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Chapter 7

7

The Methods of Political Noncooperation

INTRODUCTION

Political noncooperation is the third subclass of methods of noncooperation; these methods involve refusals to continue the usual forms of political participation under existing conditions. Sometimes they are known as political boycotts. Individuals and small groups may practice methods of this class. Normally, however, political noncooperation involves larger numbers of people in corporate, concerted, usually temporary suspension of normal political obedience, cooperation and behavior. Political noncooperation may also be undertaken by government personnel and even by governments themselves. The purpose of suspension of political cooperation may simply be protest, or it may be personal dissociation from something seen as morally or politically objectionable, without much consideration as to consequences. More frequently, however, an act of political noncooperation is designed to exert pressure on the government, on an illegitimate group attempting to seize control of the government apparatus, or some-

times on another government. The aim of the political noncooperation may be to achieve a particular limited objective or a change in broader government policies. Or it may be to change the nature or composition of that government, or even to produce its disintegration. Where political noncooperation is practiced against usurpers, its aim may be to defend and to restore the legitimate government.

The political significance of these methods increases in proportion to the numbers participating and to the need for their cooperation for the operation of the political system. In actual struggles this class of methods is frequently combined with other forms of nonviolent action.

Political noncooperation may take an almost infinite variety of expressions, depending upon the particular situation. Basically they all stem from a desire not to assist the opponent by performance of certain types of political behavior. The thirty-eight methods included here are grouped into six subclasses: rejection of authority, citizens' noncooperation with government, citizens' alternatives to obedience, action by government personnel, domestic governmental action, and international governmental action. Many other possible forms have not been included here. For example, among the forms not specifically listed in this chapter which have to do with only one particular area of behavior—responses to arrest, fines, court orders, and the like—are refusal to accept bail, refusal to pay securities, suspension of publication of newspapers when faced with restrictions, refusal to make parole rounds, defiance of restraining and prohibition orders, and refusal to buy confiscated property. There is room for much more research.

REJECTION OF AUTHORITY

120. Withholding or withdrawal of allegiance

This form of political noncooperation involves a refusal to recognize a particular regime as legally or morally deserving of allegiance. A clear illustration is to be found in Hungarian resistance to Austrian rule in the nineteenth century. For instance, Emperor Franz Josef was not accepted as King of Hungary as long as he was unwilling to abide by the Hungarian constitution and had not been crowned King of Hungary.¹ Therefore, the members of the Hungarian parliament refused to recognize the legality of its dissolution by Franz Josef. When the Pesth County Council protested the dissolution of the parliament, it was itself dissolved, though it refused to recognize this dissolution and continued to meet.² When the County

Councils, which had refused to carry out ordinances issued by the Austrians,³ were generally dissolved, their members refused to transfer their services to the Austrians.⁴

The conscious withdrawal by the people of authority from their rulers was also seen during the struggle of the Netherlands against Spanish rule in the sixteenth century. In 1565, for example, "lampoons were circulated, branding Philip as a perjurer who violated the privileges, and to whom, following the old law of the 'Joyous Entry,' no further allegiance was due."⁵ In the summer of 1581 the States General meeting in The Hague passed a resolution

whereby Philip, on account of his tyrannical rule and his trampling underfoot of the privileges of the country, was deposed from domination over his Netherland provinces. Following this resolution all authorities, officials, military commanders, and the like, were required to take a new oath, in the absence of Anjou, to the United Provinces The "Placard of Dismissal" . . . was a brilliant, though late, expression of the sturdy medieval tradition of freedom . . .⁶

The American colonists' rejection of the British government's authority over them was also a crucial point in the establishment of American independence. Thomas Jefferson wrote in 1774: "The true ground on which we declare their [Parliament's] acts void is, that the British parliament has no right to exercise authority over us."⁷ This denial of authority to the British government, and its bestowal elsewhere, seem to have been highly important supportive factors in John Adams' later declaration that "the revolution was complete in the minds of the people, and the Union of the colonies, before the war commenced in the skirmishes of Concord and Lexington on the 19th April, 1775."⁸

Sometimes the withdrawal of allegiance may be expressed by a symbolic act, as on November 13, 1905, when the Russian cruiser *Ochakov* "raised the red flag in a dramatic gesture of 'non-recognition' of the government . . ."⁹ The same month "in Vilna the two thousand delegates to the Lithuanian nationalist congress declared that they did not recognize the legitimacy of the Russian government under which they were living."¹⁰

During the *Ruhrkampf* Germans withheld allegiance from the French and Belgian occupation regime, denying the legality and therefore the validity of occupation decrees and orders. On January 19, 1923, the German government declared that "all state, provincial and local authorities were forbidden to obey any orders issued by the occupation authorities, and were told to confine themselves strictly to directions given by the appro-

appropriate German authorities." As one expression of this refusal of allegiance, German policemen refused to salute foreign officers.¹¹

American Indians have frequently and in a variety of ways rejected the authority of the United States and Canadian governments over them. A number of these cases have been collected by Margaret DeMarco,¹² who writes that in 1921 Canadian Iroquois of the Six Nations Confederacy refused to become Canadian citizens and, asserting their sovereignty, brought a petition against the Dominion Government to the League of Nations.¹³ Again, in the 1940s and 1950s American as well as Canadian members of the Confederacy sought both hearings before and membership in the United Nations. A band of Chippewas seeking a hearing in a treaty rights case appealed to the U.N. in 1946,¹⁴ and another band of the same tribe requested a U.N. seat in 1960.¹⁵

In the early days after the August 1968 Russian invasion of Czechoslovakia, citizens and officials of that country refused to acknowledge that the Russians had any authority over political activities in that country. For example, on August 24 the lord mayor of Prague simply refused to see the occupation forces sent to negotiate with him.¹⁶ Two days later, Communists working for State security asserted that they accepted the authority only of their own, not the Russian, officials:

The All-Unit Committee of the Communist Party in the main administration of State Security in Sadova Street [Prague] declares again that it stands fully behind the legitimate Czechoslovak constitutional and Party organs and that it is guided in its work solely by the orders of Minister of Interior Josef Pavel.¹⁷

121. Refusal of public support

There are political circumstances in which failure to express openly support for the existing regime and its policies becomes an act of political noncooperation. Under political conditions of organized unanimity and coerced enthusiasm, silence may often be dangerously noticeable. Even where the regime is not fully totalitarian, some individuals may be expected or ordered to express their public support for the regime; their refusal to do so may be regarded as an act of opposition. During the 1963 Buddhist struggle against the Diem regime in South Vietnam, for example, government-staged demonstrations of support for the regime failed, and at least once a general did not appear at an announced press conference at which he was to declare his support for government raids on Buddhist pagodas.¹⁸ It was clear that his "support" was not very enthusiastic.

Following the defeat of the 1956 Hungarian revolution, the country's

writers publicly demonstrated their lack of support for the imposed regime by maintaining a "writers' silence" and submitting nothing for publication. In the circumstances, the publication of articles, stories, or books with their names listed as authors would have implied that the writers were passively accepting, or positively endorsing, the new regime. Conversely, their silence made it clear that they were refusing to give it their support. In late January 1957 François Fejto wrote: "One seeks in vain the signature of any reputed writer in all the official newspapers and periodicals. The voluminous Christmas issue of *Nepszabadsag* was published without a single article or poem by any known living writer."¹⁹

During the spring of 1968, when Russian broadcasts aimed at Czechoslovakia had been stepped up, it was reported that Czechoslovak employees working for the Soviet Union in Moscow as broadcasters refused to broadcast polemics critical of the liberalization taking place at home. Soviet spokesmen later denied the report. News accounts also indicated that Czechoslovak Radio had sent a legal adviser to Moscow to assist those employees concerning their legal status with the Soviet radio.²⁰

122. Literature and speeches advocating resistance

In many situations, the making of speeches and the publication and distribution of literature which call on people to undertake some form of nonviolent noncooperation or nonviolent intervention themselves become acts of defiance and resistance. This is especially so in those countries where any call for resistance, especially for illegal acts of resistance, is itself illegal or seditious.

In England, for example, six members of the Direct Action Committee Against Nuclear War were imprisoned in December 1959 for distributing leaflets calling upon people illegally to enter a rocket base site at Harrington.²¹ In Madrid fourteen men from Murcia province were charged with incitement to military rebellion and sentenced to imprisonment for terms of from six months to six years for distributing leaflets calling for a nationwide general strike on June 18, 1959.²²

CITIZENS' NONCOOPERATION WITH GOVERNMENT

123. Boycott of legislative bodies

In undemocratic systems, legislative bodies may be used to bolster the regime's prestige and influence and to offer the appearance of democracy.

A resistance movement may then decide on a permanent or temporary boycott of participation in such bodies. Nonparticipation would be designed to: 1) remove the facade of democracy; 2) increase the degree of noncooperation with the opponent regime; 3) obtain the active participation in the resistance movement of those politicians who would otherwise spend time attending legislative sessions which produce no changes; and 4) offer by withdrawal a symbolic or newsworthy protest in cases where defeat of the dissident minority in the legislature seems certain. Frequently, of course, withdrawal from the legislature simply means that the opponent group can proceed without legislative opposition.

A national minority may similarly boycott participation in a multinational or imperial parliament of an "oppressor" State. This form of boycott may be undertaken by the nationalists on grounds of principle—a refusal to recognize or accept the political integration of their country with the "oppressor." Or, the boycott may be based on strategy, as an action intended to protest or achieve a particular point, or as part of a program of noncooperation intended to make the foreign rule unworkable. In 1861, for example, the elected Hungarian representatives refused to attend the Imperial Parliament in Vienna and insisted on sitting as the parliament of Hungary alone.²³ In Serbia, the Radicals precipitated a crisis in early 1882 by leaving the parliament after their demand for an investigation of a railroad scandal had been rejected.²⁴ Prior to the *Duma's* voting of war credits to the Russian Tsar's regime in mid-1914, the Social Democratic deputies walked out of the chamber.²⁵

During the 1930-31 campaign in India there was strong effort to get members of the provincial Legislative Councils and the national Legislative Council to refuse to attend further sessions and to resign their seats.²⁶ On March 18, 1967, when the new parliament was opened by President S. Radhakrishnan in New Delhi, over one hundred opposition members boycotted the session in protest against the way Prime Minister Indira Gandhi's government had prevented a non-Congress party ministry from being formed in the state of Rajasthan. This was the first legislative boycott since the Indian constitution had been established seventeen years previously.²⁷

Anthony de Crespigny reports two additional European cases of boycott of particular sessions of legislatures. In December 1961, in Greece, over one hundred newly elected opposition deputies boycotted the opening of parliament by King Paul as a means of calling attention to their challenge to the validity of the elections. In May 1962 various legislators withdrew from a plenary session of the West German *Bundestag*, prevent-

ing a quorum and thus blocking approval of the Cabinet's decision to cut tariffs on foreign cars.²⁸

124. Boycott of elections

Where there is reason to believe that an election will not be conducted fairly or where there is refusal to recognize the authority of the regime conducting the election, an opposition movement may refuse to put up candidates and may urge people to refuse to vote. The aim of such a boycott is usually to protest the use of the election to deceive people as to the degree of democracy present; or it may be an attempt to prevent the "real" issue or issues, as seen by the resistance group, from being overshadowed by "lesser" issues. Sometimes election boycotts have also been attempted by minority groups seeking to deprive the elected government of legitimacy and thereby making it more vulnerable to later attack by various means, including guerrilla warfare.

When the Jacobins sought in 1793 to calm political discontent by submitting to a plebiscite a constitution which declared that after the emergency Frenchmen could once again choose their form of government, three out of four citizens abstained from voting.²⁹ Later the electors acted similarly: "The result of the illegalities of *fructidor* made the election of 1798 almost farcical. Practically all the moderates abstained from voting. What was the use of voting if the Directors refused to accept the results of the elections?"³⁰

Following the Russian Tsar's manifesto of 1905, which contained very limited steps toward greater local autonomy for Finland, the Finnish Social Democrats returned to their earlier minimum demand for a Constituent Assembly and boycotted the elections to the new Diet.³¹ Socialist Revolutionaries meeting in Russia in January 1906 told their followers to boycott the elections to the *Duma*, though most of them voted anyway.³²

Another example is that of the Puerto Rican Nationalists, who for many years boycotted elections because they refuse to recognize the United States government's right to control the island and to operate the election machinery.³³

Crespigny reports three cases from the years 1961 and 1962.³⁴ In November 1961 the opposition in Portugal withdrew from the coming parliamentary elections and urged citizens not to vote, in order to avoid the false appearance of a fair election.³⁵ In Uganda, in April 1962, the rulers of Ankole, Bunyoro, Toro and Busoga threatened election boycotts in an effort to gain full federal status for their territories.³⁶ That same

month all major opposition parties boycotted the federal elections of the Central African Federation (also called the Federation of Rhodesia and Nyasaland), as part of their eventually successful campaign for the federation's breakup.³⁷ Also in April 1962 the opposition party in El Salvador refused to take part in the presidential election, declaring that the election of 1961 had been fraudulent: the government's candidates had won all seats.³⁸

Militant Vietnamese Buddhist leaders in mid-August 1966 called on their followers not to vote in the election of a constitutional assembly on September 11, charging that the Ky government was trying to exploit the election in order "to form a dictatorial regime to serve foreign interests."³⁹

A variation on this approach was the "Voters' Veto" campaign in Britain during the 1959 General Election, in which there was no opposition to candidates being nominated or to the holding of the election, but there was a refusal to support any candidates, of whatever party, who did not clearly state their willingness to vote in Parliament for unconditional unilateral nuclear disarmament. In practice this meant a boycott of all candidates in most constituencies.⁴⁰

125. Boycott of government employment and positions

This type of political noncooperation occurs when people refuse to assist the government by serving it in some job or post. They may either resign from current positions or refuse to accept new ones—either all posts (as in a dictatorial or foreign regime) or only particular ones associated with an objectionable policy. In either case, the objections to government service are normally more serious than the usual run of strike demands. The posts boycotted may range widely, from government ministries to quite menial jobs.

This method produces in varying degrees a withdrawal of labor, skills and other support by individuals; at times such resignations or withholding of aid may cumulatively involve a large number of people, or they may be the result of a corporate resistance strategy. But this is not a form of strike, which is normally a short-term (or relatively so) withdrawal of labor to achieve certain demands, rather than a voluntary quitting of the opponent's employ. The boycott of government employment and positions is *not* a conditional and temporary suspension of activities while in government employ, but a resignation from, or refusal to accept, government employment. The noncooperation is long-term: it may be permanent; it may last

for the duration of the regime or policy; on occasion it may last only for some months during a particular campaign of resistance.

This method may be applied by individuals with or without regard to political consequences, simply to dissociate themselves from something they regard as immoral. When used as a method of corporate resistance, however, the aim of this type of political boycott is to reduce the number of officials and employees willing to carry out the policy or assist a regime regarded as oppressive. Effectiveness will therefore depend largely on the numbers involved and their particular talents, skills, positions, or influence.

Examples of this method range fairly widely. When the Austrians in 1861 seized goods to pay the taxes refused by the Hungarians, they found that Hungarian auctioneers refused to work for the Austrian government in selling the confiscated goods.⁴¹ In the Soviet Union on December 9, 1920, dissident Communist representatives of water transport workers opposed centralized government control by resigning from *Tsektran* (the Joint Central Transport Committee).⁴²

From Nazi Germany there are a series of individual resignations, as well as threats to resign and unsuccessful attempts to resign, both by prominent officials and by subordinate aides who found themselves opposed to one or another of Hitler's policies or actions, or who simply could not continue to carry out particularly distasteful duties.⁴³ There was also a plan to use this method on a large scale in an African colonial situation. On August 31, 1962, as part of a "master plan" to dismantle the Central African Federation (of Northern and Southern Rhodesia and Nyasaland, under white rule), Kenneth Kaunda, then President of the United National Independence Party (later to become President of Zambia), announced that he intended to call upon Northern Rhodesia's 11,000 civil servants employed by the Federal government to resign.⁴⁴ It did not, however, prove necessary to carry out this master plan.

