are able to act with a rapidity, a precision and a foresight never matched in the past. Moreover, they are equipped with scientific weapons, such as the ordinary person cannot procure. . . . The only methods by which a people can protect itself against the tyranny of rulers possessing a modern police are the non-violent methods of massive non-co-operation and civil disobedience.

"Such methods are the only ones which give the people a chance of taking advantage of its superiority in numbers to the ruling caste and to discount its manifest inferiority in armaments. For this reason it is enormously important that the principles of non-violence should be propagated rapidly and over the widest possible area. For it is only by means of well and widely organised movements of non-violence that the population of the world can

(Continued on page 3)

This is our Christmas Card

OUR Christmas card, as you can see from the reproduction of its front page, is an unusual one. It does not have any drawings of traditional scenes, no robins, no holly. Instead, we have chosen a card which incorporates in six of the world's main languages quotations which we think express the principles which Amnesty has been established to defend.

The purpose of this AMNESTY Christmas Card is twofold:—first, to spread as widely as possible our appeal for freedom for man's mind; and, second, to raise funds for the work of securing the release of those arbitrarily imprisoned.

The English and the French quotations appear on the front page of the card which is reproduced on this page.

The other four quotations are set out on the inner pages of this three-fold card. Printing is in black with a red surround—distinctive and attractive.

From German we have chosen a quotation from Goethe: "Wir sind gewöhnt dass die Menschen verhöhnen wass sie nicht verstehen"—"We have become accustomed to the fact that people mock what they do not understand."

The Spanish quotation comes from Cervantes: "No hay libro tan malo que no tenga alguna cosa buena"—"There is no book so bad that it does not contain something good."

We will not try to reproduce either the Russian or the Chinese quotations here—this would be a bit of a headache for our printers. In translation

The whole of mankind has no
right to silence one dissenter

John Stuart Mill

Je déteste vos opinions, mais
suis prêt à mourir pour que vous
ayez le droit de les exprimer

attribuée à Voltaire

they are: "Every sect has its truth and every truth its sect," which is a Chinese proverb, and a quotation from the Russian 19th century liberal writer, Belinsky: "For me individual personality matters more than the generality of history, society or mankind."

If you are interested in ordering some of these cards—and we hope that you are—please get in touch with AMNESTY Christmas Card Department, 153, Victoria Street, London, S.W.1.

Orders can only be dealt with by post as there are no facilities there for over-the-counter selling. The price of the cards is 6s. per dozen, 6s. 9d. post free or £1 per three dozen post free.

Special arrangements can also be made for over-printing.

SOME LAWS SHOULD BE DISOBEYED—*continued from page 2*

hope to avoid that enslavement to the state which in so many countries is already an accomplished fact and which the threat of war and the advance of technology are in process of accomplishing elsewhere."

Huxley goes on to say that the regression from

humanitarianism, characteristic of our age, will probably result in non-violent resistance being treated with a severity more ruthless than that displayed by most governments in recent times. Such severities, he adds, can only be answered by great numbers and great devotion.

Editor prefers gaol to restrictions

MOCHTAR LUBIS, former editor of the Indonesian newspaper "Indonesia Raya" is under arrest by the military authorities in Djakarta. This situation is nothing new for Mr. Lubis whose arrest in July followed only two months of freedom. He had originally been arrested and imprisoned in December 1956. Following protests, he was transferred early in 1957 to house arrest where he remained until May this year. During all this time he was not brought to trial nor were any charges preferred against him.

His second arrest followed shortly after his return from the International Press Institutes general assembly in Israel and the I.P.I. immediately sent a formal protest to the Indonesian authorities asking that they announce as soon as possible any specific charges they wished to make against Mr. Lubis and have him tried publicly. No reply has yet been received to this protest.

In Indonesia Mr. Lubis has become well known for his adamant defence of the freedom and independence of the Press. In Djakarta last September all editors and publishers were asked to sign a "document of loyalty" promising to give support to the principles of "guided democracy" and to all government policies.

