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# The Indian Civil Liberties Bulletin

[ A MONTHLY REVIEW ]

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## THE " DANGEROUS PATH " OF PRESS CENSORSHIP IN CEYLON — AND IN INDIA

The imposition of censorship on the Press of Ceylon on 7th October ( it seems to have been withdrawn on 20th October ) and the protest the promulgation of censorship regulations has evoked not only in Ceylon but all over the free world present a strong contrast with the apathy with which not only the authorities but the public in India generally regard prior restraints on the press and, what is even worse, outright prohibition of publication of news and comments in newspapers. After all, press censorship in Ceylon was resorted to in an emergency following the mysterious assassination of Mr. Bandaranaike, the former Prime Minister, and the situation is so serious that the Government has found it necessary to extend the state of emergency for another month. The belief is widespread that the murder is political and that there is a conspiracy behind. But no clue has yet been found as to the cause of the murder. Several leading persons have been arrested, among them being the Rev. Buddhakkita Thero, a founder-member of the United Bhikku Front, whose canvassing during the 1956 elections was chiefly instrumental in bringing Mr. Bandaranaike's People's United Front to power. The present Prime Minister apprehends that " a national disaster of the first magnitude " is impending and says that the " enemies of the people are more active, more vigilant and more ready for action than ever before. "

Even so, Ceylon newspapers find no justification for the censorship. They are all up in arms against it ; when censorship was imposed, the newspapers came out with the leading article columns left blank as a form of protest and to show their resentment they blacked out all Government news, and even the communique issued by the Government Parliamentary group regarding the censorship regulations was not published. But, what is more striking, even such a staid organ of public opinion as " The Times " of London found it necessary to raise its protest against the censorship. In an editorial on 13th October it wrote as follows :

The emergency regulations imposed upon the Press of Ceylon at midnight last Tuesday practically

extinguish all political journalism in the island for so long as they remain in force. The five daily newspapers are appearing every morning with a blank column where the leading article should be. But the prohibition extends far beyond the domain of opinion and embraces every kind of factual reporting that bears in any way upon politics. Not even speeches that have already been delivered in public may be printed until the text has been passed by the censor ; and accordingly statements issued by the leaders of all the Opposition parties on the day the regulations became effective were instantly suppressed.

Newspapers accused of transgressing the rules of the censorship may be suspended, not by conviction in a court of justice but by the order of the Prime Minister. The censorship extends to still and moving pictures ; broadcasting is already under Government control.

So drastic an invasion of the liberty of the Press — which, it cannot be too often repeated, is not a privilege of journalists but a right of free communication belonging to all subjects alike — can be excused, if at all, only by panic. It is easy to believe that, after the murder of Mr. Bandaranaike, emotions are tense in Ceylon and the danger of renewed communal violence real. It is significant that investigations and other proceedings consequent upon the late Prime Minister's death are among the subjects specifically mentioned as not to be referred to without the censor's permission. Mr. Dahanayake has not his predecessor's experience of a wider world than Ceylon, and he takes office in a situation that may well tax his strength of nerve. But when all excuses have been made the attempt to silence news and comment puts the Government on a dangerous path, which Mr. Dahanayake, on reflection, will probably be the first to regret. The established way of the Commonwealth for steadying public opinion in times of crisis is by free debate in Parliament. In Ceylon the House of Representatives stands adjourned till

October 27. The Opposition parties have combined to petition for its immediate recall. Whether this request is granted or not, it is to be hoped that the House, when it meets, will proceed without delay to challenge the present wide powers of censorship.

Now compare this with what is going on in India. In Punjab a special Press Act has been enacted empowering the Executive not only to impose censorship but to forbid local newspapers to publish news or comments about a movement that was then being carried on and to ban the entry of outside newspapers into the State if they contained any news or comments on the subject. The law was passed not to meet anything like the emergency in Ceylon; it is a permanent measure which the Executive can bring into force at any time at its discretion. And the Supreme Court did not find any constitutional frailty in the enforcement of such drastic provisions. It said that the Executive is the sole authority to judge of the seriousness of the situation and the powers it might take to cope with it. The proximate cause of the enactment of the measure was that a vigorous movement was afoot to give to Hindi the status which the promoters thought it should occupy in the State and to protest against the language policy of the State Government which in their opinion relegated Hindi to an undeservedly inferior position. The rights and wrongs of the specific question involved do not matter. But it means that whenever any powerful mass agitation is started, which is peaceful but which the Government apprehends might lead to disorder, it could silence the Press altogether; it cannot give any news or make any comments on the agitation. And if the validity of the law conferring such draconian powers of suppression is challenged, the Supreme Court will not call upon the State Government to make out a case to show that there was an imminent risk of disorder breaking out which the Government will not be able to control, but it will let the authorities clamp any restrictions they may like on the Press on their own subjective satisfaction that such restrictions were required, even if the measures are inspired by nothing better than panic.

But, in addition to the extraordinary legislation of the kind adopted in Punjab, several States have ready to their heads Public Safety Acts conferring equally extensive powers; the Madhya Pradesh Act, with which we dealt last month, is the latest example. These State Governments might impose censorship on the Press, or altogether suppress news and comments on any subject, or prohibit the entry into their States of newspapers from other States. This would be but a normal thing for them to do. But an even more disheartening fact is that these measures do not cause more than a ripple in the newspaper world itself. They do not evoke anything like the flaming protest which the Ceylon Government's action has aroused in the world Press or organizations which serve as the watch-dogs of Freedom of the Press. The

International Press Institute of Zurich sent the following telegram to the Ceylon Prime Minister on 13th October:

The International Press Institute, representing the free Press of the world, is deeply concerned at the draconian censorship imposed on the Press of Ceylon and on foreign correspondents. With Parliament prorogued, the complete blackout on Cabinet decisions, Government business, and statements by Ministers and Opposition alike, and the muzzling of Press comment are a grave disservice to the people, to the course of democracy, and to the reputation of Ceylon, which has prided itself on its advanced political system. We strongly protest against these measures, and urge Your Excellency to abandon or modify the emergency Press regulations, which have the effect of isolating Ceylon from the world.

And the Council of the Commonwealth Press Union passed a resolution on the same day expressing "the gravest disquiet" at the emergency regulations and added:

By these regulations it appears that the people of Ceylon are to be totally deprived of access to independent reporting of public events and free comment upon public affairs.

The power reported to have been assumed by the Prime Minister of suppressing a newspaper without trial for disregard of the censorship, is a direct negation of the rule of law.

The directions are without precedent in the history of the Commonwealth, and involve such a denial of the fundamental liberties of the subject as no emergency could justify.

## India and the Rape of Tibet

India's non-participation in voting on the resolution on Tibet sponsored by Ireland and Malaya at the U. N. has raised a storm of protest from all political parties in India except the Government's own party and the Communists, and the storm is all the greater because, as Mr. Krishna Menon himself admitted in his speech, India had induced the Afro-Asian countries to follow her example. Here was a splendid opportunity for India to show that her international policy was truly that of non-alignment and that if she was ready to condemn aggression committed by Western against Eastern powers she was equally ready to condemn similar aggression committed by one Eastern nation against another. But India missed that opportunity, thus proving by her action that, for reasons of her own, she will on no account lift her voice against aggression by a Communist power. Mr. C. Rajagopalachariar has shown how India's abstention on the Tibet issue is the exact reverse of non-alignment, "indistinguishable from abetment of oppression."

Mr. Menon expressly stated that India's attitude towards raising this question in the U. N. Assembly