

Tunisia

Rough justice

Can the holding of revolutionary, or non-conformist, opinions be regarded as legal evidence of plotting against state security? According to Tunisian law it seems it can. The sentences passed in Tunis on Monday on 33 students and teachers arrested after demonstrations last March were harsh by the standards of most other comparable governments who have had to deal with student unrest this year. Three got 14 years' imprisonment; most of the other sentences ranged between two and 11 years. The charges varied in gravity from insulting the American Vice President, Mr Hubert Humphrey, to conspiring to overthrow the government, and the seven-day trial took place in a specially created state security court. Meanwhile the government had published an elaborate white paper on the subject, broken off diplomatic relations with Syria—on the ground that Syrian embassy staff were trying to spread Baathism in Tunis university—and declared itself ready to hazard its own international prestige in repressing an affair that had taken on "international dimensions."

Yet the demonstrations that led to this legal showdown were mild as compared with those seen this year in London, to say nothing of Paris. The 114 Tunisians in the dock (plus 30 tried in absentia) were not accused of crimes of violence. No weapons more dangerous than a type-writer from the Chinese embassy have been discovered.

The demonstrations lasted only four days and were confined to the university precincts and the lycées. However, while they started as a protest against the 20 years' forced labour given to a student last year after the anti-Israel riots in Tunis, they rapidly turned into a demand for greater freedom of speech.

The prisoners, all arrested since the demonstrations, have been put in three categories by the government. In the first are the so-called Baathists, who appeared in court last week but are to have a separate trial. Those sentenced on Monday were either in the second category, communists, or the third, those associated with the clandestine leftist magazine *Perspectives Tunisiennes* run by the "groupe d'études et d'action socialist tunisien." This group had been tolerated as a study circle since 1963. But in court its members were accused of transforming themselves into an unauthorised political party.

One charge was based on a reference in *Perspectives* to the Tunisian foreign minister, Mr Habib Bourguiba junior, as a "CIA agent, lackey of imperialism." Another concerned insulting language used about the foreign minister of South Vietnam. "I can be tried for my actions but not for my ideas" and "Belief in scientific socialism cannot, alone, justify

the conspiracy of which we are accused" were among the statements from prisoners presented in the case for the defence. But the prosecution, echoed by stern newspaper editorials, rejected the argument that marxist opinions do not in themselves constitute a plot against state security. Freedom of speech is guaranteed in the Tunisian constitution, but the prosecution seemed to be saying that the use of that right could be interpreted as the beginning of a conspiracy.

The "international dimension" that the trials have so far revealed lies mainly in foreign reaction. During the five months before the court sat, allegations about the torture of prisoners and the intimidation of their lawyers were taken up by *Le Monde* and other foreign newspapers. In the event only about a third of the 60 or so defence counsel who appeared in court were those who had been briefed by their clients. The rest were appointed by the government and were conspicuously inactive. A group of foreign defence lawyers—French, and Senegalese—withdrew during the proceedings. These matters are being examined by an observer from Amnesty International who is soon to publish his report.

For a poor country, Tunisia is exceptionally generous in its financial support for its students. Tunisian public opinion might well demand stern action against students who seem to misuse their privileges. But the link between effervescent students and a plot against the state has hardly been credibly established.

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TUNISIA:

Self-Condemed

Of all Arab statesmen, none has enjoyed so well-deserved a reputation for moderation and enlightenment as Tunisia's President Habib Bourguiba. But early last spring, in the wake of an outburst of student rebelliousness at the University of Tunis, Bourguiba's government rounded up scores of leftist students and demonstrators, accused them of subversive activity and clapped them in prison. While they languished in jail—often without benefit of legal counsel and, at least in some cases, allegedly undergoing torture—the defendants got a sympathetic hearing in newspapers in France. Bourguiba, most French commentators agreed, had inexplicably seized on a rather timid bit of political opposition to launch a wholesale crackdown on dissident Tunisian intellectuals.

Undeterred by such criticism, the Tunisian Government last summer accused the defendants of being "professional revolutionaries" who had mounted a "vast plot" for the violent overthrow of the Bourguiba regime. According to the government, the defendants, among whom were found some of the most impressive of Tunisia's academic elite, included Maoists bent on setting up a proletarian dictatorship, Syrian-supported socialists who hoped to stir disaffection in the army and hard-core Marxists who sought to re-establish the Communist Party.

Verdict: Last week, after an eight-day trial in a stifling courtroom, a special tribunal found most of the 104 defendants guilty. A few got suspended sentences. But the more prominent among the alleged Maoists were condemned to as much as fourteen years in prison.

Almost to a man, other foreign observers agreed the crime simply did not fit the punishment. The government, they contended, had at no time proved its charges of a plot—nor, for that matter, had it even allowed the defendants a fair trial. To President Bourguiba, however, the sentences seemed on the "lenient" side. "I hope," he said, "that one day these people, led astray, will once more be able to join the ranks of the nation." To which the only possible answer seemed to be that, before that could happen, Bourguiba would have to rejoin the ranks of democratic rulers.