Although editors who refused to sign did not risk imprisonment, refusal meant that they had to resign their jobs—and if no one responsible for editorial policy signed the declaration then the paper was closed down. Several Indonesian newspapers ceased publication for this reason.

This so-called 19 point declaration has become a source of controversy among Indonesian journalists. Some, like Rosihan Anwar, the editor of Pedawan, another Djakarta newspaper took the view that it was the duty of editors to keep their papers in existence. In a letter to the I.P.I. explaining why he had signed the 19 point declaration Mr. Anwar stated that in countries such as Indonesia where complete freedom cannot exist because they are still in the process of evolution towards democracy the primary duty of the newspaper is to strive—even at considerable sacrifice of its rightful freedoms—

to continue to exist. It is ironic that though Mr. Anwar signed the 19 point declaration his paper was closed down by government orders in January.

Mr. Lubis, on the other hand, has consistently argued that under no circumstances should a journalist be a signatory to such a declaration, which virtually commits him to the active support of the political programme of the Indonesian government.

In a letter to the I.P.I. expressing his views on the subject, Mr. Lubis stated: "To me it is much better for a newspaper to stop publication, if conditions no longer permit it to function fully as a free press, to exercise its social responsibility and its duties to truth, justice and freedom. Because a newspaper which out of necessity in order to be able to 'live on' avoids the exercise of its prime functions, duties and responsibilities and becomes the mere carrier of government's handouts is doing a fatal damage to the concept of the freedom of the Press. And if this is done by a newspaper which had the reputation of being honest, then the damage is magnified many times.

"That is why I objected several years ago when my associates in the 'Indonesia Raya' wanted to 'adapt' the policies of 'Indonesia Raya' to the 'changing times'. I preferred 'Indonesia Raya' to be silent rather than to shirk its duties and responsibilities. I think silence in such circumstances speaks louder than all kinds of 'tactics' etc."

Prisoners freed in Portugal

DR. ACACIO GOUVEIA, and Dr. Eduardo Figueiredo, both leading members of the Portuguese opposition, have been released from prison. They were arrested in May, soon after they had signed a draft programme which called for the abolition of Press censorship, the freedom to form political parties, the release of all political prisoners, the freedom of religion and the reform of the courts.

APPEAL FOR AMNESTY notified the Portuguese Embassy in London in June that both men had been registered as Prisoners of Conscience. The movement welcomes their release.

"The Spectator"

*The first and liveliest of the
British weeklies*

Every Friday, 9d.

LIBERIA DISBARS A LAWYER

by Peter Archer

WHEN the liberties of the subject are assaulted by politicians, it is usually to the judges that we may look for champions. *Sed quis custodiet custodias?*

Last January at the Lagos Conference, sponsored by the International Commission of Jurists, a paper was read by Mr. Cassell, a Liberian lawyer. He was a former Attorney-General, and his paper was concerned with the Protection of the Individual in Liberia. He ventured no major criticisms, but pointed to some minor defects. In particular, he referred to certain penal statutes relating to political activities, and to some dissatisfaction with the judiciary, particularly at its lower levels.

In May, the Liberian Supreme Court pronounced him guilty of contempt, disbarred him, and

forbade him to practice further in Liberia. His comments on the statutes were held by the Court to be contemptuous on the curious ground that, while Attorney-General, he had been responsible for prosecutions under their provisions. Mr. Cassell's insistence that in fact he sought to have the statutes amended seems almost irrelevant. If criticism of a statute is held to be contempt of court, then every Parliamentary Opposition is in danger.

The court seemed impressed by the fact that the criticism had been uttered at an international conference: ". . . we question the patriotism and the professional good intentions of any Liberian lawyer, who prefers to take our alleged faults into foreign countries and before international forums, and there paint the Country and its institutions in the blackest hues, and

attempt to drag her good name and honour through the filthiest slime of prejudiced and stilted half-truths."

Ignoring both the extravagance of the language, and the fact that Mr. Cassell's patriotism was not the matter at issue, the proposition that criticism at an international conference is more contemptuous than criticism at home is a juristic innovation.