Resignations for political reasons have also occurred among staffs of government-sponsored universities, especially in protest against government interference in the university. In 1911, for example, about a hundred members of the faculty of Moscow University resigned in protest against political suppression by the Minister of Education and the forced resignations of the rector and vice-rector.⁴⁵ During the Buddhist struggle in Vietnam against the Diem regime in 1963, forty-seven faculty members of Hué University resigned in protest against the dismissal of Father Cao Van Luan, the Catholic rector of the University who had supported the Buddhist struggle.⁴⁶

Sometimes the members of a government agency or institution may resign *en masse* because of opposition to acts and policies of the regime. For example, when Louis XV of France forbade the thirteen *parlements* (roughly, courts of justice) to regard themselves as representatives of the nation and to supervise the work of other branches of the government, the members of the *parlement* of Paris resigned in a body in 1770. When they and members of other *parlements* persisted in their noncooperation, these institutions were suppressed.⁴⁷ During the Nazi occupation, between February and April 1942, Norwegian bishops, deans and pastors resigned as employees of the State church in protest against violations of Norwegian constitutional principles and government interference with the church. However, they continued to hold their spiritual positions and to carry out their pastoral duties—in effect disestablishing the church and making it for the time an independent body.⁴⁸

High ranking officials and ministers may resign their posts and new candidates may refuse to accept appointment to such posts because of opposition to government policies. Modern examples have a forerunner in the Netherlands' struggle against Spanish rule in the 1560's: on two occasions the Prince of Orange, the Count of Egmont, and the Count of Hoorn withdrew from the Council of State in order to press King Philip II of Spain to correct various grievances.⁴⁹ On August 9, 1943, Danish Premier Scavenius threatened to resign if the Germans required Danish courts to try the men arrested after a wave of anti-German strikes and riots; on August 28 he and his government did resign, in the political context of increased repression and resistance.⁵⁰ African Members of the Legislative Council in preindependence Kenya refused to accept ministerial posts, especially in March 1960, because of their opposition to the British-imposed Lennox-Boyd constitution.⁵¹ In the summer of 1963 the Vietnamese Foreign Minister and the Ambassador to the United States both resigned in support of the Buddhist struggle against the Diem regime.⁵²

There are relatively few examples of attempts to destroy a regime by corporate withholding or withdrawal of assistance by current or potential employees and officials. During the Indian nonviolent campaigns, however, there were frequent efforts to induce government employees to resign their positions, whether they were village headmen or top departmental officers in New Delhi. These efforts were particularly strong during the 1930-31 campaign.⁵³

A case in which there was a stillborn attempt to overthrow a regime by widespread resignations suggests a possible alternative to both the *coup d'état* and regicide, and therefore merits mention in discussion of this par-

ticular method even though it was not actually carried out. In 1938 the Chief of the German General Staff, Colonel-General Ludwig Beck, opposed the impending Nazi attack on Czechoslovakia, fearing an unwanted general European war. Beck not only decided to resign himself; he also sought to obtain the resignation and support of Commander-in-Chief Walter von Brauchitsch. With his full support (seen as crucial) Beck planned to provoke a mass resignation of Germany's senior commanding generals and the conservative members of the coalition government—that is, Minister of Economics Schacht, Foreign Minister Neurath, Finance Minister Krosigk, and Minister of Justice Gürtner. Beck resigned, but Brauchitsch refused either to resign or to play the role Beck had intended for him, that he appeal for support for the plan to the full conference of the High Command of the Army, and that he then lead the officers to a direct personal confrontation with Hitler.⁵⁴

126. Boycott of government departments, agencies and other bodies

In refusing to recognize the authority of the government or to support one of its particular policies, the resisters may refuse to cooperate with all government departments or only with the governmental bodies responsible for the particular objectionable policy. Such noncooperation may sometimes be conducted even at the financial expense of the noncooperators. This type of boycott may involve either withholding new forms of cooperation or severing existing forms of cooperation. Many types of departments, agencies and bureaus may be boycotted. This method may also involve a refusal to accept government loans, grants-in-aid, and the like.⁵⁵

It is frequently applied in colonial conflicts, as our examples from Egypt, India and Central Africa show. Lord Milner's mission to Egypt in 1919 to prepare a constitution for the then-British protectorate met with such complete boycott that after three months it had to return to Britain without having consulted a single representative Egyptian.⁵⁶ Similarly, in 1928 the Indian nationalists carried out a complete boycott of the Simon Commission which had been instructed to make recommendations concerning the future status of India, but had no Indian members. There were refusals to give evidence. "Go back, Simon," was a popular slogan.⁵⁷ During noncooperation campaigns the Indian nationalists promoted a boycott of the British law courts by lawyers, solicitors and litigants and encouraged the alternative of settling civil disputes by private arbitration, including by the *panchayat* (the village-five advisory council.)⁵⁸

The Central African Federation (or the Federation of Rhodesia and Nyasaland) has already been referred to in this chapter. From the time that this Eupropean-dominated Federation was first proposed at the beginning of the 1950's, African nationalists from the constituent territories undertook a policy of noncooperation. Although this did not prevent its establishment, their refusal to accept and cooperate with the new federal government ultimately led to its dissolution. This African noncooperation provides three examples of the use of this particular method. Africans from Northern Rhodesia and Nyasaland refused to participate in the April-May meetings in London which were to draft the Federal Scheme. They similarly refused to attend the meeting in London in January 1953 which prepared the final Scheme for the Federation. When the Monckton Commission visited the Federation in 1960 to gather information needed to make recommendations concerning the review of the federal constitution, African political organizations in Northern Rhodesia and Nyasaland maintained an effective boycott of the Commission and refused to give evidence before it.⁵⁹

This method has also been used in other types of situations, including cases of political revolution, resistance to foreign occupation, guerrilla struggle, and resistance to government control over business. During the Russian 1905 Revolution, the Mensheviks organized in Georgia, and especially in Kutais province, a successful boycott of the Russian administration, courts and schools. It was the summer of 1906 before Russian authority and control were reestablished.⁶⁰ During the *Ruhrkampf*, despite an acute food shortage Germans refused to use the soup kitchens and shops set up by the occupation authorities.⁶¹ In Quang Nang province, Vietnam, in September-November 1964, Buddhists repeatedly refused to cooperate with the National Liberation Front administration and were finally left alone.⁶²

Another example of this form of boycott comes from Nazi Germany in 1935 and derives from an attempt by the Nazi Party's Labor Front to establish party control over both large and small business organizations. To this end, a decree issued on June 13 by Dr. Robert Ley, head of the Labor Front, formed the National Chamber of Labor and eighteen regional chambers, an act which was intended to give the party's Labor Front a counterpart to the Chambers of Industry. Ley ordered employers to become individual members, and the Minister of War was invited to delegate officers to attend the meetings of the regional chambers. These new chambers were intended to be used to control private business. The business groups, however, boycotted the Chambers of Labor, and the Minister

of War authorized only civilian officials to attend. The boycott was effective, and this attempt at establishing effective control over private business failed.⁶³

When the U.S. House of Representatives Committee on Internal Security in July 1970 requested 177 colleges and universities to supply it with the names of radical speakers, their sponsors, fees and sources of the funds, they were met with sharp noncooperation from Tufts University, in Medford, Massachusetts, and milder lack of help from Harvard University. Tufts Vice-President John W. Scheetz declared:

We feel the request immediately suggests grave and ominous implications involving constitutionally guaranteed rights of free speech and other freedoms which the university has traditionally enjoyed and protected. . . . To avoid possible infringement on these freedoms of such deep concern to us all, Tufts University chooses not to respond to the committee's request.

The Harvard reply, from Charles P. Whitlock, simply stated that the university had no information on the speakers invited to the campus by student organizations. The *Boston Globe* editorially called these acts of noncooperation "new blows for political as well as academic freedom."⁶⁴

This type of political boycott has sometimes also been practiced within various nongovernmental international organizations. For example, a brief boycott of a session in Geneva of the International Labor Organization took place on June 22, 1966, when African delegates, followed by delegates from many other countries, walked out during a discussion of a committee report on the ways member governments abide by I.L.O. obligations. These Africans and other delegates were protesting Portugal's denial of independence to African colonies; charges of forced labor were especially prominent.⁶⁵ The same day it was announced that the delegation to the I.L.O. from the American Federation of Labor and Congress of Industrial Organizations would end its boycott of the I.L.O. and would attend that agency's executive board meeting on June 23. Mr Faupl of the A.F.L.-C.I.O. had boycotted the three-week conference in protest against the election at the I.O.L.'s annual session of a representative from Poland, the first to be elected from a Communist delegation.⁶⁶

127. Withdrawal from government educational institutions

The permanent or indefinite withdrawal of children and youths from schools owned or controlled by the government during a major campaign of resistance to that government is also a method of political noncooper-

ation. This was done, for example, during the Indian independence struggle.⁶⁷ Such withdrawal may have the fourfold effect of: 1) contributing to the establishment and growth of "national" schools and colleges independent of the established authority; 2) checking the influence of the authorities and those in educational circles still loyal to the old order, who might use their positions to seek to instill loyalty to the established regime in their pupils and students; 3) providing the resistance movement with youthful recruits who would otherwise have been occupied with studies; and 4) contributing to the general disruption of the *status quo* and increasing the totality of noncooperation with the government. The National Conference of the African National Congress in 1954 called for a boycott of educational institutions as long as the South African government's Bantu Education policy remained in force—which meant indefinitely.⁶⁸

128. Boycott of government-supported organizations

This type of political noncooperation expresses itself in a refusal to join, or decision to resign from, organizations which are regarded as instruments of the government or political movement which is being opposed. One example is the refusal of the Norwegian teachers in 1942 to join the Quisling government's new teachers' organization, which was to be used as the cornerstone of the Corporative State and as a wedge for indoctrinating the children.⁶⁹ As the Quisling government, still pursuing the plan for the Corporative State, sought to take control of various existing Norwegian organizations, the great bulk of members resigned: estimates for the summer of 1941 range from seventy to ninety percent of the total membership of individual organizations.⁷⁰ Following the crushing of the June 1953 Rising, East German workers practiced a related type of resistance; as a body they refused to pay membership dues to government-controlled trade unions.⁷¹

129. Refusal of assistance to enforcement agents

It is fairly common for the general population, in areas where there is either sympathy with criminal elements or fear of them, to refuse to provide information to the police or to disclose the whereabouts of wanted persons. Similarly, the general population living under foreign occupation or a domestic dictatorship may refuse to supply the police with information on political and patriotic resisters. This constitutes an act of political noncooperation.

American colonists repeatedly refused to inform against persons wanted for committing various acts of destruction against British property or resistance to political control. This was illustrated on two prominent occasions. When, in late 1771, a group of disguised men captured a boat and its contents which had been seized in the lower Delaware by a revenue vessel, even the offer of a reward of two hundred pounds sterling by Pennsylvania's Lieutenant Governor Richard Penn for information leading to their arrest failed to bring forward any informers. In Rhode Island waters, when the revenue vessel *Gaspée* ran aground on June 8, 1772, a group of undisguised and prominent citizens of Providence boarded it (after having openly organized the action), injured the commander, overpowered the crew, and burned the vessel; despite a royal proclamation offering a large reward and setting up a royal commission to investigate the incident, the guilty parties "were so well shielded both by their fellow citizens and by the government of the colony that no evidence could be obtained against them."⁷²

This method may also involve the refusal of other types of assistance. For example, during the 1928 Bardoli revenue-refusal campaign in India, Joan V. Bondurant reports:

Peasants met revenue collectors with closed doors, or receiving them, read extracts aloud from Patel's speeches and tried by argument to persuade them that they could not collect the revenue. When police reinforcements broke down doors and carried away equipment, peasants began to dismantle carts and other equipment, hiding the parts in different places.⁷³

In the summer of 1881 Irish tenants took various actions in order not to assist the seizure of property for back rent, which was being refused. An eyewitness reports one such case:

After the men's dinners, the sheriff again started, protected by a considerable force, for the farm of one Murnane, where a seizure was also to be made for rent due. When we arrived at the farm, which seemed to be one of some value, it was found that there was not a single head of cattle upon it . . . in fact, everything movable had been taken away.

The sheriff and his men had to leave empty-handed, but when they returned unexpectedly a few days later, they were able to seize the cattle which had been removed for the previous visit.⁷⁴

Irish gypsies, camping with their horses and caravans on the outskirts

of Dublin in January and February 1964, resisted eviction from certain sites by refusing to harness their horses to the caravans, so that each had to be pulled away from the sites by hand.⁷⁵

Sometimes the refusal to assist enforcement agents has been applied by the persons being arrested themselves, in "going limp" when arrested. Martin Oppenheimer and George Lakey offer the following definition of this type of action:

"Going limp" is just what the phrase implies. It is a relaxation of all the body in a kind of physical non-cooperation with the situation, so that the non-cooperator has to be dragged or carried to wherever authorities want him moved. It can be modified by putting hands in pockets, or in situations of violence by folding up (as in football) and covering up the head and other sensitive areas with your arms.⁷⁶

130. Removal of own signs and placemarks⁷⁷

The removal, alteration, or replacement of house numbers, street signs, placemarks, railway station signs, highway direction and distance signs, and the like may temporarily misdirect, impede, or delay the movement of foreign troops and police. Such efforts, which seem to have only a stalling potential, are most likely to be effective where the troops or police are quite unfamiliar with the territory, where the country or layout of streets is especially bewildering or complicated, and where the population is unwilling to provide accurate directions. One of the potential uses of this method is to delay the political police until wanted persons have had time to escape, or until resistance headquarters or equipment can be relocated. The time thus gained may be minimal in some cases, although a psychological impact on both occupation forces and the resisting population may remain a significant factor.

The clearest example of the use of such methods was in Prague the first week of the Russian occupation in August 1968. (Troops entered late on August 20.) Czechoslovak Radio reported on Friday, August 23, at 5:25 P.M., that arrests were expected during the night. An appeal was made to paint over or remove street signs and number plates on homes and to make name plates on apartments illegible. Highway direction signs throughout the country were to be repainted. Such action had already started, however. On Thursday night many street signs were already painted over, as were direction signs on the main highways. After noon on Friday Prague had been flooded with leaflets urging the removal or painting over of street signs and signs on important offices and plants. The news-

paper *Prace* reported: "There was a lightning reaction to this appeal. Prague streets have lost their names!"⁷⁸ The paper *Lidova Demokracie* reported that hundreds of thousands of people had participated in such an action:

Prague names and numbers have died out. For the uninvited guests, Prague has become a dead city. Anyone who was not born here, who has not lived here, will find a city of anonymity among a million inhabitants. . . . let us follow the slogan: The mailman will find you, but evil-doers won't! Bravo Prague and other cities that followed and follow its example!⁷⁹

The Communist Party paper *Rude Pravo* reported that many young boys had participated in the removal of signs or painting over them, "to see that it that the only people who find their way around the city are those who are supposed to."⁸⁰

The Czech film *Closely Watched Trains*, made long before the Russian invasion, illustrated well the disruptive effects during the Nazi occupation of altering the names of railroad stations, when this is combined with disruptive assistance from railroad workers determined to see that a particular train does not reach its destination until hours or days later than scheduled.

131. Refusal to accept appointed officials

The political unit over which an official has been appointed to serve may on occasion refuse to accept the appointee. In the example to follow the appointee was persuaded to depart promptly, but in cases where this does not happen, this method would involve refusal to recognize the appointee in his official role and noncooperation with him if he attempts to carry out his duties. This example, which occurred in Ping-fang, Hupeh, China, in the 1840's, was reported by a Western missionary. Opposition to the appointment of a certain mandarin to the post of governor (magistrate) of the town was based upon his previous administration in another district, which had been corrupt, arbitrary and tyrannical. When a deputation to the Viceroy (governor-general) of the province failed to win cancellation of the appointment,

The principle people assembled, and held a grand council. . . . It was decided that the new governor should not be permitted to install himself, and that he should be civilly ejected from the town. . . .

Scarcely had he entered the tribunal, [when] . . . it was an-

nounced to him that the chief citizens of the town requested an audience. . . . The deputation prostrated themselves . . . before their new Prefect [magistrate]; then, one of them stepping forward, announced to him, with exquisite politeness and infinite grace, that they came in the name of the town, to request that he would set off directly to return whence he came, for they would have none of him.

The Prefect . . . endeavored first to soothe, and then to intimidate, the rebellious citizens, but all in vain. . . . The spokesman very calmly told him that they had not come there to discuss the matter; that the thing was settled, and they had made up their minds that he should not sleep in the town . . . the town would pay his traveling expenses, beside providing a brilliant escort to conduct him safely to the capital of the province.

Encouraged by a noisy crowd outside, the appointee yielded and left, escorted by the chief men of the town. They went directly to the Viceroy. After reading a petition signed by all the most important people of Pingfang, the Viceroy told the delegation that their arguments were reasonable and should be attended to.⁸¹

132. Refusal to dissolve existing institutions

When governments seek to abolish independent institutions in order to control the population better, to abolish a particular opposition movement, or to restructure the society on the basis of some ideological preconception, political, educational, labor, cultural and many other types of organizations may refuse voluntarily to accept such dissolution. They may then continue to operate either openly or secretly and keep up as many of their normal activities as they can, resisting collectively the governmental measures intended to destroy them. The widespread preservation of domestic institutions is a key objective in resisting foreign occupations seeking to remold the society. Refusal to disband such institutions may be combined with the boycott of government-supported institutions described above. Both methods may thus be used when nonviolent action is employed to defend a legitimate government and the society's institutions against illegitimate attack.

German Chancellor Prince Otto von Bismarck wrongly linked two assassination attempts against Emperor Wilhelm II to the Social Democrats and with this excuse induced the new parliament in 1878 to pass the Socialist Law. This enabled the government within eight months to dissolve many workingmen's unions and associations, suppress a multi-

tude of publications, dissolve *bona fide* cooperative societies, prohibit political meetings of Social Democrats, imprison and expel Socialists, destroy the entire Social Democratic Party organization, and launch many forms of police harassment of people connected with the Social Democratic Party. After three years, however, the Socialists, refusing to accept the dissolution of their party, began meeting again secretly; they circulated literature smuggled from Switzerland and organized and nominated candidates for elections. At each election after 1881 there was a significant increase in the votes recorded, reports J. Ellis Barker, a historian of this period, "notwithstanding, or rather because of, all the measures taken against it by the Government." By 1890, when Bismarck was dismissed by the Emperor and the Socialist Law withdrawn, the Social Democratic vote had risen from 437,158 in 1878 to the new high of 1,427,298. Barker writes: "The effect of the Socialist Law, with all its prosecution, was the reverse of what Bismarck had expected for it had made that party great."⁸³

CITIZENS' ALTERNATIVES TO OBEDIENCE

133. Reluctant and slow compliance

Where opponents of regimes or policies do not feel able to resist unconditionally, they may at certain points postpone compliance as long as possible, finally complying with a marked lack of enthusiasm and thoroughness. Thus, while not entirely blocked, the ability of the regime to carry out its will may be slowed and somewhat limited. In East Germany, for example, when so-called voluntary plans for the collectivization of agriculture were announced by Walter Ulbricht in July 1952, opposition by farmers was expressed not only by thousands of emigrations to the West, but also by a widespread disinclination to join the new cooperatives. "Party speakers organized 'foundation meetings' in every village. Generally these functions were ignored or sparsely attended; often the speakers were shouted down; sometimes they were forced to withdraw in haste." In at least one case even the local mayor and Party secretary ignored invitations to attend. Although at the end of four months two thousand cooperative farms had been established, and six months later five thousand, the government plan had obviously been stalled.⁸⁴

This type of behavior has often been applied to tax collection, although the motives in such cases are frequently less clearly political than economic. In both seventeenth and nineteenth century China, members of

the gentry often deliberately postponed payment of their land tax or grain tribute to the government in hopes that they might eventually evade payment.⁸⁵ During the nineteenth century payment of the rice tribute was often made very reluctantly and in unhelpful ways. Not only were payments often late, but wet and impure rice was often substituted for dry, clean rice, less than the quantity required was often delivered, and sometimes even that was simply dumped outside the granaries. Occasionally a mild inquiry from the official or clerk at the granary would provoke a refusal to deliver the rice at all or formal charges against the clerk and complaints to a superior official.⁸⁶

In a very different situation during World War II, on the evening of the violent revolt and escape by Jewish prisoners from the Sobibor extermination camp in Poland on October 14, 1943, German officials sent an urgent message by railway-telegraph: "SEND MILITARY REINFORCEMENTS AT ONCE TO PURSUE REBELS." A young woman telegrapher who received it at the nearby Chelm station withheld the telegram from the German contact for over four hours, even though she was risking her life.⁸⁷

134. Nonobedience in absence of direct supervision

Another type of political noncooperation involves the population's ignoring and noncompliance with laws, edicts and regulations in all situations where there is no immediate, direct supervision or enforcement. When soldiers are around to see that a particular order is carried out, for example, the population obeys; but when the soldiers leave, the people resume their noncompliance. This is a method that has often been used in China against unpopular regimes and foreign invaders. But this type of behavior is very difficult to document.⁸⁸

135. Popular nonobedience

There are a large number of instances in which the general population, or part of it, has consciously disregarded and violated laws or regulations, but in ways which do not amount to civil disobedience. One or more characteristics of either of the types of civil disobedience may be absent—for example, the disobeyed law may not be seen as illegitimate. Primarily, however, this method involves ignoring or disregarding the law or regulations more than blatant defiance, the resisters choosing not to flaunt their noncompliance. The acts may be open and unhidden but not advertised, the resisters preferring to remain, as far as possible, personally unknown and unpunished and to continue to be part of a larger opposition group. This method frequently takes the form of unobtrusively

ignoring the law or regulation in question, often by large numbers of people, as though it did not exist.

