

AMNESTY



Journal of the Amnesty movement
an international movement for
freedom of opinion and religion

1963

Number Four 2/-



AMNESTY

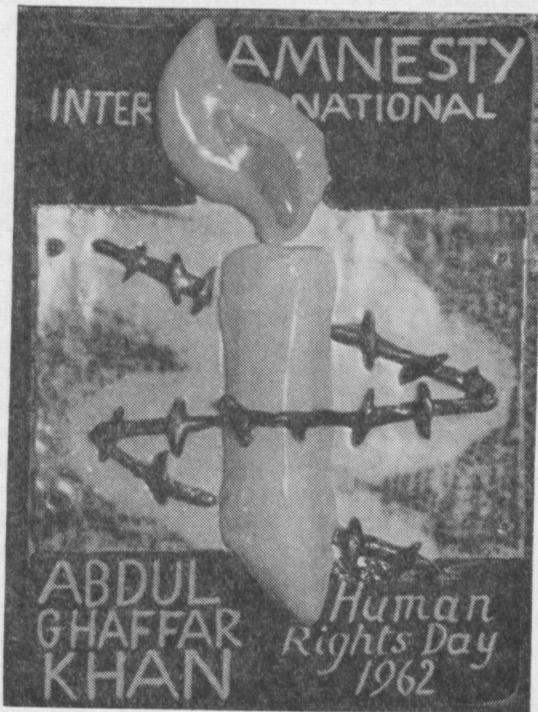
**An international movement for freedom
of opinion and religion**

The Amnesty movement is composed of peoples of all nationalities, politics, religions and social views who are determined to work together in defence of freedom of the mind.

The spread of dictatorship, the tensions that have resulted from the Cold War, and the increasing cleavage between races of different colour, have combined to make state persecution of the individual the gravest social problem of the 1960's.

The principal object of Amnesty is to mobilize public opinion in defence of those men and women who are imprisoned because their ideas are unacceptable to their governments. It has been formed so that there should be some central, international organization capable of concentrating efforts to secure the release of these "Prisoners of Conscience". Essentially an impartial organization as regards religion and politics, it aims at uniting groups in different countries working towards the same end—the freedom and dignity of the human mind.

EDITORIAL



The plaque awarded to Abdul Ghaffar Khan was designed by Eric Austen

KHAN ABDUL GHAFFAR KHAN, 72-year old leader of the "Servants of God" movement of the North West Province of Pakistan was chosen as the 1962 "Prisoner of Conscience of the Year". This selection follows the precedent made on December 10th, 1961, when Christopher Payi was declared to be the symbolic prisoner

for the purpose of AMNESTY's Human Rights Day commemorations. Payi, a stateless South African, had been arrested in Portuguese Guinea on his way to take up a place at Ibadan University, Nigeria. He remained for several months in prison in Portugal before he was released very soon after the publicity attending the Human Rights Day commemorations.

Abdul Ghaffar Khan is at present detained under the Emergency Powers of the Pakistan Government. His offence is that he has too strong a following among his own people, the 4 million Pathans. They support his demand for regional autonomy within the framework of Pakistan, in other words, something akin to the concessions made to the Bengali and Tamil linguistic minorities in India. The Pakistan Government fear that if the so-called "Gandhi of the North West Frontier" were to return to his province, his following would prove an embarrassment to the present system of centralized control. The Joint Hon. Secretaries of AMNESTY have suggested to the Pakistan Government that, if this is the only obstacle preventing the release of this old and ill religious leader, he should at least be allowed freedom to live in another province of Pakistan. The Government has undertaken to review Abdul Ghaffar Khan's detention in February, 1963. It is greatly to be hoped that this man, whose moral leadership is universally recognized, who is venerated by his own people and admired by all followers of Gandhi's methods of non-violence, will be allowed to leave prison. He has been there with only short interruptions ever since Pakistan became independent in 1947.

HUMAN RIGHTS

In 1962 Amnesty held a series of conferences on "Personal Freedom in Contemporary Society". Human Rights were looked at first in the emergent countries of Ghana and the Sudan, second in the Marxist-Leninist countries, and finally, on November 17th, in Western Europe. These studies reveal only too clearly that human rights are honoured more in the breach than in the observance in many parts of the world.

Western Europe, which has a long heritage of personal freedom, has tried to enshrine these rights in the European Convention of Human Rights. This only applies, however, to those nations belonging to the Council of Europe, and excludes Spain and Portugal, where many basic human freedoms are not recognized. Even within the Council there are exceptions to full ratification of the Convention. France, for instance, has not ratified it and Britain, Greece, Italy and Turkey have failed to ratify certain parts of it.

RARELY, perhaps, has the Niblett Hall in Inner Temple heard a more far ranging and penetrating discussion of human rights than at Amnesty's final conference of 1962, when, under the skilful chairmanship of Mr. Norman Marsh, Director of the British Institute of International and Comparative Law, an imposing array of speakers discussed "Personal Freedom in Western Europe".

FREEDOM IN SPAIN?

In Spain one could not speak about personal freedom, but only about persecution, *Ernest Davies* told the conference. Mr. Davies was well-qualified to discuss conditions in Spain, both as a former Under-Secretary of Foreign Affairs and as one who has observed political trials frequently on behalf of the Spanish Democrat's Defence Fund.