Finally, the Court was concerned that the criticism had been expressed in the presence of the Liberian Chief Justice, who was attending the Conference. Criticism of a Chief Justice may in certain circumstances constitute contempt, whether he is present or not, but if the attendance of eminent Liberian judges at conferences is to inhibit discussion, their interest is likely in future to be less welcome.

The Court was emphatic that it was not questioning Mr. Cassell's freedom of speech. Equally, of course, the Walrus meant no harm to the oysters.

France clamps down on her press

from NICOLAS JACOB, Editor of "La Vie Judiciaire" of Paris

AS a result of the interminable war in Algeria, the situation of the French press has deteriorated considerably. Seizures of whole editions of papers and books occur with increasing frequency.

Recently a weekly was even seized twice in the same week. The first edition was seized for the reason that it contained an inopportune article. The next day the editor published a second edition which omitted this article but the authorities then condemned a second article which had been allowed the first time, and the paper was seized once again. It is obvious that seizure is far more harmful than preventive censorship, since the consequences are financially grave.

Certain publications are prohibited; investigations have taken place both at newspaper offices

and at journalists' homes. It has often happened that left-wing journalists have spent whole nights at police stations. Even right-wing journalists are not exempted; and one of them was arbitrarily committed to an "internment camp" last June. He was released after numerous protests.

The Government attempts to justify these violations of the freedom of the Press by invoking the provisions of Article 30 of the code of penal procedure. This states that "in the case of crimes and offences against the internal or external security of the State, and only in an emergency, the prefects of the departments, the prefect of the Seine, and the prefect of the police may, if they are aware that the legal authorities have taken no action, personally take any steps necessary to effect the establishment of the crimes and offences specified above. . . ."

In the 24 hours following these actions, the prefect must submit

all the details of the affair to the Public Attorney. The prefects, therefore, have only to establish the crime or the offence, but in reality, the administration punishes by using its power of seizure. Here is a grave abuse against which the victims are helpless.

On the one hand, an attempt to accuse the prefects of having been personally mistaken is bound to fail. On the other, trying to make the State itself responsible comes up against the principle, recognised by French law, that the public administration is not responsible for damages caused by the legal authorities (the prefect acts, in effect, as a legal authority).

It is evident that some restrictions on the freedom of the Press may be decreed in times of crisis or national war, and it is no less evident that publications may be seized if they contain articles constituting crimes or offences. Unfortunately, the seizures about which we have written are only very exceptionally followed by legal convictions; they therefore constitute manifest violations of the freedom of the Press.

“MIFF” TAKES ON ANOTHER JOB

EVERY Thursday Amnesty organisers meet over lunch to exchange ideas and news. At one of these lunches early in June, the organisation of the “Threes” groups came under discussion. The growing number of inquiries from people interested in joining such a group made it obvious that there was a need for one person to co-ordinate all these volunteers. An organiser was needed, but who would take it on voluntarily? “Miff will do it” said Peter Archer, a young barrister who is one of the founders of Amnesty. And “Miff”—otherwise known as Mrs. Margaret Archer—has done it ever since.

But “Miff” is not unused to taking on a variety of jobs on behalf of her husband and herself. When small she could not even pronounce her own name—then Margaret Smith and hence acquired her nickname—but now in her house in North-West London she copes with a variety of tasks,

ranging from typing her husband's books to supporting him in his political work (he was the local Labour candidate at the last general election).

Recently Mrs. Archer was appointed a J.P., but somehow finds time to spend the equivalent of a day and a half per week on Amnesty work. She takes it all in her stride, explaining “Other people relax at weekends; Peter and I use it to catch up with our work.”

Since she took on the task of “Threes” organiser, letters of inquiry have been arriving daily. Mrs. Archer answers them immediately if possible. “If people take the trouble to write, I think they should have a prompt reply.” She admits to doing all her typing the hard way—with two fingers. But though Mrs. Sophie Otwell, a former refugee who is a qualified typist, comes in once a week to help with the Amnesty correspondence, she does almost all the work herself.