Efforts in 1686 by King Christian V of Norway-Denmark to build Christiansand into a major city, as planned by Christian IV, were partially frustrated by the refusal of the inhabitants of Risør, Arendal, Mandal and Flekkefjord to comply with a clear order, backed by threats of severe punishments, to move to Christiansand within six months. "Not once did this help. The inhabitants continued living quietly, and the coastal towns thrived and bloomed."⁸⁹ During the French Revolution, in the late autumn of 1789, a decree reestablished freedom of the grain trade, but "no one obeyed it."⁹⁰ And on June 20, 1792, in defiance of a prohibition of a demonstration, people marched in front of the Assembly to celebrate the anniversary of the Tennis Court Oath and then invaded the Tuileries and sought out the King, whom they cursed and threatened.⁹¹

When the French government abolished the national workshops in June 1848, and then sought to avoid trouble and revolution by sending some of the workmen back into the country, "They refused to leave. On the 22nd of June, they marched through Paris in troops, singing in cadence, in a monotonous chant, 'We won't be sent away, we won't be sent away . . .'" Within days there was bloodshed.⁹² During the 1905 Revolution in Imperial Russia, *de facto* freedom of the press was temporarily established late in the year by direct action in the form of popular nonobedience. All the censorship regulations were simply ignored and newspapers published what they liked. Without the required permission, new newspapers with strong political views sprang up.⁹³ Trade unions similarly ignored the law and operated openly.⁹⁴

Acts of popular nonobedience also occurred during World War II. In the Netherlands, for example, German orders that the population turn in metal coins were generally disregarded, and private and illegal listening to broadcasts from Britain was regarded as an act of opposition to the German occupation.⁹⁵ In several sections of Copenhagen during the June 1944 strike and resulting German emergency measures, the populace simply ignored the curfew.⁹⁶ Among Jews deported from Belgium in November 1942 were some who had removed the required yellow star from their clothes⁹⁷ and in June 1942 there were various types of non-compliance with the decree requiring the wearing of the yellow star in occupied France:

Some of the Jews decided not to wear the star. Others wore it in the wrong way. Still others wore several stars instead of one. Some Jews provided their star with additional inscriptions. And, finally, a number of non-Jews took to wearing the star or something that looked like

it. Angrily, the Germans arrested some of the Jewish offenders and their French supporters to intern them in one of the camps.⁹⁸

One reason for the inefficiency of regulations aimed at preventing the rural people of China from migrating to urban areas between 1950 and 1958 reportedly was that frequently the regulations were "ignored altogether by those wishing to leave."⁹⁹

136. Disguised disobedience

Disobedience of laws, regulations, or orders may be carried out in ways which give the disobedience the thinly disguised appearance of compliance. During the noncooperation campaign which achieved the nullification of the Stamp Act, the undisguised refusal of merchants, shippers and the like to use the required stamps on shipping documents generally brought the trading ports to a standstill when the law went into effect on November 1, 1765. But in Philadelphia a form of disguised disobedience was used which kept ships moving for some weeks—and without the hated stamps:

In Philadelphia, by an ingenious device not apparently thought of elsewhere, trade had been kept moving throughout November. In all colonial ports merchants had cleared out every ship they could load before November first, but in Philadelphia they cleared ships which were only partially loaded. Although clearances were not supposed to be granted until the entire cargo was declared, all the ships in Philadelphia which had any part of their cargoes aboard obtained clearance papers in the last days of October. When the cargoes had been completed, the owners went to the custom-house and had undated additions entered on their papers Since it normally took three to four weeks for a ship to complete her cargo, there was relatively little pressure in Philadelphia until the end of November.¹⁰⁰

One way banned newspapers may practice disguised disobedience is by quickly reappearing with new names. This happened during the *Ruhrkampf*, when banned newspapers even sometimes adopted the names of other newspapers which had not been banned.¹⁰¹ This also happened in Russia in 1905,¹⁰² and in late spring of 1929 British suppression of *Forward*, a newspaper in Calcutta, was followed by the appearance of *New Forward*; upon its being banned, *Liberty* was issued.¹⁰³

With jazz having been banned by the Nazis during World War II and defiant jazz musicians being hunted by the Gestapo, German jazz enthusiasts changed the names of American jazz numbers to innocent-sounding German titles, Richard W. Fogg reports. "Organ Grinder Swing" became "*Hofkonzert im Hinterhaus*" (Court Concert in the

Back Yard), "Tiger Rag" became "*Schwartzter Panther*" (Black Panther). "Black Bottom" became "*Schwartzte Erde*" (Black Earth), and "Lady, Be Good" became "*Frau, Sei Gut*." One of these German jazz enthusiasts, Jutta Hipp, recalled: "We played American tunes, but we had to give the Nazis a list, so we translated the titles into German. . . . We translated them in the most stupid way, because we thought the whole idea of requiring a list and banning American music was stupid. Nobody found out, either. The Nazis listened and applauded it, and we laughed inside." One such number was even played by the official *Wehrmacht* (German army) band!¹⁰⁴

Young men in Nazi Germany who did not wish to be conscripted into the army, but who also wanted to avoid outright resistance, claimed exemption on medical grounds as a "standard technique." They would obtain a certificate of ill-health from a "*Guten-Tag* doctor"—a doctor who greeted a new patient with "*Guten Tag*" rather than "*Heil Hitler*." One such young man, Horst Lippmann, who was also a jazz enthusiast, successfully used this technique for a year; he had to try to look sick when the inspector called at the house and (since unfit young men were not issued passes) had to stay off the streets. When he was later arrested for jazz activities, Lippmann's father got doctors to testify to the Gestapo that young Lippmann's health was too delicate for him to withstand a jail sentence. Young Horst was released.¹⁰⁵

The remaining examples are Chinese. Indirect evidence is sometimes the only documentation available for such behavior. One such bit of evidence is found in the Chinese emperor's edicts issued in 1814. These stated that it had been the practice of provincial and local officials (especially those who registered the inhabitants) to present "a good appearance for the moment" but be negligent in carrying out their official duties. The emperor spoke of "officials [who] obey ostensibly and actually disregard Our wishes, i.e., . . . respond to a standing requirement with empty gestures."¹⁰⁶

Another example of disguised disobedience is drawn from the late 1930s, after the Japanese had established the Hopei-Chahar Political Council in North China, a council which they hoped would be a willing political instrument in Japanese plans for economic development. The Chinese government, however, regarded the council as a buffer between it and the Japanese. Faced with Japanese economic demands, therefore, instead of simply rejecting them the Chinese adopted the device of stretching out the negotiations and stalling for time:

When pressed with demands General Sung Cheh-yuan, Chairman of the Political Council, in order to evade the issue, retired to his native village "to sweep the graves of his ancestors." Such tactics inevitably exasperated the Japanese who spoke of "Chinese insincerity." They

soon came to realize that as a political instrument the Political Council would not serve the ends for which it was set up.¹⁰⁷

In 1942 in Chungking the government closed ice cream and coffee parlors and prohibited the sale of coffee and soda pop; once more the response was a type of disguised disobedience:

The very fancy "Sing Sing Café" reopened as the "Sing Sing Kitchen" and would serve ice cream only after plates and butter plates, water glasses, knives, forks and spoons had been set on the table to give it the look of a dessert after a full meal. Soda pop was served in soup plates and had to be eaten with soup spoons.¹⁰⁸

Chinese soldiers, too, had learned comparable responses to orders, as Graham Peck observed in Chungking in December 1940:

After a while a line of shabby soldiers in gray cotton uniforms and straw sandals came slogging up the hill, technically in double-time, but really mocking the quick step. For all their jogging up and down, they moved forward less rapidly than the burdened housewives. Like soldiers all over China, they were chanting numbers to keep in pace: "One, two, three . . . (step, step, step) . . . FOUR!" When their officer screamed at them to hurry it up, they began chanting faster and faster, out of time, while their feet pounded the road as slowly as ever. They all wore that smile.¹⁰⁹

137. Refusal of an assemblage or meeting to disperse

A formal meeting or an informal gathering of some type may express opposition by refusing official or unofficial demands that it disperse. This method may at times be closely related to popular nonobedience or to civil disobedience of "illegitimate" laws, but this is not always the case.

On several occasions during the American colonists' struggles, town meetings, public assemblies and conventions formally defied specific orders to disperse, given by the governor or some other official. In one such case Lieutenant Governor Hutchinson, long disturbed at the activities of the city's merchants and the Boston town meeting, in January 1770 sent the sheriff to Faneuil Hall, where the merchants were meeting, with a message denouncing the gathering as unjustifiable "by any authority or colour of law," and condemning their house-to-house marchings as dangerous and conducive to terror. As representative of the Crown Hutchinson ordered them to disperse and "to forbear all such unlawful assemblies for the future . . ." The merchants paused in their meeting only long enough to vote unanimously that in their opinion the meeting was lawful; then they resumed their transactions.¹¹⁰

On June 23, 1789, in an atmosphere of popular rebellion against the powers of the French king and the nobility, Louis XVI gave a speech to the representatives of the three estates outlining their roles, and then he ordered the deputies to adjourn and to meet the next day in separate chambers. "When the King withdrew, the nobles and most of the clergy followed him, while the commons remained silently in their seats." Their spokesman told the King's representative that they had decided not to adjourn without a debate and that ". . . no one can give orders to the assembled nation."¹¹¹

In a very different situation, on May 15, 1848, the Assembly in Paris was invaded by a crowd which sought to force the Assembly to "pronounce forthwith in favour of Poland." For hours there were no troops to evict the crowd, and while the Assembly refused to comply with the demand, it neither adjourned nor sought to evict the rebels. "During all this disorder in its midst, the Assembly sat passive and motionless on its benches, neither resisting nor giving way, silent and firm," reports Alexis de Tocqueville, an eyewitness. A vote for the motion would have dishonored the Assembly and shown it to be powerless; one against it would have risked cut throats among the members. "This passive resistance irritated and incensed the people; it was like a cold, even surface upon which its fury glided without knowing what to catch hold of . . ." The crowd finally shouted: "We can't make them vote!" After some chaos and the expectation that troops were coming, a member of the crowd declared the Assembly to be adjourned—without, however, the crowd's having achieved its objective.¹¹²

During the Hungarian Protestants' struggle against restrictive Austrian religious laws and efforts to subordinate them to imperial control, the Calvinists of the Trans-Tisza Church District played a prominent role. Defying a government order, their council met as scheduled in Debrecen on January 11, 1860, with five hundred church officials and thousands of laymen attending. William Robert Miller quotes a description of the occasion by Imre Révész, a church historian:

Immediately after the opening prayer, the Austrian Imperial Government representative . . . stood up and called upon the meeting to disperse. The chairman [Deputy Bishop Peter Balogh] then asked those present whether they wished to disperse or not, whereupon the huge crowd roared in reply: "We shall hold the meeting; we will not disperse." Then as the meeting proceeded, fear began to show on the face of the Imperial representative, as he saw thousands of angry eyes turned in scorn upon him. Finally, he could bear the situation no longer, and got up and left; and no one did him harm.¹¹³

The gathering refusing to disperse, however, need not be an official assembly; it may simply be a public meeting or an improvised protest gathering. On February 17, 1959, for example, a crowd of from 150 to 200 Africans in the Kota Kota district of Nyasaland went to the police station to protest ten arrests for illegal acts which had taken place the previous day and to demand that they be arrested also; rejecting the District Commissioner's explanation for the arrests and his offer to receive a delegation, they refused orders to disperse. "The police then used tear smoke and made a baton charge."¹¹⁴

A variation on this refusal to disperse was applied by the Czechoslovak delegation which negotiated in Moscow following the 1968 invasion. At Moscow Airport they discovered that one of their members, Frantisek Kriegel, was missing. Kriegel was a liberal member of the Presidium of the Czechoslovak Communist Party and a Jew to whom the Soviet officials particularly objected. The remaining delegates refused to depart without Kriegel, and it was not until Soviet officials produced him that the delegation flew back to Prague.¹¹⁵

138. Sitdown

The sitdown is an act of noncooperation in which the participants actually sit down on the street, road, ground, or floor and refuse to leave voluntarily, for either a limited or an indefinite period of time. The sitdown may be a spontaneous act, or a reaction decided on in advance, as a response to orders for a march or other demonstration to disperse. Or it may be combined with civil disobedience to some regulatory law as a serious type of symbolic resistance. The sitdown may also be used to halt ordinary traffic or tanks, or to prevent workers or officials from carrying out their work. In these cases it becomes a method of nonviolent intervention (either nonviolent interjection or nonviolent obstruction, which are described in the next chapter). In recent years the sitdown appears to have been more widely used than previously.

Toward the end of April 1960, during the Algerian War, over five hundred demonstrators protested the internment of six thousand North Africans in France, without trial or hearing, by marching to the Centre de Tri de Vincennes (one of the French reception centers for Arabs) and sitting down in front of it. New waves of demonstrators came when the first persons were arrested and driven away in vehicles.¹¹⁶ Demonstrators protesting the same policy held a sitdown near the Champs Elysées in Paris in late May, after the police had stopped their march toward the Ministry of the Interior.¹¹⁷

In the autumn of 1961 three hundred Norwegians opposing nuclear tests held a sitdown outside the Soviet Embassy in Oslo after the Soviet

announcement of its intention to explode a fifty-megaton nuclear bomb.¹¹⁸ In May 1962 about one thousand Lisbon University students staged a sitdown in protest against a decision by the Portuguese Minister of Education to ban their student-day celebrations.¹¹⁹

On June 19, 1964, about five hundred young Russian art fans attended the opening (delayed until 5 P.M.) at the Manege Gallery in Moscow of works by the controversial painter, Ilya Glazunov. When the Soviet Ministry of Culture announced that the scheduled public debate on the exhibited works had been postponed, the young people refused to leave, saying they would have their own discussion. When officials turned out the lights, the people sat down on the floor, first clapping in unison and then airing opinions of every kind. The militia finally induced them to leave three hours after the opening.¹²⁰ Students at Madrid University, campaigning for an independent student union, on February 24, 1965, first conducted a silent march and then sat down at the police barrier which blocked their way.¹²¹

A variation on the usual patterns occurred on at least two occasions during the Indian struggle in 1930-31 when the police who halted a march or parade of nonviolent actionists also staged a sitdown in the street or road to block their passage. On May 15, 1930, during the Dharasana salt raids, a group of *satyagrahis* headed for the salt depot under the leadership of the poet Sarojini Naidu was halted by a police superintendent who said to her: "We are going to stay here and offer Satyagraha . . . ourselves as long as you do." But after twenty-eight hours of a dual sitting confrontation, police patience wore out and they returned to more violent methods.¹²² Some weeks later armed police in Bombay stopped a procession of about thirty thousand men, women and children who then sat down in the streets, whereupon the police also sat down, and they confronted each other for hours. When sympathizers brought food, water and blankets during the night's rain, the *satyagrahis* passed these on to the obstructing police as a token of good will. Finally the police gave in and the procession ended in a triumphant midnight march.¹²³

139. Noncooperation with conscription and deportation

Opposition to various types of government conscription and deportation may be expressed by a refusal either to register as ordered, or to report for duty or participate in deportation. (The motives of the opponent in initiating deportation may vary: the opponent may want to depopulate the area, remove political dissidents, produce forced labor, or exterminate an unwanted group.) Such noncooperation may also be a

form of civil disobedience or popular nonobedience. It is classified separately here because it is not the disobedience itself which is important but the refusal to cooperate with a program of conscription or deportation. This kind of noncooperation may include several specific types of acts, not simply disobedience.

Noncooperation with military conscription has been practiced on a number of occasions. For example, in Hungary from 1820 to 1825 there was a mass refusal to comply with a levy of troops imposed on the country by Austria,¹²⁴ and this happened again beginning in 1861.¹²⁵ In their struggle for autonomy from Imperial Russia, the Finns similarly refused military conscription. When the Russian conscription system was imposed on Finland by imperial decree in 1901, "The pastors refused to proclaim the law in the villages, the judges and lawyers to apply it, the conscripts to execute it."¹²⁶ To make the conscription less obnoxious, the Tsar decreed that with each conscription only one percent of the recruits (to be chosen by drawing lots) were to be taken into the army. Eino Jutikkala writes:

Nevertheless, [during the conscription of 1902] three-fifths of the youths of conscription age—the proportion among the university students was as high as five-sixths—refused to report for the draft. . . .

In the following two conscriptions, the resistance was less successful but still strong enough to cause the Russians to abandon their campaign in this field. . . . the Finns were released from personal military service, and Finland was obliged to pay a small annual tax to the imperial treasury as compensation.¹²⁷

Finnish soldiers were consequently not available for the Russo-Japanese War or for service to the Tsar during the 1905 Revolution.