He said that Spain was a police state in every sense of the word. Individuals were always in danger of arrest, if they disagreed with the regime. Although the law provided that people could not be held for more than 72 hours, before being charged with an offence, it often happened that preliminary investigation after arrest allowed the authorities to extend this time, even for years. Antonio Amat was one example; arrested in 1958 he had no trial but was released provisionally in May, 1961 and kept under continual police surveillance. His trial was supposed

to have taken place on November 6th, 1962, but with 50 other socialists, this was indefinitely postponed and nobody yet knows when it is likely to take place. He is subject to rearrest at any time.

In Spain, Mr. Davies went on, it is impossible to have a fair defence in a political trial. The number of offences that can be tried by Court Martial are very wide indeed. He himself had attended a trial of students, charged with distributing leaflets in support of a strike in 1959. They had been tortured by the police. Two months later they came before a Military Tribunal which sentenced them to several years imprisonment. Another example of a trial of which he had personal knowledge was that of the Basque nationalists. When Franco visited Burgos in celebration of 25 years of power, as a protest a train was derailed. Seven people were arrested, although only two were actually accused of the derailment. The rest were charged with owning Basque flags. At the trial the defence tried to raise the question of torture of the defendants, but the judge would not allow any discussion in the court. For these offences sentences ranged from 20 years down to 7 years. Mr. Davies pointed out that in these trials defendants were only allowed consultation with their counsel 48 hours before the trial. Even then counsel were drawn from a list of military officers who knew nothing about the individuals

concerned and there was no possibility of witnesses being called in defence. A further example of the regime's repressive attitude was shown when those who had attended a Council of Europe Conference at Munich (with official permission), at which a resolution was passed that Spain should not become a member of the Council of Europe until there was a democracy in Spain, were stopped at the airport on return and given the choice either of being deported to the Canary Islands or going into exile.

In conclusion Mr. Davies stressed that the fact that observers have attended the trials, particularly from Amnesty and other organizations, had stirred world opinion and this definitely had had effect in Spain in some cases. It was essential to continue to put the spotlight of publicity on these trials until there was a change in the present regime.

FREEDOM IN PORTUGAL?

Albert Lodge, formerly lecturer in English at Lisbon, who was expelled for expressing sympathy with demonstrating students, described from his own experiences the situation in Portugal. He noted that replies to a questionnaire on the application of human rights would all be negative in Portugal. Although freedom of opinion was guaranteed in the constitution, in fact it was so qualified by legal restrictions and decree that it no longer existed. He had seen with his own eyes a professor left lying bleeding on the ground after a clash with the police on the University campus. He had seen students forcibly transferred from trains to police lorries while on a peaceful journey to a students' day in Lisbon. He had met one man who had suffered the "statue" torture, though he understood that many others had also suffered in this way.

He had been impressed by the fact that when Galvao captured the ship *Santa Maria* there was absolutely no comment about this in bars and cafés, and people flatly refused to discuss the matter. Yet, at the same time demonstrations, which by law were disallowed, could on occasion suddenly take place against the British and USA Embassies. There was an overwhelming atmosphere of fear throughout the country. As in Spain, the Roman Catholic hierarchy seemed now to be moving away from complete

support of Dr. Salazar's regime and its repressions.

Mr. Antonio de Figueireido, himself a political refugee from Portugal, pointed out in a paper to the conference that Decree Law No. 40550, introduced on March 12th, 1956, was the instrument by which this fear was imposed. This Decree enabled the police to arrest any person alleged to be involved in movements of a Communist character or who aimed at committing crimes against the security of the state. Both of these were interpreted very widely, and the Government had complete power as to the interpretation that should be given in any particular case.

In Portugal all newspapers and magazines are officially submitted to a censorship that covers not only the contents of articles, but the lay-out of the texts. The Government Information Department has a tight control over all media of information and keeps a careful watch on what is being produced in the arts, such as the Theatre, cinema, and painting.

No duplicating machine or printing press can be sold without the knowledge of the political police. The Secret Police ask the seller to give complete and detailed information about the buyer's name, address and registration number of the machine and what it is going to be used for.

Roman Catholicism is the official religion, and many difficulties are put in the way of forming any other religious group. Conscientious objectors are not officially recognized, and a man objecting to military service is sent to a special disciplinary detachment for punishment.

* * *

FREEDOM WITHIN THE COUNCIL OF EUROPE?

Turning to countries within the Council of Europe, *Antony McNulty*, Secretary of the Human Rights Commission, said that **one of the Commission's great achievements had been to give recognition to the individual as a subject of international law.** It was worth remembering that the Commission could not deal with any case if the desire of the applicant was to destroy the rules of the Convention. Of about 1,500 applications, the Commission had dealt with seven and 40 had been referred back to Governments for comment.

Surveying personal freedom within the countries belonging to the Council, *Maurice Cranston*, philosopher and political writer, commented that **one of the perennial problems of the free society was tolerance of the intolerant**. How far should freedom be given to those who wanted to destroy freedom?

In countries such as West Germany and Greece Communism was banned by law; in France and Turkey governments had tried to solve their problems in ways contrary to those laid down in the Convention. Even though nearly all countries belonging to the Council of Europe had basic human rights written into their constitutions, in practice it was found that these rights were often by-passed.

In the Council of Europe countries churches have little reason to complain he suggested, but even so, peculiarities arise from time to time. In Holland, for instance, in 1957, a Catholic priest organized a procession in a town where such processions had been banned since 1848. The priest was prosecuted, but based his defence on an article of the Constitution which guarantees religious freedom in Holland. The High Court accepted his defence, but the Supreme Court rejected it.