Until last year Mrs. Archer was an infants teacher at an Islington school. Now she spends her

working day at home—quite content to be on her own. “After ten years as a teacher, it is pleasant to be undisturbed.” Nevertheless visitors are always welcome, although they are likely to find themselves roped in to do some work. “People who drop in one day for a chat find themselves returning the next day with a typewriter.”

Apart from arranging the “Threes” groups, Mrs. Archer is responsible for Amnesty's speakers panel, and is currently making arrangements for speakers to go and address groups in Manchester and the Midlands which have asked to hear about the work of AMNESTY.

She emphasises that people who join a “Three” should not be frightened and think that they are taking on a formidable task in undertaking to contact prisoners in three very different parts of the world. There is a lot of work that can be done at the local level, she points out, and expert help in the right way to set about making contacts abroad is always available.

THENA HESHEL

News from the “threes”

In ISLINGTON, a group of workers at a Family Service Unit have formed a Three. One of the members, Jill Saxby, writes to *Amnesty* that “three of us actually live at the Unit as well as work here so that it is a useful place for meetings. We have got the address of one of our prisoners—a Greek woman and her family. We have written to the family and the honorary secretary of the League for Democracy in Greece, has promised to enquire about the prisoner . . . we plan to wait until we have a little more information and then

write to the local paper to get more supporters.”

* * *

The PORTSMOUTH Three meets regularly once a week. According to Harry Forder, one of its conveners, members call personally on different socialist clubs in the area and give them details of the AMNESTY Appeal. “Then we enlist as many people as possible to write at least one letter per week to whoever we advise them. We get the club secretaries involved to check that their members do write the letters.”

In CLAPHAM, one of the prisoners allocated to the group is Mgr. Ludovico Vida, the Vicar of the Bishopric of the Baia Marc in Rumania, has become the special responsibility of two members of the “Three”—a curate and a member of the local parochial council who as Anglicans are particularly anxious to do something to help a member of another church. The case of Rafael Martinez, a 19-year-old student imprisoned in the Dominican Republic has been entrusted to two young student members of the group, and the group soon hopes to have news from their third prisoner, Dr. Antonio Flountis of Greece, whom they have already contacted.

No decision yet on Mr. Wang

THE case of Mr. Shou-Kang Wang, the refugee from Formosa, who arrived in this country in July and requested asylum from the British Government, is still under review by the Home Office. As reported in a previous issue of *AMNESTY*, Mr. Wang has been given permission to stay here until a decision on his application has been reached.

The day after Mr. Wang's arrival in Britain, Mr. Harold Davis, M.P., raised his case in a private notice question in the House of Commons. Following this, the Government decided that Mr. Wang should be allowed to stay for fourteen days.

Mr. Wang also consulted a firm of solicitors, and the following week a lengthy statement in support of his application was sent to the Home Office—and before the expiry of the 14 days the Home Office announced that Mr. Wang would be able to stay in this country pending the Government's decision.

In view of the hardship caused by the two-month delay *AMNESTY* has now sent a special appeal to the Home Secretary.

Burma to guarantee Religious Freedom

THE Burmese Parliament is expected shortly to approve a constitutional amendment which will guarantee the right of non-Buddhists to teach their religion.

Buddhism was recently established as Burma's official religion. The proposed amendment will add the words "to teach" to the present constitution which guarantees that "all persons are equally entitled to freedom of conscience and the right freely to profess and practise religion subject to public order, morality or health. . . ."

The Burmese Government has also announced that it will form a Religious Affairs Committee to advise Prime Minister U Nu on problems that could lead to misunderstanding between Buddhists and non-Buddhists. The committee will be designed especially to prevent the denial of appointments and promotions to non-Buddhists in Government service. It is expected that various religious groups will be represented on this committee.

AMNESTY NOTES

NEW HOME FOR THE LIBRARY

Monday, 2nd October saw the opening of the new offices of the Prisoner of Conscience Library. They are at **5, Essex Court, Temple, London, E.C.4** on the second floor. The Trustees of the Fund are grateful to the Benchers of Middle Temple (Inn of Court) for their kindness in making available these premises (normally reserved for the use of barristers) on a temporary basis. The telephone line **CENTRAL 7867** has been transferred to the new address along with the library files and card-index.