In New Zealand there was widespread refusal to be conscripted for military training in 1913, with many being sentenced to detention camps, and in 1930 some fifty thousand young men from fourteen to eighteen refused to take military instruction.¹²⁸

This method of noncooperation has also been practiced against conscription and deportation for forced labor and against deportation for extermination. There were some cases (apparently only a minority) of Jews under Nazi rule refusing to register or report as ordered. Although there probably were 85,000 Jews in Belgium in May 1939, only about 42,000 registered with the police when ordered to do so in October 1940; Gerard Reitlinger attributes the bulk of this difference to a refusal to register.¹²⁹ In Athens in December 1943 only 1,200 Jews registered with the

Judenrat (Jewish Council) when ordered to do so, although eight thousand Jews were believed to be in the city.¹³⁰ For a period in August 1944 Jews in the Lodz ghetto in Poland noncooperated with German evacuation orders, refusing, for example, to collect their rations (i.e., report) at the local railroad station or the Central Prison.¹³¹ When all surviving Jews in Bratislava, Czechoslovakia, were ordered on November 16, 1944, to report to the Bratislava *Rathaus* (town hall) for transfer to Sered camp, only fifty obeyed, while at least six thousand remained hidden in bunkers.¹³² This method was also used by non-Jews against the Nazis. In the Netherlands only a few thousand of the ex-soldiers reported, as ordered, for deportation and internment in Germany, and about seventy percent of the students refused to report for work in Germany. It appears that the Germans did not make any special effort to arrest these students.¹³³

140. Hiding, escape and false identities

Hiding, escape and false identities are not usually a part of nonviolent action. Normally they are not protest or resistance as such, and they commonly reflect fear which, as will be discussed in Chapter Nine, disrupts the effective operation of the technique. However, there are certain circumstances under which they may constitute a method of nonviolent action. These are largely political circumstances in which the regime seeks the arrest, internment and perhaps extermination of particular groups of people for ideological reasons or as part of a massive wave of repression. It could also apply to groups wanted as hostages or for reprisals, forced labor, or military duty. And of course escape by slaves is resistance to the institution of slavery. In certain circumstances members of the resistance movement might also seek to disappear.

In the United States before the Civil War escapes and assistance to escaped slaves from the South were reasonably effective methods of opposition to the institution of slavery. As many as 100,000 slaves are estimated to have successfully escaped in the generation before the Civil War, and despite the federal Fugitive Slave Law requiring the return of escapees, more slaves escaped in the 1850s than ever before, Carleton Mabee reports.¹³⁴

As an act of political noncooperation this method was very widely practiced in the Netherlands during World War II. According to Dr. L. de Jong this method was practiced not only by members of the resistance groups who needed false identities, but also by large sections of the population who were wanted by Germans for one reason or another. Ap-

proximately 25,000 Dutch Jews went into hiding; those who "submerged" later included much larger groups in the population who were to be deported to Germany, such as members of the Dutch armed forces, students who had refused to declare loyalty to the new regime, and workers needed to boost German production. By the summer of 1944 there were more than 300,000 "underdivers" who had to be provided with shelter, false identity papers, food and usually ration cards.¹³⁵

Some Dutchmen also used escape to counter Nazi measures, especially those Dutch students who—in contrast with those cited in the previous section—registered for work in Germany. Conditions for them in the camps in Germany were extremely bad. Some died. An escape route from Germany back to their own country was arranged, and before the end of the war most—one writer even says "by far the greater number"—had escaped and returned to the Netherlands.¹³⁶

This method was one common means by which Jews in other parts of Europe also sought to counter Nazi measures.¹³⁷ When German forces invaded Belgium in May 1940, about one-third of the Jews in that country fled to France, and of the 52,000 remaining toward the end of 1940, German agencies managed to deport only 25,000. An important reason for German difficulties was, as a Foreign Office representative, Bargaen, reported in September 1942, the large-scale evasions, including Jews hiding with Belgian families, the use of Belgian identification cards, and flights to occupied and unoccupied France.¹³⁸ Of the 8,000 Jews in Athens in December 1943, about 6,800 remained hidden when ordered to register on December 18; only a few hundred of these were later discovered.¹³⁹ For some months in 1941-42 the main activity of the Baum Group of young Jewish resisters in Berlin was the raising of money to obtain Aryan documents and foreign passports, largely forged, which enabled Jews to escape, or even to live on the outskirts of Berlin.¹⁴⁰ It is estimated that in Warsaw, 25,000 Jews posed as Aryans, using forged papers. Yuri Suhl describes how Simcha Poliakiewicz, who escaped from the Treblinka extermination camp, was provided with false papers by friendly Poles; these showed him to be Stanislaw Frubel, a Pole of German descent.¹⁴¹ Several hundred Jews are estimated to have lived through those years in Slovakia either in hiding or by using false documents.¹⁴²

In Canada during World War I, French Canadians resisted military conscription by sending their youths into hiding and refusing to disclose their whereabouts. Over forty percent of the registered draftees were never found and still others were never registered.¹⁴³

141. Civil disobedience of "illegitimate" laws

Civil disobedience is a deliberate, open and peaceful violation of particular laws, decrees, regulations, ordinances, military or police instructions, and the like which are believed to be illegitimate for some reason. One of the most drastic forms of political noncooperation, civil disobedience is an expression of the doctrine that there are times when men have a moral responsibility to disobey "man-made" laws in obedience to "higher" laws. At least since Socrates,¹⁴⁴ members of religious and political groups have often experienced a conflict of loyalties in which they had to choose between obeying the laws of the established government, thus violating their own beliefs, and disobeying such laws, thus remaining true to their deeper convictions.

Sometimes civil disobedience is seen to be called for because of a belief that a certain law is illegitimate, the body or person which instituted the law having had no authority to do so. For example, in February 1766, Edmund Pendleton, one of Virginia's most notable lawyers (he was also a magistrate and a member of the House of Burgesses), wrote to James Madison, Sr., telling him his views on the current debate over whether the courts should noncooperate with the Stamp Act by open disobedience to it, or noncooperate without such disobedience. The courts could suspend activities, and hence not use the required tax stamps on certain documents, or they could operate normally but, in defiance of the law, refuse to use the tax stamps. Pendleton's view was that "he had taken an oath to determine cases according to the law, and since he believed that Parliament had had no authority to pass the Stamp Act, he could not regard that Act as a law and felt that it would be a violation of his oath if he refused to proceed because of it."¹⁴⁵

In more modern times the theory of civil disobedience was refined and popularized through the action of Henry David Thoreau and a famous essay by him.¹⁴⁶ It was Gandhi, however, who made the greatest single contribution to developing civil disobedience as a means of social and political action on a mass scale. Gandhi wrote: "Disobedience to be civil has to be open and non-violent."¹⁴⁷ Civil disobedience is regarded as a synthesis of civility and disobedience, that is, it is disobedience carried out in nonviolent, civil behavior. It is generally used only after other attempts to remove the undesirable situation have failed and there appears to be no alternative, or in situations where the individual or group is placed in a position of deciding where their higher loyalty lies.

Modern justification for civil disobedience of this type is frequently based on a conviction that obedience would make one an accomplice

to an immoral or unjust act or one which is seen to be, in the last analysis, itself illegal. A vivid expression of this view was offered by Pawel Herst in Poland in 1954, at the meeting of the Council of Art and Culture which ousted its Secretary-General, Jerzy Putrament, after he had imposed rigid controls on behalf of the Communist Party. Herst declared: "If Putrament should tell me to jump out of the window, and I jumped, then we would both be guilty, he for giving the order, and I for obeying it." The phrase became widely repeated in Poland.¹⁴⁸

Civil disobedience of "illegitimate" laws as a method of political noncooperation may be practiced by individuals, groups or masses of people, and by organized bodies, even governmental ones. The disobedience may be undertaken reluctantly by persons who have no real desire to disturb the status quo but desire only to remain true to their deepest beliefs (*purificatory civil disobedience*). Or civil disobedience may be aimed at changing only a particular aspect of the regime's policies or a particular law or regulation regarded as immoral or unjust (*reformatory civil disobedience*). Or it may be used during a major social or political upheaval as a means of undermining, paralyzing and disintegrating a regime which is seen as unjust or oppressive, with the aim of replacing it with a new system (*revolutionary civil disobedience*). Or civil disobedience may be practiced against a new illegitimate regime (of domestic or foreign origin) and in defense of the legitimate regime or order (*defensive civil disobedience*). These classifications may merge into each other.

Gandhi regarded civil disobedience as a potent way of helping to destroy unjust laws; he also felt that it could be applied far more widely than that objective. "Complete civil disobedience is rebellion without the element of violence in it," he said.¹⁴⁹ In his view civil disobedience could be 1) used to redress a local wrong, 2) applied as a means of self-sacrifice to arouse people's awareness and consciences about some particular wrong, or 3) focused on a particular issue as a contribution to a wider political struggle.¹⁵⁰ Gandhi regarded civil disobedience as dangerous to the autocratic State, but harmless in a democracy which is willing to submit to the will of public opinion. Furthermore, he regarded it as an "inherent right of a citizen" and stated that any attempt to put it down was an "attempt to imprison conscience."¹⁵¹

There are a multitude of examples of civil disobedience. The practice of publishing accounts of debates in the British Parliament, for example, was established by acts of civil disobedience. Orders by the House of Lords in 1660 and the House of Commons in 1661 had banned publica-

tion of reports of parliamentary debates; the Commons had reaffirmed the ban in 1723 and enforced it in 1760.

Nevertheless [writes Gipson], John Almon in 1768 had begun to give detailed accounts of proceedings in Parliament, and other daily and weekly papers had followed his lead. As a result, eight newspapers were prosecuted by the House of Commons during the early part of 1771. The issue became acute when printers John Wheble of the *Middlesex Journal* and Roger Thompson of the *Gazetteer* openly defied a House order for their arrests . . .

These two cases were dismissed when the men were brought before sympathetic magistrates, one of whom was John Wilkes. However, the Commons then committed two of these magistrates, who also happened to be members of the House, to imprisonment in the Tower of London:

The issue aroused the populace to such a degree that popular demonstrations were made not only against Lord North but even against the king. But the upshot of the matter was that the offending printers went unpunished and newspapers continued to print parliamentary debates.

Thus, although the old resolutions prohibiting parliamentary reporting were never officially rescinded, Parliament in 1771 permitted a constitutional amendment to come into being by not fully pressing the charges against the printers in the face of popular sentiment.¹⁵²

The refusal of American colonial merchants to use the tax stamps would not have been civil disobedience had they merely refused to cooperate by suspending the various activities for which stamps were required; but when they continued business without using stamped papers and documents, their defiance became civil disobedience.¹⁵³

Governmental bodies, too, may commit civil disobedience. Salem, in the Province of Massachusetts Bay, for example, held an official town meeting on August 20, 1774, in defiance of Governor Gage's orders.¹⁵⁴ As the Massachusetts Bay House of Representatives met to plan for the First Continental Congress, Governor Gage sent the Secretary of the province to the meeting to announce its dissolution. The members of the House, however, refused to unlock the doors, and continued their business until it was completed, with the Governor's messenger reduced to reading the proclamation of dissolution on the wrong side of the door.¹⁵⁵

In North Carolina, Governor Martin's proclamation forbidding "illegal Meetings" of the towns and counties—and especially a planned meet-

ing of the whole province—"had the same effect as the executive interdicts, in other provinces, of the right of the people to organize and act. The provincial convention of August 25 assembled at Newbern with a representation from thirty-two of the thirty-eight counties and two of the six towns, while the governor and his council sat futilely by."¹⁵⁶

In Imperial Russia in 1875, the poor peasants in the villages in the Chigirin district near Kiev practiced a form of civil disobedience in the aftermath of the abolition of serfdom. Opposing the attempts of the richer peasants to legalize their possession of the larger holdings (which had been obtained by unfair means at the emancipation), the poorer peasants sought an equitable redistribution of the land. Declining to seize the land by violence but firmly believing they were acting "in accordance with the Tsar's will, they refused to put their mark on the official deeds and some would not make the customary payments" despite severe repression, flogging and imprisonment. In the end they lost even their existing allotments.¹⁵⁷

During the winter of 1914-15 in Sioux City, Iowa, eighty-three members of the Industrial Workers of the World were imprisoned for violating city restrictions on the holding of street meetings; many had come from other parts of the country specifically to break down the ban.¹⁵⁸ During the famous Toledo, Ohio, automobile strike in the 1930s, the strikers ignored an injunction and "quietly and voluntarily submitted to arrest and filled all police wagons and the jails to overflowing."¹⁵⁹

In the 1930-31 campaign in India, civil disobedience was expressed in a number of ways, which included the making and public sale of salt in violation of the law, the sale and reading in public of prohibited and seditious literature, defiance of bans on parades and meetings, disobedience of ordinances and police orders, and the violation of a number of other selected laws.¹⁶⁰ During the 1952 Defiance Campaign in South Africa, in which over seven thousand persons went to prison for civil disobedience, the main points attacked were the pass law and apartheid regulations, mainly on the railroads.¹⁶¹ In March 1960 the South African Pan-Africanist Congress called on Africans to leave their passes at home, to surrender themselves at the nearest police station (remaining completely nonviolent), and to repeat the process when released from prison.¹⁶²

In 1965 American Indians, many of whom depended on fishing for their livelihood, conducted civil disobedience against restrictive regulations of the Conservation Department of the state of Washington by committing "fish-ins" in defense of their rights to fish in ancestral fishing areas. These rights had originally been unlimited and had even been acknowledged—by the Treaty of Medicine Creek of 1854 with the United States

and later treaties. Planned by youthful college-educated Indians from various tribes, the direct action was also intended to counter the stereotyped image which American society had of the American Indians and which was held by the Indians themselves. One of the leaders, Mel Thom, said: "We decided to take direct action. We decided to show this country, and ourselves, that the Indians had guts."¹⁶³ On a cold day in March 1965 Indians set out with boats and forbidden nets, but without fishing licenses, to fish on the Quillayute River. Hundreds of Indians watched from the banks. The game wardens and state police were armed with warrants and guns. "The tribe was small," reports Stan Steiner. "It had never done anything this bold; for fishing off the reservation, without licenses, was an act of civil disobedience to the game laws. . . . And the wardens were white with wrath."¹⁶⁴ Other fish-ins continued into 1966.

And before it ended the hundreds of Indians had swelled to thousands. There were Fish-Ins in half a dozen rivers. There were dozens of arrests, war dances on the steps of the capitol rotunda, an Indian protest meeting of several thousand at the state capitol. There were Treaty Treks on the streets of the cities and Canoe Treks, of sixty miles, through Puget Sound. There was a gathering of more than one thousand Indians from fifty-six tribes throughout the country who came to join their brothers.¹⁶⁵

Several prominent non-Indians joined them, including film star Marlon Brando, comedian Dick Gregory, and the Rev. John J. Yaryan, Canon of Grace Cathedral of San Francisco.

Occasionally there was scattered minor violence—women and children throwing rocks, for example, and young men of the Yakimas carrying rifles to guard tribal fishermen—but the fish-in campaign was predominantly nonviolent. Mel Thom called it the "first tribal direct action in modern history."¹⁶⁶

Nearly two-and-a-half years after the first fish-in, the United States Department of Justice appeared before the Supreme Court of Washington State "in behalf of a tribe which had been enjoined from exercising its treaty fishing rights."¹⁶⁷ The case was lost in 1968 in the United States Supreme Court. Stan Steiner quotes Patrick Hamilton, an Indian sociology student at the University of Washington, to show the mood of the Indian youth after the campaign had subsided:

The past decade has shown us the power of civil disobedience. Wake up! . . . see what your people have done to us and then decide if breakage of a few fishing laws is justifiable.¹⁶⁸

ACTION BY GOVERNMENT PERSONNEL

142. Selective refusal of assistance by government aides

Government employees, administrators, officials, agents and officers, individually or collectively, may refuse to carry out particular instructions or orders, and inform their superior officers of their refusal. The refusal is clear and open, at least to the superior officers, which is what distinguishes this method from the more hidden types of evasion and obstruction described below. The selective refusal of assistance may or may not be announced to the public.

The examples offered here are all associated in some way with Nazi Germany.¹⁶⁹ In March 1942, for example, Goebbels complained that whenever he requested the imposition of harsh measures of "justice," Schlegelberger, the undersecretary for such matters in the Ministry of Justice, "always refuses my requests on the grounds that there is no legal basis for action."¹⁷⁰ Later he wrote again of the need for "brutal punishment," but once more complained of the refusal of the Ministry to go along: "Our Ministry of Justice is unable to understand a line of reasoning that is so obvious. It still moves in formal grooves." A change in the law was made to eliminate the legal justification for such refusal of assistance.¹⁷¹

In late 1938 the Nazi Party in *Gau* (party district) Franken decided to take advantage of the anticipated expropriation of Jewish property; calling in Jews from the district, it sought to force them to sign documents transferring their property, almost without compensation, to the city of Fürth, the *Gau* or some other body. Some court officers, however, doubted the legality of this procedure and refused to enter the transactions in the real estate book (*Grundbuch*)—thus voiding the transfers.¹⁷²

Hitler was sometimes confronted with the direct rejection of orders by his army officers, even after he had become Commander-in-Chief. In 1941, for example, he visited the headquarters of the Army Group Center at Borisov on the Russian front and was immediately confronted with a sharp difference of opinion concerning strategy and the utilization of available forces—Hitler wished to concentrate on Leningrad and the Ukraine, while his officers intended to concentrate the campaign on Moscow. When the *Führer* ordered the transfer of two Tank Armies, commanded by Hoth and Guderian, he "came up against a blank wall of refusal," backed by claims that the units needed two or three weeks for regrouping and repairs. The two commanders were supported by their colleagues, including the War Office and the Army Group Center, who "put up a united front to their *Führer*. He was convinced that they

did not want to do it and had just claimed that they were not able to . . ." ¹⁷³ Hitler seems to have been correct on this point.

The German Army High Command (*O.K.H.-Oberkommando des Herres*) was appalled at the military risk and dangers involved in the invasion of Denmark and Norway proposed by Hitler, and "braving their *Führer's* wrath, they flatly refused to participate in the preliminary preparations. The Scandinavian operation was subsequently planned entirely by O.K.W. [High Command of the Armed Forces—*Oberkommando der Wehrmacht*] . . ." ¹⁷⁴

The German officials in direct charge of the deportation of Danish Jews, having no forces of their own and unable to count on Danish help, obtained formations of the Order Police from Germany (there were no German police in Denmark), and then sought help from the German occupation army. But General Hermann von Hannecken refused to transfer his men for that task or to issue a decree ordering Jews to report at *Wehrmacht* (German army) offices for "work." This forced the police to undertake a door-to-door search. After Hannecken unsuccessfully sought postponement by intervention in Berlin, he agreed to cooperate only to the extent of providing a mere fifty soldiers to cordon off the harbor area during the loading of Jews on ships, arguing that this was for the maintenance of law and order, and not participation by the army in the "arrests" of Jews.¹⁷⁵

143. Blocking of lines of command and information

The effective power of a ruler may be limited by his subordinates if they quietly block the relay downwards or execution of orders, or the passage of information from the lower echelons upwards. Members of different levels of the hierarchy may seriously interfere with the regime's capacity to deal with various problems and crises simply by not forwarding to appropriate superiors or departments the information needed to help the regime. Withheld information may concern a variety of matters, such as economic conditions, public opinion, and the state of supplies; it may also include a refusal to report secret resistance organizations, plans and activities.