Bitter conflicts sometimes also arise on whether or not the state should subsidize religious, particularly Catholic, schools, but on the whole the battle for religious toleration has been won.

Greatest intolerance within the Council of Europe is to be found in the treatment of conscientious objectors. In France a new law has eased their position somewhat, but in Greece recently one man was sentenced to 20 years imprisonment for refusing to carry arms. In Scandinavian countries alternative civil work is provided for C.O.s, but in Austria they are obliged to serve in non-combatant units of the Army for three months more than ordinary conscripts. In Western Germany pacifists have to work at tasks "to promote the general welfare".

THE SPIEGEL AFFAIR

The Spiegel affair in Western Germany was discussed as part of a more detailed survey of personal freedom in particular countries.

Describing the legal implications *Dr. Andrew Martin*, an eminent British barrister, pointed out that on October 8th *Der Spiegel* printed an article analysing German manoeuvres and gave them the lowest NATO rating—i.e. that the German Army should be used in limited circumstances only. Nearly three weeks later Herr Augstein, the editor, and several of his co-editors were arrested in circumstances that caused much anxiety among the German people.

Warrants for arrest authorized by the Examining Magistrate of the Federal Court at Karlsruhe had been taken under that section of the German Criminal Code whereby an act of treason can be invoked for the publication of "State Secrets". The kernel of the problem was that the Code did not lay down what a "State Secret" actually was. This was a matter for the Government to decide in the light of given circumstances and it did not matter whether publication included classified or unclassified material. He emphasized that freedom of the press was recognized in the Case Law of the German Courts and it was acknowledged that it was the legitimate job of the press to publish information, even about defence. This being so, the necessary corollary if this kind of thing legally were not to happen again was to keep the press informed about what was secret information and what not.

Mr. Harry Bohrer, who as a member of the British Control Commission had helped to found *Der Spiegel* after the war, and *Dr. Alexander*, London correspondent of *Der Spiegel*, also contributed to the discussion. *Dr. Alexander* said that so far none of the accused had been able to speak to their counsel alone. If the kernel of the problem, as *Dr. Martin* suggested, was the decision on what or what was not secret information, the German Government could perhaps follow the British method of informing journalists on these matters and trusting them not to publish material injurious to state security.

FREEDOM IN FRANCE?

Speaking of France, *Mrs. Dorothy Pickles*, expert Francophil, pointed out that the emergency of the Algerian War would have enabled the French (even if they had ratified the Convention) temporarily to contract out of its pro-

visions, under Article 15. This allows a waiving of other Articles while a state of emergency persists.

It had always been the case in France that more attention was paid to freedom of opinion than to rights of individuals. Verbal attacks on Government or persons were allowed much greater licence than in most other countries, although a blind eye was often turned to constitutional misdemeanours. As a result of the emergency France had now in force a Preventive Detention Act and the powers of the police had been considerably extended. It was still possible to hold people without charge or trial if they were thought to threaten the safety of the state. It was true also that there had been cases of police brutality, but one had to remember the continual OAS and Algerian bomb outrages which tried the police greatly, so that they were now very disgruntled.

Turning to religious freedom, Mrs. Pickles said that there was still an intangible area of anti-clerical prejudice, but there was complete freedom now for Catholics to educate their children and the state was helping finance Catholic schools on a scale unknown before.

Referring to a question about the use of torture by the French Army, Mrs. Pickles said that conditions there were not satisfactory. It was still in a state of potential revolution and morale was very poor. The Church had often courageously condemned torture in the French army and many priests and others had suffered from OAS reprisals as a result.

FREEDOM IN GREECE?

Reg Sorensen, M.P., who has worked hard for the release of Greek prisoners criticized the present system in Greece whereby all those who had been engaged in any protests against the Government have to have "Certificates of Social Opinion", issued by the police in order to get work. This applied not only to work in the public service, but in private firms as well. Even the children of prisoners had to produce certificates if they wanted to go to University.

About 60,000 political exiles have had their citizenship taken away from them. Public meetings are restricted and the press can be persecuted for "slander", a term very widely interpreted. The radio is entirely controlled by the Government, and conscientious objectors are subjected to very harsh regimes.

A SUMMING-UP

Looking back on these conferences on personal freedom one thing seems to emerge, namely, that though much lip service is paid to human rights—even to the extent of incorporating them into written constitutions—in practice governments find many excuses for not applying them. They emphasize again how slippery is the slope of human freedoms and how easily they can be subverted to oppression.

Even in Western Europe, we have seen this subversion. Here, perhaps, even less excuse can be found than in the emergent countries which are still fumbling to find an appropriate way of government or in the Marxist-Leninist countries whose whole conception of personal freedom evolves from quite different premises from those in the West.

Yet behind the oppression hope still glimmers. Emergent countries have shown themselves susceptible to world opinion. In the Marxist-Leninist countries there has been a greater recognition of the individual's place *vis-à-vis* the state, and in Western Europe the European Convention of Human Rights has at least incorporated an ideal into some form of practical application.

But still two-thirds of the world's citizens fear to speak their thoughts or hold their religions freely. Until they have no fear the Universal Declaration of Human Rights remains but a scrap of paper.

This short article gives only a brief outline of the Conference discussions. A full report is available from 1 Mitre Court Buildings, price 1s.