READERS REPLY TO QUESTIONNAIRE

The questionnaire of "The Boundaries of Freedom," sent out with the last issue of *AMNESTY* has evoked a good deal of interest. One enthusiast says that she was glad that it rained all Sunday because this gave her the chance to devote the day to the job. When all the replies from Britain and abroad are received, they are going to be analysed and tabulated. The common ground between them will be used as the basis of the Working Paper for the "Boundaries of Freedom" Colloquy.

CONVOYS LTD.

Officially Appointed Travel Agents To
"ODYSSEY"

Head Office

6, Bouverie Street, London, E.C.4.
FLEet Street 4060 (15 lines)

21, Tothill Street,
London, S.W.1.
Trafalgar 5445.

6, Carlton Place,
Glasgow, C.5.
Glasgow South 3325.

17, Merton Road,
Bootle, Liverpool, 20
Bootle 4141.

Worsley Road,
Swinton, Manchester.
Swinton 3221.

EVIDENCE

The universities' magazine
(you may remember it from *Amnesty* before
last)

It incorporates *Oxford Opinion* and is published by THAMES & HUDSON

We are now able to tell you that it will be out on **20th October** and once each term

You will be able to buy it at any good bookshop or newsagent near or frequented by university students at two shillings or by a subscription for one shilling if you send an order and payment for three or more to

EVIDENCE

33, Windsor Court,
Moscow Road, London, W.2

Are you helping?

If AMNESTY is to be effective as an instrument for the achievement of greater political liberty it must have a wider circulation—and it must be solvent.

Many of you who are reading this will already have sent in a subscription to the paper. We ask you to help us get AMNESTY more widely read. Mention it to your friends, mention it to strangers if you have the opportunity, circulate it or leave it somewhere where other people will read it. You can do something now by filling up the coupon below with the names of people whom you know would be interested in AMNESTY.

We have ourselves circulated the paper on approval to those we thought might make a subscription. We now ask them to send in a guinea and in return they will receive AMNESTY until the end of the year.

As the weeks pass so the quality of the paper will improve. This fortnight's issue invites your direct participation in at least two important matters—asking how you think a democracy should deal with civil disobedience, and your assistance in providing a working paper for the Frontiers of Freedom conference.

Help us to stay alive and to grow.

To: AMNESTY,
1 Mitre Court Buildings,
Temple,
London, E.C.4.

*I enclose £1 ls. as my subscription to AMNESTY for six months. Cheque/P.O.

*I am sending the names and addresses of the following people who I think would like to receive AMNESTY regularly.

1.

2.

3.

My name is

Address

* Delete if inapplicable.

This is what AMNESTY is all about

THE organisation known as **APPEAL FOR AMNESTY 1961**, was launched by a group of lawyers, writers and publishers in London, all of different backgrounds, political attitudes and religious views.

It aims for the release of all people, in whatever country, who are held prisoner for their opinions and their conscience, who are physically restrained from expressing genuine non-violent views.

It aims to build up in all countries a publicity campaign which will set a tide of opinion running in favour of all Governments—of whatever shade of opinion, in whatever part of the world—guaranteeing the freedom of men to express their opinions and practice their faiths, however opposed to their nation's Establishment.

Membership of the founding group is reserved to those who are determined to ensure that the conduct of **APPEAL FOR AMNESTY 1961** remains wholly impartial — between countries, parties, politics, ideologies, religions. Its aim is not to speak for non-communist prisoners in Communist lands, nor for Communist prisoners in other totalitarian lands, but to agitate for the rights of both—and, indeed, those who are neither.

The Joint Directors are: Eric Baker, former Joint Secretary of the Quaker Centre in Delhi and Secretary of the National Peace Council in London until 1959, and Peter Benenson, who in 1956 took the initiative which led to the formation of "Justice," the all-party body of lawyers to uphold the Rule of Law.

There is a tremendous lot more to be said about **APPEAL FOR AMNESTY 1961** that cannot be said in this column.

If you want to know more, as we hope you do, write to Mitre Court Buildings or 'phone London Central 7867/9429.