In Nazi Germany, this blocking of information took an extreme form: presumably loyal officials kept quiet and even shielded men whom they knew to be plotting Hitler's overthrow and assassination, as Wheeler-Bennett describes:

. . . within O.K.W. . . . departmental chiefs—for example, Canaris and Thomas—were frankly disloyal to the regime to the extent of plot-

ting its downfall, and in O.K.H. . . . both the Commander-in-Chief and Chief of the General Staff were cognizant of, if not participant in, subversive conversations and activities, which grew in volume and intent as the war progressed, and never reported them to Security authority.¹⁷⁶

Even Fritz Fromm, Commander-in-Chief of the Home Army, refrained from reporting the conspiratorial activities of his subordinates Olbrich and Stauffenberg, although Fromm was unwilling to further the conspiracy by direct participation.¹⁷⁷ Field Marshall Keitel reported that officers in the War Office and in military intelligence had known of the July 20, 1944, attempt to assassinate Hitler but had not reported it.¹⁷⁸

One way to block the chain of command is simply to fail to relay orders to one's subordinates, so that they never reach the men who are to carry them out. For example, the 1939 German generals' plot to prevent the planned offensive against the Western Allies and the invasions of Luxembourg, Belgium and the Netherlands, as a step toward peace, depended to a considerable degree on an act of noncooperation by them. Wheeler-Bennett writes: "On the understanding that they would receive a direct order from the Commander-in-Chief [General Walter von Brauchitsch, himself one of the plotters] they agreed to hamstring the offensive by the simple means of not transmitting to their subordinates the essential order to attack."¹⁷⁹

As late as 1940 employees of the foreign organization of the Nazi Party had to be reminded to submit documents proving their Aryan ancestry. "Most employees in the office had simply ignored an earlier directive for submission of records, without even giving an excuse or explanation for failure to comply."¹⁸⁰

The notorious Commissar Decree issued by Hitler in May 1941, which ordered the execution of captured Communist political officials and leaders in the occupied Soviet Union, including military prisoners, was reduced in effectiveness by the refusal of some officers to relay the instructions to their subordinates. Field Marshal Fedor von Bock, Commander-in-Chief of the Army Group Center, refused to issue it, as did others including Field Marshal Wilhelm von Leeb and Colonel-General Erich Hoepner.¹⁸¹ Walter Görlitz reports that the Commissar Decree was complied with only partially, and then during the first months of the war in the East, but "it was then gradually and quietly dropped, so that by 1942 it was no longer valid."¹⁸²

This method of noncooperation may also take the form of ignoring orders which have actually been received, rather than either obeying or blatantly refusing to obey them. This is neither simple forgetfulness nor

accidental inefficiency: such orders are ignored because of lack of sympathy or outright opposition on the part of the person who is refusing to cooperate. One reason for the lax control of funds of various enterprises in Communist China from 1950-63 is reported to have been the tendency of plant managers to ignore most financial regulations; another was a lack of sympathy from even high party officials for tight financial controls.¹⁸³

Reichskommissar Erich Koch of the Ukraine was directed by the East Ministry on September 7, 1942, to seize all Jewish and other abandoned property and to use former Ukrainian officers and civil servants for the job. Koch, however, ignored the order and on March 16, 1943, informed Alfred Rosenberg that the decree was a "political and organizational impossibility."¹⁸⁴ Rosenberg headed the *Ostministerium*, the civilian administration of the occupied East.

144. Stalling and obstruction

Administrative officers and other governmental employees may express political noncooperation by stalling and obstruction carried out under the guise of compliance with a particular order or policy. This method falls within the approach which Sir Basil Liddell Hart defined as "Apparent acquiescence that conceals, and is combined with, a strategy of noncompliance . . ." It may be also described as "Fabian tactics" and "polite procrastination." Liddell Hart argued that this approach can be "maintained more continuously and extensively than others, so as to yield the minimum to the occupying power and create a cumulative sense of frustration." It may be made all the more baffling if practiced "with a cheerful smile and an air of well-meaning mistake, due to incomprehension or clumsiness . . ." ¹⁸⁵ The degree of outward appearance of support and compliance may vary.

Again, all the examples offered here except one are from within the Nazi regime itself (especially its bureaucracy) or within puppet or pro-Nazi governments. The final Czech example is very different.

Goebbels repeatedly complained about the lack of leadership and initiative for promoting Nazi measures shown by government ministries and departments,¹⁸⁶ particularly the Ministry of Justice, where, as we have already noted, he encountered problems. Goebbels wrote on March 19, 1942:

We propose a multitude of reforms, improvements, and drafts of laws, but they don't have the right effect because a sort of quiet sabotage is going on in the central offices. The bourgeois elements dominate there, and as the sky is high and the Fuehrer far away, it is

very difficult indeed to prevail against this tough and solid bureaucracy.¹⁸⁷

Hitler is reported by Goebbels to have been convinced of the need for drastic measures, not only in the administration of justice but "against certain types of swivel-chair generals and against the whole bureaucracy."¹⁸⁸ Nearly a year later, in March 1943, Goebbels reported that Hitler agreed with most of his proposals for waging "total war" against the Allies, but added: "He [the *Führer*] merely complains of resistance that is always offered to our measures by the bureaucracy. In some cases this resistance is simply intolerable . . ." ¹⁸⁹ The specific cases here dealt with treatment of captured Allied fliers, efforts to develop nuclear weapons, and anti-Jewish measures.

Stalling and obstruction thwarted Hitler's two attempts to apply lynch law to the Allied so-called terror fliers. Görnitz describes this as a specific example of a general phenomenon—the blocking of Hitler's more extreme intentions by various uses of prevarication, stalling and postponement:

. . . often it will be found that the sole purpose of the central figures was to create a paper war around certain questions and prosecute this paper war for as long as was necessary for the whole matter to be dropped and filed, because Hitler had either forgotten all about it or had become interested in new problems.¹⁹⁰

Hitler's attempt in the summer of 1944 to establish a systematic program of terror against captured Allied "terror fliers" was effectively stalled by the combined efforts of Field Marshal Keitel (Chief of the High Command), Colonel-General Jodl (Chief of Operations Staff O.K.W.), and *Reichsmarschall* Göring (Commander-in-Chief of the Air Force). This was done by pretending to clarify the concept of "terror flier" in international law and by prolonging the debate in memoranda, lengthy discussions and correspondence. In March 1945 Hitler again sought to establish such a policy, and again was thwarted (despite Martin Bormann's assistance) by the obstructive tactics of Jodl's aide, Air Staff Officer Major Herbert Büchs, Field Marshal Keitel, *Reichsmarschall* Göring and General Karl Koller, the Chief of the Air Force Operations Staff. In neither case was the order demanded by Hitler ever issued.¹⁹¹

One very important reason that Nazi Germany did not develop atomic weapons was that the nuclear scientists who worked on the task deliberately stalled and obstructed the effort. The German atomic researchers not only refused to push for the development of an atomic bomb but diverted attention from the idea. Their efforts, as described by Robert Jungk, were considered and deliberate. They refrained from passing on

preparatory theoretical studies to their superiors, labeled suggestions from others as unrealistic though not impossible in principle, kept memoranda on research locked away, and kept the military departments in the dark about the imminent feasibility of making atomic bombs—all while pretending to cooperate. "It was considered that an open strike of research workers would be dangerous, as it would leave the field open for unscrupulous and ambitious persons. So long as a policy of delay and postponement proved practicable, it was resolved the risk should be taken."¹⁹²

Various of the more extreme Nazi anti-Jewish measures, especially those concerning extermination, met a significant degree of stalling and obstruction. These obviously were not sufficiently widespread and effective to halt the whole effort, and the examples offered here are certainly not cited with any intent of whitewashing any individual or any group. It is, nevertheless, highly significant that these acts of noncooperation occurred and that they did save the lives of many Jews. Such stalling and obstruction occurred within the German bureaucracy, in the Foreign Office, among German occupation officials in the East, and among officials of Nazi-allied Bulgaria, Vichy France, and Mussolini's Italy.

Following the decisive Grosse Wannsee Conference of January 1942, at which Reinhardt Heydrich announced the necessity of "treatment" of those Jews who survived forced labor to prevent them from going free and beginning "a new Jewish development" (that is, he announced the extermination program, the "Final Solution"), "a wave of obstruction began to grow" within the various chancelleries and ministries with the very limited aim of obtaining a series of exceptions to the policy which prevented its extension to partners of mixed marriages and their children.¹⁹³

Within the Foreign Office, matters related to Jewish deportations were dealt with by the Department Deutschland, headed by Martin Luther. Nazi deportation policies had specifically excluded Jews of certain nationalities, but Foreign Minister Ribbentrop requested Luther to prepare a report on the possibility of extending the deportations to Jews of *all* nationalities. Baron Ernst von Weizsäcker (head of the Foreign Office under Ribbentrop) then sent Luther's report to Emil Albrecht, of the office's legal department, "in hope that it might be buried there for some time—a favorite device when dealing with Department Deutschland."¹⁹⁴

Although by no means wholly innocent concerning the "Final Solution," *Reichskommissar* Heinrich Lohse in *Ostland* (an administrative district of occupied Eastern territories) contributed to the delay and prevented the completion of the Riga massacres. In October 1941 Lohse had been reported to Rosenberg's *Ostministerium* for impeding the massacres

in Libau. On November 15 he requested a ruling on whether Jews under his jurisdiction were to be killed regardless of the economic situation; an affirmative reply was not received until over a month later. On November 7 Lohse telegraphed *Stadtkommissar* Hingst in Vilna calling attention to the protests of General Braemer; the latter on December 1 urged the civil commissars to stop the execution of irreplaceable Jews, and two days later Lohse distributed Braemer's manifesto.¹⁹⁵

Various types of administrative and diplomatic stalling and obstruction were also used elsewhere—in Bulgaria (an Axis partner),¹⁹⁶ Vichy France, and Mussolini's Italy—to thwart Nazi extermination efforts. Italian occupation forces in France, for example, proved very obstructive in the face of German orders for the expulsion of Jews. Italian military officers reinterpreted German orders of December 1942 that they expel *all* Jews from French frontier and coastal areas to mean only *French* Jews. The Italian Fourth Army stopped the Prefect of Lyons from arresting from two thousand to three thousand Polish Jews in the Grenoble district and prevented their dispatch to Auschwitz. When German Foreign Minister Joachim von Ribbentrop objected about this to Mussolini himself, Mussolini replied that he sympathized with Ribbentrop's request; but he nevertheless refused to interfere with his generals, who continued to free the arrested Jews. The Italian military officers, Mussolini said, had a "different intellectual formation." When the Italian police did expel Jews from the coastal area, they placed them safely in hotels well within their zone.¹⁹⁷ There was similar Italian obstruction in the Italian Zone of Greece¹⁹⁸ and the Italian Military Zone II in Croatia.¹⁹⁹

While sharing responsibility for the fate of many Jews who lived in France, the Vichy government nevertheless undoubtedly saved a great number by administrative and diplomatic stalling and obstruction; Pétain and Laval, as well as subordinate officials and police, contributed to these tactics. "The *Commissariat aux Questions Juives* was never sure of the support of the Vichy Government, and its police obtained less and less cooperation from the regular *gendarmerie*."²⁰⁰ Xavier Vallat, appointed by Vichy as its first Commissary for Jewish Affairs, early opposed any deportations of French (as distinct from foreign) Jews and the imposition of the Jewish badge—the wearing of which could not be enforced in Vichy territory even after full German occupation.²⁰¹ French police in Bordeaux arrested only stateless Jews for deportation (and then only 150 of them) so that Lieutenant-Colonel Karl Adolph Eichmann—who was in charge of the whole deportation system for exterminations—wondered whether he might have to give up France completely as a source of deportations.²⁰² Laval stalled on German demands for a decree to revoke post-1933 naturalized citizenship of Jews (such a revocation would

have made them eligible for deportation). Finally, Laval informed the Germans that Pétain—whose approval was necessary—was disgusted with a decree to take French citizenship obtained by naturalization from women and children and told them that Laval himself had lost his copy of the draft decree. This meant that a three months' waiting period for Jewish objections would be necessary before a new draft could be submitted to the *Conseil de Ministres*. Italian approval would also be needed. During that period the French police could not help in roundups of Jews, he said. Gerald Reitlinger, in his study *The Final Solution*, says that the Gestapo suddenly appeared "singularly powerless" and were supported neither by the High Command nor the Foreign Office. Hitler must have lost interest in the extermination of French Jews, he writes. "This man, who cared nothing for the opinion of the world and who was unamenable to reason, could be undermined completely by slow obstruction."²⁰³ No large-scale roundups were possible without the cooperation of the French police, and even after Italian protection of French Jews collapsed on September 8, 1943, only three transports left the departure station Dracy for Auschwitz.²⁰⁴

In the first days of the Russian occupation of Czechoslovakia, the hidden radio transmitters were extremely important in continuing support for the legitimate government and Communist Party, and in arousing nonviolent resistance against the occupation and any possible puppet regime. In order to counter this radio attack, the Russians sought to bring in by railroad jamming equipment (some reports said tracking equipment) to destroy the resistance broadcasts. An account of how its trip was "assisted" was published in Prague in *Politika* on August 27, 1968. It was written by a Czechoslovak rail worker who took part in the action:

I tell you frankly, that train should have been stopped at Cierna [near the border]. But there was nothing peculiar about it—except that it was so short, eight cars only. At first we wanted to throw it off the track, but that could have had terrible consequences. Near Olomouc, it got ahead of a long freight train. Then it accidentally broke up into three sections, and it took four hours to fix. Exactly according to all regulations. Then I collapsed. Another maintenance worker needed another four hours to fix it. Then it moved on to Trebova and, with repair work going on all the time, as far as Chocen. From there, we wanted to steer them on to Poland, but by that time they had maps.

Suddenly they were in a great hurry because they had eaten up everything they had in their two parlor cars. Before Moravany, we threw the trolley wires down, and the train got all tangled up in

them. That took two maintenance squads, and they were unable to put it together. The Russians were quite nervous. They wanted the machine to run on batteries, and they could not understand why it should not be possible when all the various pieces of equipment seemed to be functioning all right. In Pardubice, they wanted steam, but we told them that that was an electrified line. In Prelouc, a piece of the track was dismantled, then a trolley thrown off, and they decided that they would go on by way of Hradec. In Steblova, again a thrown-off trolley; it's a single-track stretch so there was nothing to be done. Not too quickly, anyway. Six Soviet helicopters picked up our dispatchers as hostages. We put fifteen freight trains in front of them, and there is no yard in Prague that could take all of that. Our own trains suffered because of it; everything was delayed. I myself got to Kolin with a completely empty passenger train. Now they are somewhere around Lysa on the Elbe. But such a [Good Soldier] Schweik-type operation cannot last indefinitely.²⁰⁵

Czechoslovak radio reported on August 25 that the train was halted at Lysa nad Labem and that the jamming equipment was being reloaded into Russian helicopters.²⁰⁶

145. General administrative noncooperation

The great majority of a government's administrative personnel may refuse to cooperate with a usurping regime. This may be either an occupation government or a group which has seized control of the State apparatus by *coup d'etat* or other illegal means.

After the Bolsheviks seized power in October 1917 from the post-revolutionary Provisional Government headed by Kerensky, for instance, the new regime was immediately boycotted by the civil servants, who disobeyed the orders of the new occupants of the seats of power. In the Ministry of Public Welfare all but forty of the functionaries went on strike.²⁰⁷ As has already been pointed out, this kind of noncooperation was instrumental in defeating the Kapp *Putsch* in 1920 against the Weimar Republic.²⁰⁸

146. Judicial noncooperation²⁰⁹

This method of intragovernmental noncooperation occurs when members of the judicial system—judges, jurors, and the like—refuse to carry out the will of the regime or of some other portion of the judicial system. An example of the latter would be the refusal of a jury to convict a political prisoner despite the wish of the presiding judge that he be convicted. In certain cases determination by a court that a given law or policy is unconstitutional would also be an act of political noncooperation

with the regime. Or, a judge could refuse to convict or punish, despite the evidence and pleas of the prosecutor.

Resignation of an entire judicial institution may occur in reaction to interference with the court's independence by a usurper. In December 1940, for example, the Norwegian Supreme Court resigned in protest against the declaration by *Reichskommissar* Terboven that the Court had no right to declare his German occupation "laws" unconstitutional.²¹⁰

Judicial noncooperation may also operate within the judicial system. A noteworthy case of nullification by judicial noncooperation was the abolition of capital punishment for petty theft in England during the early nineteenth century. The law specified a certain minimum value of goods at which the death penalty became applicable. Often the juries would find the value of the stolen goods to be just a penny or a shilling lower than the crucial figure—regardless of the actual value—in order to avoid a hanging. Arthur Koestler writes:

The deterrent of the gallows affected the jury more than the criminal; the juries went on strike as it were. They made it a rule, when a theft of goods worth forty shillings was a capital offense to assess the value of the goods at thirty-nine shillings; and when, in 1827, the capital offense was raised to five pounds, the juries raised their assessments to four pounds and nineteen shillings.²¹¹

Some juries refused outright to convict persons for other crimes against property, such as forging banknotes. Merchants and bankers themselves demanded the abolition of capital punishment in order that there be some kind of effective punishment against such crimes. Finally, the legislation on capital punishment was altered, in 1837 and 1861, to abolish hanging for property crimes.

Occasionally, judicial noncooperation may involve open disobedience by a jury of a judge's instructions where they find them unreasonable. In 1670 William Penn and William Mead were arrested for "unlawfully and tumultuously" assembling in a Quaker Meeting, which Penn addressed outdoors after the entrance to the house where the Meeting was to have been held had been barred by soldiers. The trial itself was a remarkable one, and when it came time for a verdict from the members of the jury, they found Mead "not guilty" and Penn simply "guilty of speaking or preaching to an assembly." The latter was not a crime; nor was this a legal verdict. The foreman refused to say whether the assembly to which Penn spoke was itself legal or illegal. After threats of indefinite confinement by the Recorder, one of the two justices in the case, the jury again returned the same verdict. The Recorder then announced:

Gentlemen, you shall not be dismissed till we have a Verdict, that this Court will accept; and you shall be lock'd up, without Meat, Fire,

Drink, or Tobacco; you shall not think thus to abuse the Court; we shall have a verdict, by God, or you shall starve for it.²¹²

After two nights of such detention the jury found Penn "not guilty." Both the defendants and the jury were then fined for contempt of court. A year later a higher court ruled that the jury was correct and that it had been illegally detained.