AMNESTY'S CODE OF CONSCIENCE

by PETER BENENSON

ON Human Rights Day, December 10th, 1962, we published the "Code of Conduct towards Prisoners of Conscience". In Britain we published it at a ceremony in the Lord Chief Justice's Court. In France and Germany, in Belgium, Holland, Sweden and Italy it was published on the same day in the national language. In abbreviated form it was sent in Spanish to all the leading papers of Latin America. Across the air it was beamed by the B.B.C. to the countries of Eastern Europe and away to South-East Asia.

What is this Code about? What does it try to do? And to what extent is it likely to succeed?

This Code is designed as an annex to the Universal Declaration of Human Rights. When that Declaration was published on December 10th, 1948, it was intended to be the foundation of a system of international jurisprudence brought into being to guarantee and enforce fundamental human rights. Unfortunately the building has never passed the foundation stage; at that point in its construction, in 1948, the Cold War swept across the site and further work has been held up by the blizzard. In default of agreement between the leaders of the principal nations, it has fallen to a voluntary body to assemble the next small part of the building. This part is the "Code of Conduct towards Prisoners of Conscience". As yet, it lies beside the building site like a prefabricated assembly not yet hoisted into position. The decision whether or not it is to be included in the building depends on the General Assembly of the United Nations.

These picturesque metaphors should not deceive anyone into thinking that this Code is

more important than it really is. Seen against the plan of the whole building of international jurisprudence it is only a small part, but like the corner-stone it is essential for the support of the upper storeys. The Code begins by laying down the basic proposition that no one should be imprisoned for the expression of opinion or the practice of religion *except where it is necessary to maintain public order*.

In Article 2 the Code defines those forms of expression of opinion which are to be *protected* by the general prohibition against imprisonment. These forms range from criticism of the Head of State to conscientious objection to military service.

The remainder of the Code lays down a system for protecting those persons (referred to as "Prisoners of Conscience") who are arrested because their arrest is regarded as necessary in the maintenance of public order. The second part of the Code is devoted to ensuring that they are only arrested after issue of a judicial warrant and are not brutally treated after arrest. The third part deals with the period of remand before trial. It specifies that every Prisoner of Conscience should be brought before a *judicial authority* within 24 hours and *must* be arraigned within 72 hours. It prohibits interrogation except by a judicial authority. It states that no unnecessary restrictions or deprivations should be imposed during the period of remand, and gives the prisoner a right of appeal to the court in the case of unnecessary hardship.

The fourth part of the Code deals with the trial procedure. The most important provision requires the trial to be held within 6 months of arrest, failing which the accused shall be deemed

to be acquitted and set free. It lays down that the accused shall have at least 14 days' notice of trial, and shall be allowed free choice of counsel and unlimited consultation with him. During the trial it lays down certain basic safeguards for the defence which apply equally to all systems of law, Common, Napoleonic or Soviet. It specifies that no confession should be admitted in evidence "unless the person who is alleged to have made it affirms at the trial that it was made voluntarily without torture, threat, trickery or hypnosis". Finally, this part states in no case shall a Prisoner of Conscience be sentenced to death or corporal punishment.

The fifth part of the Code deals with rights of appeal, and provides that no sentence shall be enforced until the accused has had a 14-day chance to appeal. The appeal must be heard within 3 months.

The sixth part is concerned with safeguards during imprisonment. The first of these is the most striking: Article 23(a) states that a "Prisoner of Conscience *should* not be held in prison for more than 7 years", and the second part of the same article gives him a right to petition the Head of State for clemency at least once each year and to receive a written reply within 3 months. The rest of this part establishes a system of inspection by inspectors appointed, not by the executive, but by the judiciary. Each Prisoner of Conscience must receive a private visit from a judicially-appointed inspector at least once a year. And the inspector is required to satisfy himself that the Prisoner is receiving the minimum standards of treatment laid down in Article 24, and is not being subjected to physical violence, forced labour, cruel, inhuman or collective punishments contrary to Article 25. The inspector is expected to make an annual report on each Prisoner of Conscience, the significance of which report will appear below. The remainder of this part deals with the procedure on release; an important provision here is that, except in a period of emergency, a prisoner's full civic rights, including the right of movement, shall be restored after the expiration of 7 years from sentence.

The seventh part deals with periods of national emergency, defined as "time of war or other public emergency threatening the life of the nation". The Code recognizes that in such a

period it may be reasonable for a government to *detain* certain of its opponents. Article 29 lays down that during such a period, when a Prisoner of Conscience is arraigned before a court within 72 hours, he may be handed an order detaining him for a period not exceeding 12 months without trial. During this period he is to have an unfettered right to consult his lawyer and to bring proceedings for his own release. And, most important of all, he is to be treated in all respects as if he was an Officer Prisoner-of-War within the meaning of the Geneva Convention, 1949.

The eighth part is perhaps the most far-reaching. It lays down the inspector's annual reports on the conditions of imprisonment shall be open to inspection by the International Committee of the Red Cross. And it requires every order of detention made during an emergency similarly to be open to the Red Cross so that they can visit and protect detainees just as if they were Prisoners of War.

The full document, like another well-known text, runs to 39 articles. It is necessarily detailed, though drafted as simply as possible so that every accused person should be able to understand his rights. Although the terms were settled by an international committee of lawyers, the underlying safeguards are drawn from the suggestions made by people who have actually suffered torture and starvation. Perhaps most important, the Code has been democratically agreed so far as was possible within the time. The second working draft was submitted to all the national sections of AMNESTY INTERNATIONAL for members' comments; and amendments from six countries have been included in the final text.