147. Deliberate inefficiency and selective noncooperation by enforcement agents

Police, soldiers and other enforcement officials may at times deliberately carry out their orders with less than full efficiency, either out of political motivation, sympathy for the resisters, or distaste for the repressive measures. Or, police and others may selectively refuse certain orders on a scale too limited to be described accurately as mutiny. To the degree to which this method of political noncooperation is practiced, the ruler's ability to implement his will is reduced and the effect of repression lessened. Let us first survey some examples of deliberate inefficiency. These come from tsarist Russia, British-occupied India, and German-occupied Norway.

A.T. Vassilyev, the former head of the *Ochrana*, the tsarist secret police, has reported that the law prohibiting Jews from settling in certain provinces of Imperial Russia "was constantly evaded, and that countless Jews, with the consent of the authorities, lived in towns that should have been closed to them. The Police looked upon the fact with benevolence and shut both eyes."²¹³

And in India during the 1930 nonviolent raids on the salt depot at Dharasana, Indian police ordered to beat the nonviolent volunteers with *lathis* (heavy bamboo rods, often steel-shod) were not always efficient, as an eyewitness, Webb Miller, reports: "Much of the time the stolid native Surat police seemed reluctant to strike. It was noticeable that when the officers were occupied on other parts of the line the police slackened, only to resume threatening and beating when the officers appeared again."²¹⁴

In 1941, in Hanover, former Gestapo chief Rudolf Diels refused the *Gauleiter's* orders to arrest Jews, and Graf Faber-Castell refused to shoot five hundred Jews in Poland. Neither was harshly punished.²¹⁵ Lieutenant-General Hans Rauter of the S.S. complained in September 1942 that there was almost no cooperation from the Dutch police in the roundup of Jews in the Netherlands.²¹⁶

In occupied Norway both Norwegian police and German soldiers were sometimes deliberately inefficient and either facilitated escapes or did less than was expected of them in making arrests. In one case a Norwegian

policeman sent to arrest a Jew who happened to be out left a message that he would return at twelve noon—which gave the hunted man time to gather his belongings and get away. During this early roundup, large numbers of Jews were warned in advance of the arrests.²¹⁷ Similar events later took place prior to the arrests of the remaining Jews, including women and children, on November 26, 1942. Norwegian policemen informed resistance people of the impending arrests, and some personally went the night before to warn the Jews.²¹⁸ When many students at the University of Oslo were arrested on November 30, 1943, German soldiers sent to private homes often encouraged escapes by taking the word of someone answering the door that the wanted student was not at home and going away, rather than entering and searching the house, as was expected.²¹⁹

In addition to such types of action, a certain amount of open refusal of cooperation and flouting of orders occurred among Norwegian police, although it would not be accurate to say that this was a model of full refusal of cooperation with fascism. These various acts of noncooperation have been reported by Lars L'Abée-Lund, who later became chief of criminal police in Oslo and an appeals court judge.

The very day on which the Germans entered Oslo, April 6, 1940, Vidkun Quisling, leader of the Norwegian fascist party, *Nasjonal Samling*, declared himself to be State Minister, and ordered Kristian Welhaven, the chief of police in Oslo, to meet him in conference. Chief Welhaven did not appear at Quisling's office, however. When Quisling phoned Welhaven the next day enquiring as to why he had not appeared, the police chief replied that he had indeed been at his own office and was at present, if Quisling wished to confer with him. For the moment Quisling had to back off, but in September *Reichskommissar* Terboven permitted Welhaven's dismissal and arrest. He was kept in Grini concentration camp in Norway until 1943, then in Gestapo headquarters in Berlin, and finally in Bavaria until he was released in early 1945 as a result of negotiations led by the Swede Count Folke Bernadotte. Not all Norwegian police officers followed Welhaven's example, however, and within a short time almost all higher police officials were members of the *Nasjonal Samling*; sixty percent of all officers, including assistant chiefs, voluntarily joined Quisling's *N.S.*²²⁰ About forty percent of the other policemen also joined the party. Nevertheless, reports L'Abée-Lund, "the regime could not rely on the police apparatus."²²¹

In July 1940 the police were ordered to salute fascist-style with outstretched right hand. "Bitterness among the police was great. In Oslo, the force at headquarters that was ready for duty refused to go out, and in Kristiansand the police chief, one of the few who was not a member of *Nasjonal Samling*, resigned. He was followed by his assistants."²²²

The Kristiansand chief was arrested and, after still refusing to comply, was imprisoned and deported to Germany.

In the autumn of 1941 three assistant chiefs of the Oslo criminal police refused to obey an order to confirm a confiscation of food that the *Hird*, Norwegian storm troops, had seized during the night. These officers were themselves jailed but later released, after which they set up in the district of Østlandet the core of a secret resistance organization of police. From the autumn of 1942 instructions were sent out from resistance leaders for police to boycott *N.S.* propaganda meetings and to refuse to apply for promotions when vacant police positions were listed for applicants.

When the fascists launched their program of labor mobilization of Norwegian citizens—the “National Work Effort”—in 1943, the underground gave instructions in June that every policeman should refrain from actions which would help this conscript labor program. Two months later Gunnar Eilifsen, assistant police chief in Oslo, refused to obey an order to bring in two young girls for the work effort. He was court-martialed and executed on August 16, 1943. The same day all the Oslo police—between six and seven hundred—were called to a meeting with Police Chief Jonas Lie, an *N.S.* member. Lie told them of Eilifsen’s execution and demanded that they sign a statement promising to obey orders. *N.S.* members promptly signed, but some others simply marched past the table where they were expected to sign. After both friendly conversations and warnings that if they refused they would be shot the next day, fourteen policemen still refused. They were driven away in German cars but apparently not executed.²²³

In the autumn of 1943 the police set up an illegal police leadership organization, in line with *Milorg* (the military resistance group) and *Sivorg* (the civilian, nonviolent, resistance group). The police organization cooperated with *Milorg*, setting up an information service about coming police raids and arrests against home front personnel and organizations; they also operated to discover and “neutralize” agents who were working for the Nazis.²²⁴

148. Mutiny

In advanced stages of a noncooperation movement, the opponent’s troops, police, or both may mutiny and flatly refuse to carry out orders to repress the resistance movement. In other situations mutiny has itself constituted a major—sometimes the dominant—method of resistance and revolutionary struggle where the army itself is in revolt. Whereas in essentially violent revolutions a mutiny may be followed by the troops joining in the violent struggle on the side of the revolutionaries, in an es-

entially nonviolent struggle, a mutiny may express itself entirely through the refusal to carry out usual functions of forcing the regime’s will on the populace or waging war against a foreign enemy. This refusal may contribute to a paralysis of the regime’s ability to rule, by increasing the totality of defiance and noncooperation, paralyzing the regime’s organs of enforcement, and destroying its conventional military capacity.

During the Russian 1905 Revolution mutinies were not uncommon. The former head of the *Ochrana* reports an early mutiny in St. Petersburg on February 24, 1905:

When the attempt was made to relieve the Police by employing detachments of Cossacks, a very serious state of matters was revealed: the Cossacks, who had once been the terror of a riotous crowd, now actually fraternized with the mob and gave not the least sign of taking serious measures against it.²²⁵

During this revolution (especially from November 1905 to mid-1906) troops returning across the Trans-Siberian Railway from the war with Japan often violated discipline:

The soldiers disobeyed officers and fraternized with civilian radicals in centers where authority was being broken down—particularly Harbin, Chita, Krasnoyarsk, and Irkutsk. Their contempt for discipline ranged from simple gestures of insubordination to quite serious excesses—such as their retaliation at Chita for a general’s insult to some railworkers: they detached his coach and left him there.²²⁶

The mutiny at Irkutsk in Siberia particularly appears to have displayed the characteristics of this nonviolent method; with virtually everyone opposed to the central government, the Social Democrats obtained official permission to address crowds of soldiers, who then refused to perform their military duties, J.H.L. Keep reports.²²⁷

During the February 1917 Revolution, mutinies of Russian troops played a very important role. For example, the Volynsky Regiment mutinied on February 27, after having fired, under orders, on nonviolent demonstrators in Znamensky Square, Petrograd, on the previous day and after the shooting of their officer the next morning by an unknown assassin: “The men of the Volynsky Regiment were firing their rifles into the air and proclaiming their support for the people’s rising. But they soon lost their cohesion and mingled with the demonstrators to form part of the same motley crowd.”²²⁸ The mutiny spread to other units, and as patrols dispersed to their barracks for supper, “On the way they merged with the crowds.”²²⁹ The troops generally did not remain in their units and did not oppose the regime by military means:

The soldiers who came out into the streets preferred the anonymity

of the milling crowd to an identifiable position in their units. They sold their rifles to the highest bidder, adorned their greatcoats with pieces of red ribbon, and joined one or other of the demonstrations, smashing police stations, opening up prisons, setting fire to court buildings, or indulging in other forms of "bloodless" revolutionary activity.²³⁰

The Army Headquarters no longer knew on which troops they could rely. On February 27 the Minister of War sent telegrams to the Tsar reporting the spreading mutiny, arson and total loss of control by Khabalov (the Commander of the Petrograd Military District), and asking for really reliable troops immediately in considerable numbers.²³¹ Occasionally, however, rebellious troops violently turned on loyal units, as in the ambush in Luga during this period.²³²

In May and June 1917 large-scale mutinies also took place in the French Army as a sign of general rebellion against the war and the immense casualties which were being suffered in the military stalemate. By official admission mutinies—or "collective indiscipline"—took place in almost exactly half the French fighting forces. "The revolts began as they would continue—spontaneous mutinies without a realizable objective, devoid of organized leadership, and without individual heroes or villains," writes Richard Watt.

The mutinies, which began on a small scale, provoked punishments. But as the numbers of mutineers increased vastly, the disobedient troops sensed that they were too numerous to be punished. The first full-fledged mutiny was that of the Second Battalion of the Eighteenth Infantry Regiment. This battalion had been ordered back into battle on April 29, less than two weeks after about four hundred of its six hundred men had been killed or injured. Even the approximately two hundred remaining alive and physically uninjured were badly shell-shocked. Finally, this battalion was induced to return to the front; later five men of the battalion were condemned to death with little regard as to whether they were in fact leaders of the rebellion. Mutiny, however, spread. "Almost overnight the entire basis of discipline had evaporated. The officers suddenly found that they were not in control of their men but were only scurrying about on the perimeter of what had become a huge, disorderly mob." Watt describes these mutinies as

... a kind of "professional strike," a strike stimulated by the fact that they suddenly and completely lost faith in their generals and their generals' strategies and were no longer willing to entrust their lives to a high command which they felt was indifferent and careless of their suffering.

The terrible casualties and the offensive without victory launched by

the Commander-in-Chief, General Robert Nivelle, were important in bringing about the mutinies. The French government, appalled by both the mutinies and the failure of the offensive, on May 15, 1917, dismissed General Nivelle and appointed in his place General Henri Pétain.²²³

On April 23, 1930, during the 1930-31 campaign in India, a Garhwal regiment refused to fire on peaceful demonstrators in Peshawar, an act for which its members were prosecuted.²³⁴

DOMESTIC GOVERNMENT ACTION

149. Quasi-legal evasions and delays

Units of government may not directly defy the laws, court decisions, or the like which require them to carry out some policy or take some measure which they reject, but instead use the reality or appearance of some other law or regulation, or some quite different criteria than those which may be in dispute, in order to evade indefinitely, or at least delay as long as possible, compliance with the requirements of the law, order, or court decision being resisted. These measures are similar to stalling and obstruction, described above, except that these are not the acts of individuals, administrative units, and the like, but are actions by subordinate or constituent units of government as such.

These types of actions have been widely used in the United States South from the end of the post-Civil War Reconstruction period to the present writing. There is, however, nothing intrinsic to the method which limits it to the uses to which it has been put by its Southern segregationist practitioners. Although the Fifteenth Amendment to the United States Constitution denied to the states the authority to refuse Negroes the right to vote, various states pursued alternative means to achieve the same objective. For example, when Oklahoma in 1910 amended its constitution to set up a literacy test as a qualification for voting, the enacted law made a significant exception among the citizens required to take the literacy examination. No one "who was on January 1, 1866, or at any time prior thereto, entitled to vote under any form of government . . . and no *lineal descendant of such person* [was to be] denied the right to register and vote because of his inability to so read and write . . ." (italics added). "In other words," write A.P. Blaustein and C.C. Ferguson, Jr., in their study *Desegregation and the Law*, "the only persons who would be required to pass a difficult literacy test in order to vote were those whose grandfathers had been slaves."²³⁵ This "Grandfather Clause" as a means of disfranchisement was declared unconstitutional by the U.S. Supreme Court. Then Oklahoma passed, in 1916, a statute to the effect that all persons hitherto denied the right to vote must regis-

ter within a twelve day period. Again, this was intended to apply only to Negroes; various "practical difficulties" would keep many from voting. This was also declared unconstitutional. The U.S. Supreme Court wrote that the Fifteenth Amendment "nullifies sophisticated as well as simple-minded modes of discrimination."²³⁶

Various other means of a legal or quasi-legal character have been used by Southern states to bar Negroes from voting. The 1961 "Report to the U.S. Commission on Civil Rights" from the North Carolina State Advisory Committee cites sworn written complaints from Negroes in five counties that literacy tests were applied in a discriminatory manner in order to prevent their registration as voters. It has frequently been charged that Southern states enacted such literacy laws precisely to be used to that end. The "Report" states: "It was alleged that the reading and writing tests were applied to the complainants in a manner different from the way in which such tests were applied to white applicants, so as to discriminate against the complainants and deny them the privilege of registering and voting solely because of their race." In 1961 the North Carolina Supreme Court ruled that one of the complainants must be given another opportunity to register and that the examination which she had been given was beyond the intent of the law.²³⁷

Various states have used several legal and quasi-legal means of avoiding compliance with the United States Supreme Court ruling in 1954 which outlawed racial segregation in public schools. For example, Florida's Pupil Assignment Law allowed the Board of Education to set regulations to establish "uniform tests" for "classifying the pupils according to intellectual ability and scholastic proficiency," so that there would be in each school "an environment of equality among pupils" of similar qualifications. The tests were to take into consideration "sociological, psychological, and like intangible social scientific factors" in order to avoid any "socio-economic class consciousness" among pupils in any given school. Assignments of pupils to a particular school would consider "the psychological, moral, ethical and cultural background" of the pupil as compared with those already assigned to that school.²³⁸

During this period North Carolina set up a pupil assignment plan, authorizing the school boards to assign each pupil to a particular elementary or high school, subject to a very complicated and time-consuming system of appeal for pupils dissatisfied with their assignment. Blaustein and Ferguson write that this plan was "designed to take advantage of the fact that no proceedings can be begun in the federal courts until a plaintiff has exhausted all the possible remedies which might be available through the action of state courts."²³⁹ When a suit brought under this law, on behalf of all Negro children in one district, finally reached the

North Carolina Supreme Court in May 1956, it was dismissed on the grounds that the given Act required proceedings on an individual basis, and hence such a group suit was outlawed. A separate suit would have to be commenced afresh in behalf of each of the children.²⁴⁰

150. Noncooperation by constituent governmental units

Where there is widespread opposition to and noncooperation with the central government, and where local, provincial or state governmental bodies are responsive to public opinion, they may themselves undertake official noncooperation with the central government. Crane Brinton believes that this was an important factor in the American Revolution, during which "town meetings and colonial legislatures were part of the legal government, but were often controlled by men active in the illegal government."²⁴¹ Probably the most extreme act of nonviolent government noncooperation during the American colonists' struggle occurred in Rhode Island, where in September 1765 the Assembly instructed the officials of the province to ignore the Stamp Act, resolving

That all the officers in this colony, appointed by the authority thereof, be, and they are hereby, directed to proceed in the execution of their respective offices in the same manner as usual; and that this Assembly will indemnify and save harmless all the said officers, on account of their conduct, agreeably to this resolution.²⁴²

Not only did the Stamp Distributor for Rhode Island resign, but the Governor himself refused to take the required oath to help enforce the Stamp Act.²⁴³ The colony's courts accordingly remained open and operated as usual without the use of the stamps (required by the law) on their documents.²⁴⁴

The New York General Assembly stalled and procrastinated when requested in 1766 to make provisions for quartering the King's troops, as required by the British Quartering Act; in an address replying to the Secretary of State for the Southern Department in London it pleaded that the expense of such provisions was excessive for the colony and its people, ". . . and therefore we humbly intreat your Excellency to set our Conduct . . . in its true Light, by representing that our Non Compliance on this Occasion proceeds entirely from a just Sense of what our Duty requires."²⁴⁵

Following the military occupation of Boston, which began on September 30, 1768,

Boston, through its constituted authorities, met the invasion with pas-

sive, but most effective and irritating resistance [writes George Trevelyan]. The Colonels called upon the Council to house and feed their men. They were reminded that under the statute the city was not bound to provide quarters or supplies until the barracks in the Castle were full; and the Council and the Colonels alike knew that the regiments had been sent, not to defend the Castle, (which stood on an island in the Bay,) but to occupy and annoy the city.

When the Commander-in-Chief in America, General Gage, went to Boston and saw his soldiers sleeping in tents on the Common, with winter fast approaching, he found it necessary to hire private houses at exorbitant rates, and the British Treasury had to pay.²⁴⁶ Until the shift to military struggle in 1775, colonial town meetings and provincial legislatures themselves repeatedly took the initiative in launching and conducting various economic boycotts, which were used as primary weapons in the colonial struggles with the government in London.²⁴⁷

One of the early and crucial constitutional problems of the United States government after its establishment was the question of who would determine when a law or action had exceeded or violate the purposes and powers set out by the new Constitution. Although the Supreme Court soon assumed this role, this was not the only possibility. Thomas Jefferson and James Madison developed the doctrine of nullification, which said that the legislature of a given state could decide that an Act passed by Congress violated the Constitution, and hence was null and void within that state. This was the basis for the famous Virginia Resolutions of 1798 and the Kentucky Resolutions of 1798 and 1799.

Aroused by antidemocratic tendencies in the new United States government, of which he saw the Alien and Sedition Acts as only the beginning, Thomas Jefferson concluded that it was necessary to erect a strong barrier against the encroachments of the Federal Government. He privately participated in drafting these resolutions, introduced in both Kentucky and Virginia. (James Madison introduced them in the Virginia Assembly.) One of the 1798 Kentucky Resolutions declared:

Resolved, that the several States composing the United States of America, are not united on the principle of unlimited submission to their general government; but that . . . they constituted a general government for special purposes . . . ; and that whensoever the general government assumes undelegated powers, its acts are unauthoritative, void, and of no force . . .

It further asserted that the constituent states, not the federal government itself, must be able to judge when the Constitution had been exceeded.²⁴⁸

One of the Virginia Resolutions of that year also asserted that when the Federal Government had exceeded its constitutionally authorized powers, "the states, who are parties thereto, have the right and are in duty bound to interpose for arresting the progress of the evil, and for maintaining within their respective limits the authorities, rights, and liberties appertaining to them."²⁴⁹ The 1799 Kentucky Resolutions asserted that extension of the activities of the Federal Government beyond the bounds set by the Constitution would lead to "an annihilation of the state governments . . .", and that the doctrine that the Federal Government alone should judge the extent of its constitutionally delegated powers, not the constituent states, would lead to a process of increasing federal powers which would "stop not short of *despotism* . . ."²⁵⁰

This theory was the basis for the nullification doctrine adopted by Vice-President John C. Calhoun in 1828, when he denounced the tariff law of that year. Calhoun claimed the right of a state to declare inoperative within its boundaries any law that it judged to be unconstitutional.²⁵¹ He saw this as an alternative to secession and as a defense of the Constitution. This general doctrine was later extended by certain states to actual secession from the Union. By itself secession was not an act of war; it only became so when military clashes occurred between Union troops and secessionist soldiers. (Had slavery—an institution impossible to defend by nonviolent means—not existed in the South and had the South wished to secede on other grounds, it is theoretically possible that it might have done so and applied a widespread program of non-violent noncooperation which would have been, given a very different type of society in the South, very difficult indeed for Federal forces to crush.)

When the Russian government sought to bring Finland under tighter control in 1910, it tried to avoid clear rejection by the Finnish parliament of the bill to achieve that aim which was then being considered in the Russian capital, St. Petersburg. The Finns were asked to deliver a *report* on the proposed new law which would formalize Finland's subordination to the Russian government—not to *vote* on the bill (that is, accept or reject it). The Finnish parliament, however, refused to draw up such a report on the grounds that it, not the Russians, held full legislative power over such matters.²⁵²

As described in Chapter Two, the various *Länder* (states) in Germany under the Weimar Republic, at the call of the legal Ebert government, refused to cooperate with the usurping group of putschists headed by Dr. Kapp and General Lüttwitz.

During the 1930-31 struggle for Indian independence the Municipal Board of Ahmedabad informed British officials that they were unable

to cooperate with the coming census because the Indian National Congress had decided upon a boycott of it. Insisting that there was widespread and determined opposition to the census, they said they would lack full public cooperation should they take part in it. Furthermore, if the Board was supposed to represent the public, it ought not to take action in conflict with public opinion.²⁵³

INTERNATIONAL GOVERNMENTAL ACTION

A more thorough classification of the types of noncooperation between governments than that offered here should be undertaken, for a large number of variations appear even at first glance. The illustrative nature of the seven methods described here should be kept in mind. These methods range from relatively mild ones of largely symbolic significance to more extreme measures which may disrupt the normal international activities and functions of the country. The League of Nations Covenant imposed on its members the obligation of a *total* international embargo—diplomatic, political, social and economic, the severance of all intercourse—of any State resorting to war in violation of the Covenant, Crespiigny reminds us.²⁵⁴

151. Changes in diplomatic and other representation

In order to express disapproval of the policies of another country, a government will at times recall its own diplomat or other officials without breaking diplomatic relations, or ask that a foreign diplomat be replaced. Sometimes one government will place at the head of its diplomatic corps in another country an official holding a rank so low as to be an insult to the host country. At other times a country will voluntarily close, or be requested by the host country to close, certain of its offices, such as consulates—again, without breaking diplomatic relations.

Or officials other than members of the diplomatic staff may be withdrawn. As the differences between the Soviet Union and Yugoslavia sharpened in 1948, after the Central Committee of the Yugoslav Communist Party rejected Stalin's demand that Yugoslavia and Bulgaria immediately establish a federation, the Soviet Union replied on March 18 by recalling its military advisers from Belgrade.²⁵⁵

The host country may ask for the withdrawal of an ambassador, as Sir Douglas Busk notes, "for political and not personal reasons, i.e., because of displeasure with the policy of his government."²⁵⁶ Diplomatic matters in the host country are then handled by a subordinate of-

ficial. On occasion a government's request for withdrawal of a certain ambassador has been rejected by his home government. As a result, writes Charles W. Thayer, "the host government simply ceases to do business with the ambassador and there is nothing much the sending government can do but retaliate by breaking relations."²⁵⁷ Thus during the 1848 revolution, after the British Ambassador to Spain, Henry Bulwer, somewhat exceeding his instructions, had strongly intervened to halt repression of Spanish liberal politicians, the British government rejected Spain's demand for Bulwer's recall. After various diplomatic exchanges the two governments broke diplomatic relations.²⁵⁸

During World War I the German military attaché in Washington, Franz von Papen, was declared *persona non grata* for allegedly engaging in plots to blow up American ammunition plants and was consequently withdrawn by the German government. There are many other examples of requested withdrawal for alleged improper behavior by diplomats.²⁵⁹

The closing of consulates is also common. After the sinking by a German submarine of the U.S. merchant ship *Robin Moor* on May 21, 1941, for example, the U.S. government ordered all German and Italian assets in the United States frozen and also ordered the closing of all German and Italian consulates. Germany and Italy retaliated by closing U.S. consulates in their countries.²⁶⁰

During the period of United States dissatisfaction with Sweden's policy of opposing U.S. involvement in the war in Vietnam, the U.S. Ambassador, William Heath, was recalled in March 1968 for consultations with President Johnson.²⁶¹ Heath did not return, nor was he replaced with a new ambassador. In November 1969 the U.S. Consulate in Göteborg was closed, the official reason being to cut U.S. foreign spending. It was the oldest American consulate, having been established by George Washington in 1797 after Sweden became the first government to recognize the new U.S. government.²⁶² Then the Nixon administration, which came to office in January 1969, declined to appoint a new ambassador to Sweden for a time. The new Swedish Premier, Olof Palme, thought the U.S. policy rather "impractical": "If Washington really wants to explain where we are wrong, there should be someone here to do the explaining."²⁶³ Finally Dr. Jerome Holland was appointed and took up his post as the new U.S. Ambassador to Sweden in the spring of 1970.

152. Delay and cancellation of diplomatic events

Governments may stall or completely halt certain negotiations, meetings, conferences and the like as a result of displeasure with the actions

or policies of another government involved in such events. For example, Gordon A. Craig argues that in the past it has been the practice of the Soviet Union to prolong negotiations for months and even years, sometimes also shifting the level of negotiation (say, from the ambassadorial to the ministerial level, and then to heads of state), with the result that the issues at stake and original points of difference become blurred, with assistance from publicity efforts. Craig cites as examples "the repeated and protracted negotiations in the 1920s over the question of the Russian debts," which resulted in avoidance of payment without penalty, and later various negotiations concerning Berlin and Germany, especially during the time of Premier Khrushchev.²⁶⁴

As Stalin began to apply pressure in early 1948 against Yugoslavia, the Soviet Union canceled the planned April meeting at which Soviet-Yugoslav commercial agreements were to be renewed.²⁶⁵

The announcement in early May 1960 that a United States U-2 plane photographing the Soviet Union from a great height had been shot down by a Soviet rocket was followed by denunciations of "spy flights" by Premier Khrushchev and demands that those responsible be punished. He said that the summit conference then taking place in Paris between the Soviet Union, the United States, France and Great Britain could not go on unless the U.S. government gave a full apology. So "after a brief meeting on the morning of 16 May the summit conference of 1960 was at an end," Wilfrid Knapp writes.²⁶⁶

The North Vietnamese and the National Liberation Front's delegations canceled the sixty-sixth plenary session of the Vietnam peace talks in Paris on May 6, 1970, in protest against five days of renewed United States' bombing of North Vietnam, Nguyen Thanh Le, the North Vietnamese spokesman, described the extraordinary move as "a political decision." The date for the next scheduled session, May 14, was not immediately accepted by the United States and South Vietnamese delegations; the latter indicated that it might make this same type of threat itself.²⁶⁷

153. Withholding of diplomatic recognition

The general practice of governments to recognize other governments which are effectively in control of the countries they rule is sometimes replaced by deliberate refusal of diplomatic recognition. This is often because of objection to the way in which that government came to power or to its basic political character. President Woodrow Wilson, for example, refused United States' recognition of the Mexican regime of Victoriano Huerta, harsh spokesman of propertied groups, who had ousted the

revolutionary regime of Francisco Madero and had been responsible for his murder in prison. Wilson declared: "My ideal is an orderly and righteous government in Mexico; but my passion is for the submerged eighty-five per cent of the people of that Republic who are now struggling toward liberty."²⁶⁸

After Japan seized China's Manchuria and proclaimed the puppet state of Manchukuo in February 1932, the United States pursued the Stimson (or Hoover-Stimson) Doctrine: nonrecognition of international changes produced by means contrary to the provisions of the Kellogg-Briand Pact, which outlawed wars of aggression. Consequently, although rejecting both proposed economic sanctions and military means, the United States refused diplomatic recognition to Manchukuo. The U.S., however, continued trade relations and kept consular officials there, although they remained accredited to the Chinese National government.²⁶⁹ In March 1932 the Assembly of the League of Nations unanimously adopted a resolution against Japan which followed almost verbatim the Hoover-Stimson Doctrine of Nonrecognition, Thomas Bailey reports.²⁷⁰ For many years the United States refused to recognize the Communist government of the Soviet Union, on the basis of various grievances and charges, until recognition was agreed to in 1933.²⁷¹

United States' long refusal to grant diplomatic recognition to the Peoples' Republic of China is one of the best-known examples of the use of this method. Diplomatic nonrecognition was in this case intended to contribute to the collapse of the Communist regime, as the State Department statement of August 11, 1958, indicated: "The United States holds the view that communism's rule in China is not permanent and that it one day will pass. By withholding diplomatic recognition from Peiping it seeks to hasten that passing."²⁷² Secretary of State John Foster Dulles further explained the policy on December 4, 1958: "Such recognition and the seating of the Chinese Communists in the United Nations would so increase their prestige and influence in the Far East, and so dishearten our allies there, that the Communist subversive efforts would almost surely succeed."²⁷³

Refusal of diplomatic recognition to Israel has been a basic part of Arab policy since the establishment of Israel. In addition, they have used more severe means, such as refusing other direct dealings with the Israeli government, trying to block its membership in international organizations, and imposing economic embargoes.²⁷⁴

Following the crushing of the 1956 Hungarian Revolution, various Western governments imposed a diplomatic boycott on the Kadar regime

which was not broken until January 1, 1958. Even thereafter, however, the United States maintained only a *chargé d'affaires* in Budapest. Ferenc Váli writes: "The Soviets have considered the refusal by the United States to grant full recognition to the post revolutionary Hungarian government as the greatest stumbling block in the way of eliminating the bitterness caused by its armed intervention."²⁷⁵

The threat by one country of permanent nonrecognition of a government has also been used to help defeat a *coup d'état* in another country. For example, Major-General Sir Neill Malcolm, Head of the British Military Mission in Berlin, told General Lüttwitz on March 16, 1920, that Britain would never recognize the new Kapp regime which Lüttwitz was helping to impose, "and thereby completed its discomfiture," reports Wheeler-Bennett.²⁷⁶

One variation of this nonrecognition is to recognize the government in question, but to do so conditionally. Harold Nicolson in his book *Diplomacy* cites the case of the British government's recognizing the Portuguese Republic on the condition that the new regime be confirmed by a general election.²⁷⁷

154. Severance of diplomatic relations

Severance of diplomatic relations "normally involves the departure of the entire Missions from both capitals, though sometimes only the Ambassador or High Commissioner and some others are forced to leave," writes Busk. Consular officials may or may not be allowed to remain. If the entire diplomatic staff is withdrawn, another country is asked to represent the country's remaining interests in that land.²⁷⁸ Nicholson points out that the breaking of diplomatic relations "is by no means always a prelude to war and is often resorted to as a means of expressing profound moral indignation. Thus the British Minister was withdrawn from Belgrade after the [June 1903] assassination of King Alexander and Queen Draga, even as a similar diplomatic rupture occurred when Colonel Plastiras murdered M. Gounaris and his ministers in November 1922."²⁷⁹ After the German announcement on January 31, 1917, of a submarine campaign to sink *all* ships, including neutrals, in the war zone, in an effort to break the British blockade, President Wilson appeared before the United States Congress to announce the termination of diplomatic relations with Germany.²⁸⁰

In a very different case, on April 25, 1943, the Soviet Union broke diplomatic relations with the Polish government-in-exile in London. This followed the discovery by the Germans of the Katyn graves, where ten

thousand Polish army officers who had been missing for two years were buried. The Polish government-in-exile was convinced of Russian guilt for the executions, and after the Polish Minister of Defense called for an investigation by "a proper international body, such as the International Red Cross" the Soviet Union broke diplomatic relations.²⁸¹

155. Withdrawal from international organizations

Governments may withdraw from either membership in or the activities of various types of international organizations and conferences. The motive may be to express dissatisfaction with their policies or to give the withdrawing country the freedom to take action which might receive disapproval from those bodies. For example, on October 14, 1933, Hitler announced that because of a denial of equal rights to Germany, that country was withdrawing from the Disarmament Conference and also the League of Nations. He argued that the hoped-for reconciliation with former foes had not been achieved, nor had the restoration of equal rights to the German people; hence Germany could no longer tolerate humiliation. The same day Hitler announced that he would submit withdrawal from the League to a plebiscite on November 12, the day after the anniversary of the Armistice of 1918.²⁸²

In 1950 the Soviet Union's delegates withdrew from United Nations activities—but not from membership—in protest against the continued seating of Nationalist China's delegates instead of those of the Communist government which controlled mainland China. Knapp reports that after Jacob Malik, the Soviet representative to the U.N. walked out of the Security Council on this issue on January 10, 1950, "Malik announced that he would not participate in the work of the Security Council until the Kuomintang [Nationalist Chinese] delegate had been replaced. The Soviet delegates thereupon withdrew from all United Nations bodies of which China was a member."²⁸³ The absence of the Soviet delegate to the Security Council enabled it to take rapid action against North Korea when the Korean War broke out.

During the Indonesian "confrontation" against Malaysia, Indonesia notified the President of the United Nations General Assembly and the Office of the Secretary-General on December 31, 1964, that it was withdrawing from membership in the U.N. because Malaysia had been elected to the Security Council. Despite various appeals and private talks, in late January 1965 Indonesia confirmed her withdrawal from the U.N. and also some of its specialized agencies. (There is no provision for withdrawal in the U.N. Charter.)²⁸⁴

156. Refusal of membership in international bodies

Governments may be refused membership by international institutions because of political rivalries, disapproval of the government in question, and other reasons. The most outstanding example of this was the refusal for more than twenty years by the United Nations to seat delegations from the Communist government of mainland China as the representatives of China, in place of the delegates from the Nationalist government, which controlled only the island of Formosa (Taiwan). By the end of 1949 the Communist government (the People's Republic of China) had gained control of all of mainland China, and the Nationalist government (the Republic of China) had moved to Formosa. Consequently, the delegate of the Soviet Union on the Security Council sought unsuccessfully to exclude the Nationalist delegation.²⁸⁵ After 1961 the question of Chinese representation was regarded by the U.N. General Assembly as "an important question," thereby requiring a two-thirds majority approval, rather than a simple majority.²⁸⁶ Under heavy pressure from the United States, United Nations bodies declined to seat representatives of the Chinese Communist government until 1971 when they replaced the Nationalist delegates.

157. Expulsion from international organizations

One sanction sometimes used by international bodies against States violating its policies or constitution is expulsion from membership. The League of Nations Covenant provided that any member which violated "any covenant of the League" might be declared to be no longer a member.²⁸⁷ This was applied only once—against the Soviet Union following its attack on Finland in 1939. On December 14, 1939, the Assembly of the League, with the Soviet delegate absent, unanimously condemned the invasion and declared that "in virtue of Article 16 paragraph 4 of the Covenant [the Assembly] finds that, by its act, the U.S.S.R. had placed itself outside the League of Nations. It follows that the U.S.S.R. is no longer a member of the League."²⁸⁸

The United Nations Charter, Article 6, provides "A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council."²⁸⁹ The Soviet Union proposed inclusion of such a provision in the Charter during the Dumbarton Oaks Conference and strongly supported the proposal at the San Francisco founding conference.²⁹⁰ This article has

never yet been applied, although suggestions have been made to expel South Africa and Portugal.²⁹¹

Expulsion of Yugoslavia from the *Cominform* (an international Communist organization) was one of the sanctions applied in 1948 when Tito refused to submit to Stalin.²⁹²

Political noncooperation has been the last of the three subclasses of methods of nonviolent noncooperation. Our attention now turns to the final class of methods of nonviolent action, those of "nonviolent intervention."

NOTES

1. Griffith, *The Resurrection of Hungary*, esp. pp. 22, 43 and 48.
2. *Ibid.*, p. 30.
3. *Ibid.*, p. xxiv.
4. *Ibid.*, p. 31.
5. Geyl, *The Revolt of the Netherlands, 1555-1609*, p. 84.
6. *Ibid.*, pp. 183-184.
7. Gipson, *The British Empire Before the American Revolution*, vol. XII, *The Triumphant Empire: Britain Sails into the Storm 1770-1776*, p. 243.
8. Gipson, *The Coming of the Revolution*, p. 231.
9. Charques, *The Twilight of Imperial Russia*, p. 135.
10. Harcave, *First Blood*, p. 225.
11. Sternstein, "The *Ruhrkampf* of 1923," pp. 114-115. See also Halperin, *Germany Tried Democracy*, p. 249.
12. Margaret DeMarco, "The Use of Non-violent Direct Action Tactics and Strategy by American Indians."
13. "Iroquois of Canada Refuse to Become Canadian Citizens," *New York Times*, 12 March 1921, p. 6.
14. "Chippewa Indians Seek Help of UN to Restore Sovereign Rights," *Philadelphia Evening Bulletin*, 18 November 1946.
15. "Indian Tribe Asks United Nations Seat," *Philadelphia Evening Bulletin*, 8 July 1960.
16. Littell, ed., *The Czech Black Book*, p. 143.