Of course, it is one thing to draft and publish a set of moral principles, it is quite another to enforce them. Here, it is worth referring to a paragraph in the Code's Introduction. This states that it is the intention of AMNESTY INTERNATIONAL to publish on each successive Human Rights Day information as to the extent to which each country has "either expressly applied the Code or accepted it in practice". Within one year not a great deal may have happened, but there are already certain countries which go a long way to applying the provisions of this Code in practice. These countries

will receive merited publicity each year on December 10th. But let us not delude ourselves into thinking that mere shame at not being included in the list of acceptors will oblige others to follow suit.

It will require the mobilized pressure of public opinion to secure general acceptance of the Code. This can be achieved by frequent publicity for the Code, and constant reference to it. The International Committee of the Red Cross of its own initiative has decided to publish the Code in the four languages of its International Bulletin. On every occasion that a Prisoner of Conscience is denied the safeguards of the Code he must speak up and ask for them; and every international agency intervening on his behalf should refer specifically to the safeguards which have been refused. In time this Code can have the same moral effect on governments as the Geneva Conventions have on belligerents.

There are two topical reasons for appealing to

statesmen of goodwill to show leadership by pressing the United Nations to endorse the Code. The first is by way of tribute to the late Eleanor Roosevelt, who devoted so much of her life in the cause of human rights. The second is by way of tribute to Henri Dunant of Switzerland; for 1963 marks the centenary of his foundation of the Red Cross movement, which has brought so many together in a united endeavour to prevent needless physical suffering.

Finally, there is one over-riding reason why this Code will one day become a part of the law of civilization. This is because it is not just a Code for the treatment of Prisoners of Conscience, it is a *Code of Conscience*. Now that it is published, it lies upon the conscience of us all. It is for each of us in our own way to do whatever we can to bring its provisions into effect. And this we can do simply by determining that, come what may, we will ourselves respect its safeguards. For what is *law* in the last resort? It is *that which people respect*.

A TIME OF PROMISE

Changes at H.Q.

Amnesty International (our new name) starts the New Year with the appointment of a young Secretary, 26 year old Roger Burke, to take over the day to day running of the movement from Peter Benenson, Neville Vincent and Eric Baker who have seen it develop from an idea in one man's head to a growing international force.

Peggy Crane, who left at the end of 1962, to take up the appointment of Disarmament Secretary of U.N.A., was presented with a table lighter by the Policy Committee. Lionel Elvin, the Chairman, and Peter Benenson expressed the Committee's thanks for her work over the previous fifteen months.

Expansion ahead

In just under two years of life Amnesty International has put down strong roots. Over Christmas three things happened to give supporters a sense of achievement. Joseph Appiah in Ghana and Junius Scales in America were both released and the Supreme Court of South Africa ruled that the action of Mr. Vorster, the Minister of Justice, in imposing house arrest on a number of South Africans was illegal. Helen Joseph and others promptly celebrated by going out to dinner with friends.

All these people have been cared for by a "Three" Group and they are only a few of those who have been released during 1962.

It is good news, therefore, that in the last few months "Three" Groups have been forming at the rate of two or three a week,* while there

have been constant requests from groups and schools for speakers on the work of Amnesty.

The *Victoria (Australia)* Amnesty Group sent £A100 to enable Audrey Sander, a London barrister, to attend the trial of one of "their" prisoners, Natalia David and her husband in Portugal. Although she received a sentence of three years and her husband eight (both subject to further detention) relatives assured Miss Sander that her presence had helped them.

Meanwhile, other groups have been keeping up a continual bombardment of embassies, Ministers of Justice, prison governors and contacts showing on an increasing scale that prisoners of conscience are not forgotten.

In *Oxford*, "Threes" with Basque prisoners have contacted the Trinity College, Dublin "Three" and intend to get in touch with others with similar prisoners, to try and co-ordinate efforts in working for their release. In *Oxford* there has been great success, largely due to the efforts of Bridget Marsh, in interesting students in the work of Amnesty International. There is an Amnesty representative in each of 28 colleges; and regular background meetings on countries where groups have prisoners are to be arranged in the Easter term.

Both at *Manchester University* and in *Liverpool* Amnesty's work has aroused great interest. The University had a three-day display of Amnesty literature which attracted considerable attention. In *Liverpool* James Gibb gave his services free and travelled from London specially to play at a concert attended by a large number of people arranged by the Amnesty group there. Collections from both these events have helped Amnesty funds.

The *Eltham Group* also arranged a concert to commemorate Human Rights Day on December 8th with the Sherrard Singers. The B.B.C. Service for the persecuted, followed by

* New ones have recently been formed at Oxted, Croydon, Stoke Newington, University College (London), Wembley Park, Blackheath, Bedford, Cambridge, Coker-mouth, Leatherhead, Leeds, Lewes, Manchester, Plymouth, Swansea, Exeter, Mansfield and Rotterdam.

their evening programme "Persecution 1962" on December 9th was only one of several radio or TV programmes connected with Amnesty's work on or about Human Rights Day. We know of programmes in Belgium, Holland, Germany, Norway, Switzerland, Australia, Eire and the U.S.A. and there may well have been others.

On December 24th *Panorama* gave a vivid interview with Peter Benenson about Amnesty's work, including the showing of pictures of four typical Prisoners of Conscience. Viewers were delighted when two hours later Richard Dimbleby announced during a programme break that when he got home Peter Benenson had received a telegram to say that one of the four, Junius Scales, had been given a Christmas Eve Amnesty by President Kennedy.

The *Daily Telegraph* mentioned the work of Amnesty in a Christmas Eve leader, and the *Daily Mail* carried a long feature article by Ronald Camp on December 27th. So the old year went out in quite a blaze of publicity for those suffering for their convictions.

A School works for Amnesty

David Tulk of the Saffron Walden Friends School has described what his school is doing for Amnesty. After referring to his Group's three earlier prisoners (two of whom have been released) he goes on:

In setting about a freshly allotted prisoner, we write first to the contact given, if any, then the embassy concerned, then the Minister of Justice, and then to any known organization in the country involved that might help in providing information. Having established contacts where possible, money can be sent to those most in need of it. Modern language specialists take care of the correspondence to foreign contacts, their translations usually being checked for exact meaning by one of the modern language members of staff. There is an Amnesty office in the school now, where all the files are kept, and all the typing is done by a member. We find it essential to have a full meeting every fortnight, whilst debate among ourselves about various topics plays an important part in the group.

Our prisoners now are an East German, a Spaniard, and another South African. We are now making some progress with the East Ger-

man, whom we hear remains convinced of his Christian opinions. Correspondence with his relatives has been stopped by their own request, since letters received regularly from the other side of the Wall bear with them certain implications that rarely pass unnoticed by East German authorities.

Efforts on behalf of the Spaniard have so far drawn a regular blank. The South African is in a similar position to the other, previously described, and we are in good contact with people who are willing to forward money.

Being a school community we find fund raising usually a fairly rewarding enterprise. Food is sold quite regularly from the girl prefects' room window, as most of the girl prefects are themselves members. This is a very popular idea, especially on cold days, when soup is brewed and handed out with the pieces of toast as extra. November 5th, in addition to the usual excitement of roaring rockets and giggling girls, brought with it a further opportunity for raising funds. In twenty minutes we had sold half a hundred weight of hot buttered potatoes, kindly donated to the cause by a parent.

The school play brought with it a flood of Old Scholars and money-happy parents. With this thought in mind, we planned to sell coffee with biscuits after the performance, at a shilling a cup, on presentation of a beautifully designed card, bearing the Amnesty symbol. The project was a great success, and we made ten pounds clear profit. Also, on a hot day last summer, we made about twelve pounds by selling cold drinks to parents.

Letters to the local press have brought in cheques from some well-wishers. Next term an Amnesty dance is planned, and in the centre, of the hall will be placed an altar candle (provided by a Reverend's daughter) surrounded by a single strand of barbed wire. This should bring in a good financial return, as should a concert which is also planned for next term.

Membership will probably be increased in the coming term, so that when this year's second and third year sixth leave school, there will be others ready to take over their responsibilities.

I think it is true to say that those taking part in the work we are doing feel it to be a very worthwhile task. That we are dealing with real problems and not problems of our own creation

within the school, makes the job for us infinitely more important. Realizing that we are as yet in our infancy as a group, we feel, however, that we are fully under way, and that we are moving towards the creation of a really competent organization.

Appeal

One of the saddest appeals to Amnesty for help came recently from a mother in East Germany. Her son, Thomas Ammer, was arrested in 1958 at the age of 21 while studying to be a doctor in Jena. His crime was that he had been the leader in forming a small group in the University to discuss the ways of the East German

Government and to consider improvements. They decided to print some leaflets, but were denounced, arrested and in a big trial in 1958 Ammer was sentenced to 15 years penal servitude. He is a cripple, with one leg shorter than the other, but is only allowed to use his special boot for half an hour's exercise each day. As a result he is suffering from increased spinal curvature and has recently had an accident. His mother, who to protect her younger son, fled to West Germany in 1960, is unable to see him or to arrange for any friends to do so. She may write to him once a month and he may reply on one page in a censored letter. She does not think that in his present state of health he will be able to survive his sentence.

AMNESTY INTERNATIONAL PRISONER OF THE YEAR

THE GANDHI OF THE NORTH WEST FRONTIER

NON-VIOLENCE has its martyrs. One of them, Khan Abdul Ghaffar Khan, was chosen by Amnesty International as "Prisoner of the Year". His one example symbolizes the suffering of upwards of a million people all over the world who are in prison for their convictions.

Known as the "Gandhi of the North West Frontier", Ghaffar Khan, 72 and ailing, lies in Lahore prison, detained without trial by the Pakistan Government. He has been in prison almost uninterruptedly since Pakistan became independent in 1947.

In 1911, at 21, Ghaffar Khan was founding schools for Muslims and in 1919 joined the Satyagraha (non-violent) Movement. Although a Muslim he became an ardent admirer and close friend of Gandhi, and persuaded the warlike Pathans, his own people, to adopt non-violent methods. Under his leadership, Pathans, who would normally kill on the slightest provocation, stood smiling under British lathi charges and shootings. Feeling that Pathans without arms were more dangerous than those with, the British imprisoned him for three years.

Since Pakistan independence he has been continually suspect and feared by the Government for his insistence on Pathan rights. His Party, Khudai Khidmatgar (the Servants of God, known as the Red Shirt Movement) was declared illegal. In 1948 he was sentenced to three years rigorous imprisonment, but was actually detained in prison until 1954.

A brief period of freedom followed, although he was not allowed to return to the North West frontier. He was tried in September 1956 under Pakistan Criminal Procedure, again imprisoned and later freed, only to be re-arrested in April 1961 under the West Pakistan Maintenance of Public Order Ordinance. Despite appeals and review—the last of which took place on November 25th 1962, the old man still lies in gaol.