17. *Ibid.*, p. 191.
18. Adam Roberts, "Buddhism and Politics in South Vietnam," p. 247.
19. *France Observateur* (Paris), 24 January 1957; quoted from Miller, *Nonviolence*, p. 362.
20. *New York Times*, 5 June 1968. I am grateful to Carl Horne for this reference.
21. *Peace News*, 27 November and 18 December 1959.
22. *The Times*, 24 March 1960.
23. Griffith, *The Resurrection of Hungary*, pp. 24-28 and 36.
24. Seton-Watson, *The Decline of Imperial Russia*, p. 170.
25. Katkov, *Russia 1917*, p. 4, n.l.
26. Sharp, *Gandhi Wields the Weapon of Moral Power*, pp. 51-219 *passim*, and Pattabhi Sitaramayya, *The History of the Indian National Congress*, vol. I, p. 605.
27. *Sunday Times*, (London), 19 March 1967.
28. Anthony de Crespigny, "The Nature and Methods of Non-Violent Coercion," *Political Studies* (London), vol. XII, no. 2 (June 1964), pp. 264-65. The respective sources are *The Times* (London), 5 Dec. 1961 and 21 May 1962.
29. E. L. Woodward, *French Revolutions*. (London: Oxford University Press [Humphrey Milford], 1939), p. 55.
30. *Ibid.*, p. 74.
31. Seton-Watson, *The Decline of Imperial Russia*, p. 242.
32. *Ibid.*, p. 249. See also Charques, *The Twilight of Imperial Russia*, pp. 145 and 174.
33. Personal conversations with Ruth Reynolds, New York 1954-55.
34. Crespigny, "The Nature and Methods of Nonviolent Coercion," p. 264. The following are sources for the particular cases.
35. *New Statesman* (London), 10 Nov. 1961; *The Times* (London), 14 Nov. 1961.
36. *The Times*, 2 and 3 April 1962.
37. *The Observer* (London), 22 April 1962.
38. *The Times*, 30 April 1962.
39. *Washington Post*, 17 August, 1966.
40. *Peace News*, 11 July 1958 and 23 January, 6 and 27 February 1959.
41. Griffith, *The Resurrection of Hungary*, p. 32.
42. Schapiro, *The Origin of the Communist Autocracy*, p. 280.
43. See Lochner, ed., *The Goebbels Diaries*, p. 396; Reitlinger, *The Final Solution*, pp. 53, 97, 187 and 192; Schweitzer, *Big Business in the Third Reich*, pp. 142 and 183; Walter Gorlitz, ed., *The Memoirs of Field-Marshal Keitel* (New York: Stein & Day, 1966) pp. 100-102, 123, 163-164 and 247; Crankshaw, *Gestapo*, p. 166; Alan Bullock, *Hitler: A Study in Tyranny*, revised edition. (U.S. ed.: New York: Harper and Row, 1962, British ed.: London: Odhams, 1964), p. 300, and Wheeler-Bennett, *The Nemesis of Power*, p. 319.
44. *Guardian*, 1 September 1962.
45. Charques, *The Twilight of Imperial Russia*, p. 207.
46. Roberts, "Buddhism and Politics in South Vietnam," p. 246.
47. Salvemini, *The French Revolution, 1788-1792*, p. 86.
48. Høyve and Ager, *The Fight of the Norwegian Church Against Nazism*, pp. 88-104.

49. Geyl, *The Revolt of the Netherlands*, pp. 75 and 78-79.
50. Reitlinger, *The Final Solution*, pp. 346-347.
51. *The Times*, 19 and 23 March 1960.
52. Roberts, "Buddhism and Politics in South Vietnam," p. 247.
53. Sharp, *Gandhi Wields . . .*, pp. 53-219 *passim*, and Bondurant, *Conquest of Violence*, pp. 57-58 and 94.
54. Wheeler-Bennett, *The Nemesis of Power*, pp. 398-405.
55. Bernard, *Social Control in its Sociological Aspects*, p. 398.
56. A. Fenner Brockway, *Non-co-operation in Other Lands*, pp. 34-39.
57. Sharp, *Gandhi Wields . . .*, pp. 37-40 and Pattabhi Sitaramayya, *The History of the Indian National Congress*, vol. I, pp. 534-546.
58. Shridharani, *War Without Violence*, pp. 30, 18, 41, and 161, and Case, *Non-violent Coercion*, p. 383.
59. *Report of the Advisory Commission on the Review of the Constitution of Rhodesia and Nyasaland*, pp. 8, 14 and 16.
60. Seton-Watson, *The Decline of Imperial Russia*, p. 240.
61. Sternstein, "The *Ruhrkampf* of 1923," p. 117.
62. Roberts, "The Buddhists, the War and the Vietcong," pp. 219-220, in *The World Today*, vol 22, no. 5 (May 1966).
63. Schweitzer, *Big Business in the Third Reich*, pp. 147-148.
64. *Boston Globe*, 6 and 8 August 1970.
65. *New York Times*, 23 June 1966.
66. *Ibid.*
67. Case, *Non-violent Coercion*, p. 383, and Shridharani, *War Without Violence*, p. 49.
68. Luthuli, *Let My People Go*, p. 147.
69. Sharp, *Tyranny Could Not Quell Them*, and Amundsen, ed., *et al.*, *Kirkenes Ferda 1942*.
70. Wyller, *Nyordning og Motstand*, pp. 62-63.
71. Brant, *The East German Rising*, p. 161.
72. Gipson, *The British Empire Before the American Revolution*, vol. XII, p. 21, and Gipson, *The Coming of the Revolution*, pp. 208-209. See also Schlesinger, *The Colonial Merchants and the American Revolution*, pp. 252-253.
73. Bondurant, *Conquest of Violence*, p. 57.
74. Lloyd, *Ireland Under the Land League*, pp. 123-126.
75. *Peace News*, 5 June 1964.
76. Martin Oppenheimer and George Lakey, *A Manual for Direct Action* (Chicago: Quadrangle Books, 1965), p. 107n.
77. This section is based on a draft prepared by Michael Schulter.
78. Littell, ed., *The Czech Black Book*, p. 118.
79. *Ibid.*, pp. 118-19.
80. *Ibid.*, p. 185.
81. Quoted in Hsiao, *Rural China*, pp. 449-450.
82. This section is based on a draft prepared by Michael Schulter.
83. J. Ellis Barker, *Modern Germany: Its Rise, Growth, Downfall and Future* (New York: E. P. Dutton & Co., 1919), pp. 293-299.

84. Brant, *The East German Rising*, pp. 34-37.
85. Chang, *The Chinese Gentry*, p. 45.
86. Hsiao, *Rural China*, pp. 134-135.
87. Alexander Pechersky, "Revolt in Sobibor," in Suhl, ed., *They Fought Back*, p. 46.
88. It has not been possible to locate precise documentation or specific cases for this method, although several China authorities have assured me that it has been frequently applied in China. For example, Professor Wolfram Eberhard has written to me in a personal letter, dated 27 April 1966:
 "I am acquainted with the kind of 'non-obedience' which you are referring to. In class-room and other discussion I call this 'apathy' and I regard this attitude as a part of the conditions in a traditional society as I have briefly outlined it in the introduction to the second edition of my *Conquerors and Rulers*. The trouble is only, that one cannot expect that Chinese writers (being of the class of scholar/officials) write about this, because they either do not know conditions in villages or would not like to describe these conditions as a description would reflect upon their (non-) efficiency as administrators. The only references which you might be able to find, would be in non-Chinese sources, especially reports by travellers and officials (British) who worked or travelled in China during the 19th Century."
 There is evidence that the government during the Ming dynasty and later learned that taxes would not be paid unless a collector or some official was physically present to "prompt" payment. See Hsiao, *Rural China*, pp. 97-99.
89. Magnus Jensen, *Norges Historie: Norge Under Eneveldet 1660-1814*, p. 39.
90. Lefebvre, *The French Revolution from its Origins to 1793*, p. 134.
91. *Ibid.*, p. 234.
92. J. P. Mayer, ed. and trans., *The Recollections of Alexis de Tocqueville*, (New York: Meridian Books, 1959), pp. 151-152.
93. Schapiro, *The Communist Party of the Soviet Union*, p. 68 and Keep, *The Rise of Social Democracy in Russia*, p. 227, and Harcave, *First Blood*, p. 214.
94. Harcave, *First Blood*, p. 174.
95. Warmbrunn, *The Dutch Under German Occupation*, p. 112 and p. 105.
96. Kirchhoff *et al.*, *Besaettelsestidens Historie*, p. 204.
97. Hilberg, *The Destruction of the European Jews*, p. 388.
98. *Ibid.*, p. 405.
99. Dwight H. Perkins, *Market Control and Planning in Communist China* (Cambridge, Mass.: Harvard University Press, 1966), p. 141.
100. Morgan and Morgan, *The Stamp Act Crisis*, pp. 206-207.
101. Sternstein, "The *Ruhrkampf* of 1923," p. 118.
102. Harcave, *First Blood*, p. 215.
103. Sharp, *Gandhi Wields . . .*, p. 43.
104. Richard W. Fogg, "Jazz Under the Nazis," in *Music 66, Down Beat's* annual, 1966, p. 99.
105. *Ibid.*, p. 98.
106. Hsiao, *Rural China*, p. 52.
107. Taylor, *The Struggle for North China*, p. 120.
108. Peck, *Two Kinds of Time*, p. 414.
109. *Ibid.*, p. 93.
110. Schlesinger, *The Colonial Merchants . . .*, p. 177. For other examples see also

- pp. 286 and 463-464, and Gipson, *The British Empire . . .*, vol. XII, pp. 79-80.
111. Salvemini, *The French Revolution*, p. 125.
112. Mayer, ed., *The Recollections of Alexis de Tocqueville*, pp. 126-132.
113. Miller, *Nonviolence*, pp. 234-235. The passage is from Imre Révész, *History of the Hungarian Reformed Church* (Washington, D. C.: Hungarian Reformed Federation of America, 1956), p. 128.
114. *Report of the Nyasaland Commission of Inquiry*, p. 61.
115. Littell, ed., *The Czech Black Book*, p. 223, n. 1.
116. *Peace News*, 6 May 1960.
117. *Ibid.*, 3 June 1960.
118. *Ibid.*, 17 November 1961.
119. *Ibid.*, 18 May 1962.
120. Ruth Daniloff, in *ibid.*, 3 July 1964.
121. *Peace News*, 5 March 1965.
122. Sharp, *Gandhi Wields . . .*, pp. 136-137.
123. *Ibid.*, p. 167.
124. Griffith, *The Resurrection of Hungary*, p. xix.
125. *Ibid.*, p. 33.
126. Seton-Watson, *The Decline of Imperial Russia*, p. 165.
127. Jutikkala, *A History of Finland*, p. 237. See also Miller, *Nonviolence*, p. 246.
128. Ligt, *The Conquest of Violence*, p. 144.
129. Reitlinger, *The Final Solution*, p. 342.
130. *Ibid.*, p. 377.
131. *Ibid.*, pp. 302-303.
132. *Ibid.*, p. 394.
133. Warmbrunn, *The Dutch . . .*, pp. 118 and 152.
134. Mabee, *Black Freedom*, p. 314.
135. Jong, "Anti-Nazi Resistance in the Netherlands," in *European Resistance Movements, 1939-1945*, p. 146.
136. Warmbrunn, *The Dutch . . .*, pp. 152-53, and 301 n. 153.
137. Philip Friedman, "Jewish Resistance to Nazism: Its Various Forms and Aspects," in *European Resistance Movements 1939-1945*, p. 204.
138. Hilberg, *The Destruction . . .*, pp. 387-388.
139. Reitlinger, *The Final Solution*, pp. 377-378.
140. Ber Mark, "The Herbert Baum Group," in Suhl, ed., *They Fought Back*, pp. 62-63.
141. Suhl, "The Evidence," pp. 144-46, in Suhl, ed., *They Fought Back*.
142. Emil F. Knieza, "The Resistance of the Slovak Jews," in Suhl, ed., *They Fought Back*, pp. 177-179.
143. Daniels, "Non-violent Actions in Canada," p. 68.
144. Isidore Abramowitz, ed., *The Great Prisoners: The First Anthology of Literature Written in Prison* (New York: E. P. Dutton and Co., 1946), pp. 2-27.
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148. Flora Lewis, *The Polish Volcano: A Case History of Hope* (New York: Doubleday & Co., 1958 and London: Secker and Warburg, 1959), pp. 85-86.
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151. Gandhi, *Young India*, vol. I, p. 943.
152. Gipson, *The British Empire Before the American Revolution*, vol. XI, *The Triumphant Empire, The Rumbling of the Coming Storm, 1766-1770*, pp. 219-220.
153. Schlesinger, *The Colonial Merchants . . .*, p. 70.
154. Gipson, *The British Empire . . .*, vol. XII, p. 158.
155. *Ibid.*, p. 396, and Schlesinger, *The Colonial Merchants . . .*, pp. 151-152.
156. Schlesinger, *The Colonial Merchants . . .*, p. 372.
157. Yarmolinski, *Road to Revolution*, pp. 199-200.
158. Hiller, *The Strike*, pp. 237-238.
159. Myers and Laidler, *What Do You Know About Labor?*, p. 76.
160. Sharp, *Gandhi Wields . . .*, pp. 51-219, *passim*.
161. Kuper, *Passive Resistance in South Africa*, esp. pp. 17-18, 20-22, 122 and 125-138.
162. *The Times*, 21 March 1960.
163. Steiner, *The New Indians*, p. 55.
164. *Ibid.*, p. 50.
165. *Ibid.*
166. *Ibid.*, p. 53.
167. *Ibid.*, p. 61.
168. *Ibid.*, p. 63.
169. Many other examples are, however, possible. For example, for Finnish examples, see Miller, *Nonviolence*, p. 248 and Jutikkala, *A History of Finland*, p. 238; as civil servants, etc., during the Kapp *Putsch*, see Goodspeed, *The Conspirators*, pp. 129-135; on withholding of *Duma* speeches from the police in 1917, see Katkov, *Russia 1917*, p. 291; and on a large number of acts of noncooperation of officials in the American colonies, see Morgan and Morgan, *The Stamp Act Crisis*, pp. 61, 67, 194, 206, 222 and 228, and Schlesinger, *The Colonial Merchants . . .*, pp. 253, 305-306, 512 and 522.
170. Lochner, ed., *The Goebbels Diaries*, p. 133.
171. *Ibid.*, p. 229.
172. Hilberg, *The Destruction . . .*, p. 86.
173. Görlitz, ed., *The Memoirs of Field-Marshal Keitel*, pp. 150-151. See also pp. 166-167 and 247, for other cases.
174. Wheeler-Bennett, *The Nemesis of Power*, p. 494.
175. Hilberg, *The Destruction . . .*, pp. 360-362.
176. Wheeler-Bennett, *The Nemesis of Power*, p. 457.
177. *Ibid.*, pp. 585 and 625.
178. Görlitz, ed., *The Memoirs of Field-Marshal Keitel*, p. 193.
179. Wheeler-Bennett, *The Nemesis of Power*, p. 470.

180. Hilberg, *The Destruction . . .*, p. 49.
181. Wheeler-Bennett, *The Nemesis of Power*, p. 514, and Alexander Dallin, *German Rule in Russia 1941 and 1945*, p. 32.
182. Görlitz, "The Indictment," in Görlitz, ed., *The Memoirs of Field-Marshal Keitel*, p. 252. Alexander Dallin even maintains that the order "did not become operative because of the tacit opposition of the generals." (Dallin, *German Rule in Russia 1941-1945*, p. 32.) Görlitz reports that the Commando Order, drafted by Hitler personally (which decreed that all members of Allied commando or sabotage units were to be killed, whether armed or unarmed, even if voluntarily surrendered) was only partially complied with Görlitz, *op. cit.* p. 257.
183. Perkins, *Market Control and Planning in Communist China*, p. 122.
184. Hilberg, *The Destruction . . .*, p. 240.
185. B. H. Liddell Hart, "Lessons from Resistance Movements - Guerilla and Nonviolent," in Roberts, ed., *Civilian Resistance as a National Defense*, p. 207; Br. ed.: *The Strategy of Civilian Defence*, p. 207.
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187. *Ibid.*, p. 128.
188. *Ibid.*, p. 192 (Entry for 27 April 1942).
189. *Ibid.*, p. 314.
190. Görlitz, "The Indictment," p. 261.
191. *Ibid.*, pp. 261-264.
192. Robert Jungk, *Brighter than a Thousand Suns: The Story of the Men who Made the Bomb* (New York: Grove Press Black Cat Edition, n.d.), pp. 88-97.
193. Reitlinger, *The Final Solution*, pp. 97 and 173-79.
194. *Ibid.*, p. 95.
195. *Ibid.*, pp. 218-219.
196. *Ibid.*, p. 380 and Hilberg, *The Destruction . . .*, pp. 478 and 481-484.
197. Reitlinger, *The Final Solution*, pp. 321-324.
198. *Ibid.*, pp. 375-376 n.
199. *Ibid.*, pp. 366-368.
200. *Ibid.*, p. 306.
201. *Ibid.*, pp. 307 and 313.
202. *Ibid.*, p. 320.
203. *Ibid.*, p. 321. See also p. 320, and Hilberg, *The Destruction . . .*, p. 417.
204. Reitlinger, *The Final Solution*, pp. 325-326.
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206. *Ibid.*, p. 170.
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208. Goodspeed, *The Conspirators*, pp. 130-132.
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211. Arthur Koestler, *Reflections on Hanging* (New York: Macmillan, 1967), p. 51. See also pp. 27 and 52.

212. "Afterword," in *Contempt* (no author) (Chicago: Swallow Press, 1970), p. 250. On other details of this case, see pp. 245-254. On Irish juries refusing to bring in convictions, see Locker-Lampson, *A Consideration of the State of Ireland in the Nineteenth Century*, p. 373.
213. A. T. Vassilyev, *The Ochrana: The Russian Secret Police*, ed. by Rene Fülöp-Miller (Philadelphia and London: J. B. Lippincott Co., 1930), p. 100.
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