Miss Muriel Lester, an Englishwoman, who knew and worked with him, says: "No one but this gentle giant, strong in his humility, could have got the Pathans, conditioned from birth to border warfare, to abandon their faith in it and come together morning by morning to learn the skills of non-violence."

BOOK REVIEW

IF THIS BE TREASON

by Helen Joseph (Andre Deutsch 18s.)

It is in a South African gaol. "Gradually the chattering voices die down and I hear them begin to sing hymns in the African language, in exquisite harmony. Can these women be criminals? Are they not the victims of our cruel society with its hate-ridden Apartheid? I don't know what their crimes are and I don't suppose I shall ever know, but they have warm voices, the voices of women and mothers."

This is the crux of Helen Joseph's book, as it is of her life. She sees through the myth upholding a system, she sees the injustice of its laws, and she sees those who suffer under that system as they truly are—as human beings. And because she does so, without having any political or religious axe to grind, she—a middle-aged English woman—is distinguished as the first person out of more than 14 million in South Africa to be placed under house arrest by the Afrikaner Nationalist Government; just as she was distinguished as the only white woman to be tried throughout the long years of the Treason Trial. The people of Britain can well be proud of Helen Joseph.

This book is her record of the Treason Trial, at times impressionistic, at times telling about her day to day experiences and feelings. The blundering, monstrous injustice of the trial is always apparent, and one can appreciate the exhaustion and boredom in the midst of the accuseds' suffering. She has also captured Judges and Prosecutors in vivid pen-pictures, while the brilliant Defence team come to life as seen by the accused, each in his own style. What is most engaging is her description of the "singing lorry"—the bus rides of the accused to and from the court, culminating in a triumphant busload of them all wildly singing Congress songs,

enthusiastically driven by the official driver through the main streets of Johannesburg, to celebrate their acquittal.

This typifies the gaiety and defiance that lighten suffering in South Africa, as does her description of the opening of the trial when hundreds of telegrams of sympathy arrived for the accused: "We felt like stars on a first night . . ." And the street collection—on behalf of men and women accused of high treason—a charitable collection to raise funds for their defence and welfare in which the accused themselves were allowed to take part! But most moving is the sense of comradeship growing out of shared suffering—so that their own language developed, their own jokes and games. This is never so strongly felt as in the days of the State of Emergency after Sharpeville, when they were all imprisoned and for some time Mrs. Joseph was alone, only able to communicate with Lilian Ngoyi in the non-white section of the gaol by their calling to each other across the barriers. It is at this time that she becomes so acutely aware of what any sensitive white cannot avoid in South Africa—the shame of being so much better off than the non-whites all around: however much a white is ready to make sacrifices in becoming identified with the non-whites in the political struggle, ultimately this fact of life under the system intervenes.

What Mrs. Joseph hardly attempts is to tell her own life story so that through her modesty and her deep concern for others we get only glimpses of herself. For instance, she says "a few of us could carry on working" during the Trial. Behind this lies nearly five years of carrying on a full job for a trades union Medical Aid Society, working from dawn and until late in the

night, attending Court in between. She had the extraordinary responsibility of being the first of the accused to give evidence—her legs were trembling “but thank goodness no one could see them”. Though it is perhaps apparent between the lines, she does not say that she was subjected to a particularly harsh and gruelling cross-examination by one of the judges, to which she stood up magnificently. Her passion is reserved for others and what some of them went through.

Since 1954 Helen Joseph has been one of the main targets of police action. That was when the Special Branch first raided her house. Then, she was shocked, her whole life, she says, “seemed violated”. Today? “I shrug my shoulders and watch in silence.” This does not mean she *feels* the less, only that her courage has been steeled by experience, and she sees the Special Branch and all agents of the Nationalist Government for what they are. Among African nationalists and their Indian and white associates, some of whom could be labelled Marxist or socialist, Helen Joseph could best be described as a practical humanitarian. Born in Midhurst, Sussex, educated at a convent, achieving a B.A.Hons. degree in English at the University of London, she then went in 1927 to teach at a girls’ school in Hyderabad. In 1930 she went on to South Africa, teaching in Durban, and marrying there. Since then she has gained unique experience among all sections of South Africa’s sadly divided community. She was Honorary Organizer of the Indian Women’s Club in Durban. During the war she served as Welfare and Information Officer in the all-white W.A.A.F., and then became Acting Director of a community centre among “Poor Whites” in Johannesburg. After the war she studied for a social science diploma at the University of the Witwatersrand and, as a senior representative of the National War Memorial Health Foundation, worked among Coloured people, establishing community centres and educational projects. Next she worked with a trades union and with Africans and out of this life of action among the dispossessed and oppressed grew her conviction that in the South African situation social work is but a palliative. With her powerful determination to get at the causes of these ills, inevitably came political involvement: she joined the Labour Party, was

one of the founders of the Congress of Democrats (the only white organization allied with the African National Congress) and subsequently in 1954 was elected one of the leaders of a new non-racial Federation of South African Women. The police raids began.

With her effective work in organizing (which included much of the preparation for two great women’s anti-pass demonstrations at the Union Buildings in Pretoria—with 20,000 women of all races at the second), Mrs. Joseph was soon prohibited from attending any gatherings, and was confined to Johannesburg for five years. Quite unintimidated she worked on within these restrictions. Next came the arrest in December, 1956, and the charge of high treason. Yet even while she was in the thick of the Treason Trial she helped to organize the Human Rights Welfare Committee to aid the “forgotten” people—men and women banished by the South African Government because of their opposition to the Bantu Authorities system and to the pass laws. These people—some 120 of them—were wrenched from their families and jobs without warning, to be exiled to remote and usually barren areas. The most the Committee could send was £2 a month to each banished person and to each family.

And when the order restricting Helen Joseph to Johannesburg ran out early in 1962, she did not do the obvious thing for a woman so long under intense strain, exhausted from the long years of the Treason Trial and the overwork, and make for a coastal resort, or for Britain; instead she at once set off to visit some of these banished people. She travelled nearly 8,000 miles in her small car, searching them out in lonely tribal areas, coming back to tell the world about their tragic conditions. “We . . . have allowed these people to be forgotten for too long,” she wrote. “Today we remember them, and it must be our task to make up for the past by helping them and their families until the day we ourselves can set them free.” And her first act after she had been placed under house arrest, and named as a communist so that no newspaper in South Africa dares publish her words any more, was to write to *The Observer*, appealing for continued support from Britain. Already through Amnesty some of the banished people have been “adopted”—so that not only

welfare is provided for the man or woman and the family but also pressure can be exerted to bring about release. But much more needs to be done. As Mrs. Joseph points out, what lies ahead are more trials and imprisonment, bans, banings, banishments, and the "twilight life" of house arrest, the newest token of tyranny from a Government that dare not bring its opponents to a court of law because it knows it has no case.

Helen Joseph will be 62 years old when she emerges from the "twilight life" of being completely cut off by law from friends in the liberation movement. For five years she can never have friends to her small home, never visit friends in the evenings or at weekends. Each lunch hour she must report to the police when that is the time trade unionists needing her advice or help can most easily visit her office. She is a realist. She knows to the full what

suffering is about in South Africa. But her courage is undiminished; indeed it seems to grow to meet each new attack. "We still declare, for South Africa and all the world to know, that we shall not be turned from our struggle for the fundamental rights of all people in our land." This is the purpose of her total dedication.

MARY BENSON

All the royalties from "If This be Treason" are being donated by Mrs. Joseph to the Christian Action Defence and Aid Fund, to which the publishers, Andre Deutsch, are also contributing.

COMMON MARKET LAW REPORT

THE only publication in Europe which provides a comprehensive survey of all the decisions on the three European treaties—international and national court decisions.

The second part (over 200 pages) has now been published.

Common Market Law Reports, four parts each year, are available to subscribers for £9 9s. od. Individual parts cost £2 10s. od.

Published jointly by Common Law Reports Ltd. and Thomas Nelson & Sons Ltd. Orders should be sent to Thomas Nelson & Sons Ltd., Parkside Works, Edinburgh 9, United Kingdom.

IF YOU ARE...



A MEMBER
OF PARLIAMENT



A COMPANY
DIRECTOR



A DON



A Q.C.

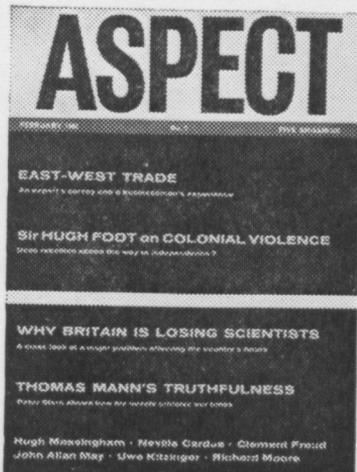
... THIS IS YOUR MAGAZINE

Or if in fact you are in any position of top responsibility, you should know about the important new monthly magazine called ASPECT.

ASPECT recognises the realities of a very special situation. It recognises that some people do not have time to do more than flick through the fragmentary news and opinions of the daily newspapers or the weekly magazines. Yet they find time (somehow they must find time) for a serious appraisal of economics, politics, business, science and the arts.

And just how effectively ASPECT fills that time you can see by taking a good long look at this month's issue. You can buy ASPECT today, and on the last Thursday of each month, price 5/- from leading newsagents. Or you can take advantage of a special introductory first year subscription offer by sending a cheque now for £2 instead of £3 to the address below.

ASPECT, PRISM PUBLICATIONS,
177 REGENT STREET, LONDON, W.1. REGENT 0911



OUT NOW 5/-

ways of helping AMNESTY

- 1 At the present time the most urgent need is for funds. Any individual over the age of 14 can become a member by paying the minimum subscription of £1 a year. Local organizations can affiliate for £2 a year and national organizations for £5 a year. Join yourself and try and get a local organization with which you may be connected to affiliate.
- 2 Take the initiative in forming a group of Three or write to the central office asking for others in your area who may be interested. Three families joined together make the basis for a good group, but local organizations may also be interested in "adopting" three prisoners and their families.
- 3 Get your local paper, magazine or journal to publish something about the Amnesty movement.
- 4 Offer to speak to local organizations about the work of Amnesty. (Speakers' notes provided.)
- 5 Offer to help the Librarian by taking over responsibility for following up cases from a particular country. (This is only practicable for those who live in the London Area.)

All communications should be addressed to:

AMNESTY

1, Mitre Court Buildings, Temple, London, E.C.4.

Tel: CEN. 7867

PUBLICATIONS AVAILABLE

The Forgotten Prisoners 1s. od.

First Annual Report 1s. od.

Personal Freedom in the Marxist-Leninist Countries (Report on June 1962 conference) 5s. od.

(1,350 copies sold in English edition: now available in German)

Persecution 1961 by Peter Benenson 2s. 6d.

Amnesty Quarterly No. 2 2s. od.