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HUMAN RIGHTS AND CENSORSHIP IN THE PORTUGUESE PRESS

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ABSTRACT

This article analyzes the censorship system existing in Portugal in the XVIII century, when a rigid jurisdiction with respect to press freedom was instituted by Portuguese State and how "Gazeta de Lisboa" succeeded in informing its public about the revolutionary events that took place in France during the year of 1789. Many years after that, in 1948, other important event - the Universal Declaration of Human Rights approved by the United Nations General Assembly, did not receive the attention of Portuguese Press. Of the 15 newspapers and magazines with wider circulation that were consulted, only three published the news of the approval. Also I did not find in any of the archives documents which proved the exercising of censorship or punishment, by the dictatorial regime of Salazar, in the form of disciplinary processes against the newspapers with relation to the publication of news referring to the Declaration. I am inclined toward the theory of the act of selfcensorship imposed by the editor on himself, in both events.

KEY-WORDS Censorship, unauthorized books, dictatorial regime.

I - THE RECEPTION OF THE UNIVERSAL DECLARATION OF HUMAN AND CITIZENS´ RIGHTS IN THE YEAR 1789 IN THE PORTUGUESE PRESS.²

It was the year 1789 and in France the revolutionary events which would favor the shift from the Old Regime to a constitutional monarchy were occurring. In Portugal the news periodicals "Gazeta de Lisboa" and "Jornal Enciclopédico" were being printed⁴ and the handbill "Notícias de Madrid" was being read.

D. Maria I occupied the throne⁶, having as minister of the Realm José de Seabra da Silva and as Chief of the Police of the Court and of the Realm Pina Manique⁷.

I was expecting that in the year 1789 the Real Mesa da Comissão Geral sobre o Exame e Censura dos Livros (Royal Council of the General Committee on the Examination and Censorship of Books), an inquisitorial tribunal of the royal censorship, (tribunal of the State), would prevent news relating to the revolutionary events which were happening in England, the United States and above all, in France, and I was mistaken.

I was expecting, on the part of the Portuguese writers/thinkers, the existence of more articles with the taking of ideological positions, texts of opinion, of criticism or comment regarding the social and political principles disseminated by the French and English intellectuals, and I was mistaken.

I was expecting that the Chief of Police, Admiral Pina Manigue, would intervene in an intensive, official way in the sense of watching over and warning of the dangers of the ideas of the "perverted philosophers of these recent times" as the 14th article of the Ruling of May 18, 17688 warned about the criteria to follow regarding the censorship of books, and which D. Maria made broader9 in the decree of June 21, 1787, and I was also mistaken.

If we browse through the handwritten issues of the "Gazeta de Lisboa" existing in the National Archive¹⁰ with respect to the year 1789, we will not find vestiges of any type of explicit censorship¹¹ regarding the news coming from Paris which, I underline, did not possess that innocuous character such as that which referred, in the period under consideration, to the news regarding the society and activities of the State in Portugal, for example. In all the manuscripts of that period of publishing, it is possible to read the opinion of the censor which in this case invariably said "print and run". And "Gazeta de Lisboa" printed the news from its correspondents in Portugal and overseas who sent the news by letter, or it printed translations of news already published in overseas newspapers, without there being noted any concern on the part of the editor or of the readers regarding the difference in time between the occurrence of the events and the report/news of them.

Let us take as an example July 14, when the "Gazeta de Lisboa" published a compilation of the resolutions taken in the General Assembly in Paris, but relating to events which had occurred in that city in the second half of June. On the day when the Portuguese public became aware of the French State's intentions to survey the reasons which led the population (more precisely the Third Estate) to proclaim the need for a National Constituent Assembly (in order to understand and take action on the causes which were about to provoke the popular uprising against the institutions of the Louis XVI government), the French people were precisely at the point of triggering their revolt against the established social and political order. In Portugal the events of July 13, 1789 in Versailles were published only on August 4. They already indicated the presence of a movement of popular revolt which was preparing for the taking of the Bastille in Paris on July 14, 1789, but in Lisbon it was only twenty-two days after the event that in the "Gazeta de Lisboa" it was written that the "people of Versailles shouted three times: "To arms, to arms! We must die or be free".12

The publishing time was the time necessary between the receiving of the correspondence, the drafting of the text, the sending of the manuscript to obtain the opinion of the authorities who comprised the Royal Council of the General Committee on the Examination and Censorship of Books, and finally the printing of the newspaper which was then put into circulation and finally sold.

Also there was no concern on the part of the publishers to identify the correspondents from whose letters excerpts were taken for printing, as a way of reporting the events, and even rarer still was any indication in the periodicals of the sources for the information and the news. The knowledge of the editor's name - which was not published in any part of the newspaper, which leads one to assume that it was enough for the readers to know his name without needing for it to appear graphically as a reference - seemed to be a sufficient guarantee for the readers to attribute the value of truth to the facts enunciated in the newspaper¹³. In reality, it was to the publisher exclusively, and by special concession by the political powers to the individual in question, to whom was attributed the "royal privilege of printing". 14 This was a privilege granted to the person whom the State considered as deserving. In 1789 the "Gazeta" had as its editor Felix Antônio Castrito. 15

In the "Gazeta de Lisboa" the name of the correspondent in Paris was never indicated. It was José Tengarrinha (1981) who told us that the correspondent in Paris was the then exiled Féliz Avelar Brotero¹⁶, a renowned botanist. The latter became a central figure for the editor of "Gazeta de Lisboa", who in this same edition of August 4 took an editorial position, writing the following:

Since the famous revolution of Paris is the most interesting subject of the present situation, and we want our readers to know the truth about the latest news (which an unreasonable voice here exaggerates excessively) we will publish tomorrow in an extra supplement a

reliable letter which, on July 17, we have just received from that capital city in this respect."17

It can be concluded that there must have been an expression of interest on the part of the reading or listening public regarding the political occurrences in France, despite Jorge Borges de Macedo having concluded that

(...) despite all the precursors and all the sympathy, the French revolution had little interest, on the level of practical action, for the population and even for the elites.¹⁸

In the field of practical action yes, because there was no news of any social movement being noted in Portugal about to question profoundly the existing political system, and in that year there was no news of violent actions repressing works printed in the realm or against their authors. But the population's interest in knowing about what was really happening in France is recorded here, and it is not a topic to be undervalued. 19

In reality "Gazeta" published the last news of the revolutionary events in France on September 5, 1789, and only broke this silence, again referring to events which happened in France, on December 15, 1789 with a news item dated November 24 about an innocuous discussion held in the "Royal Academy of Science" of Paris regarding matters in the field of astronomy.²⁰ But on September 5 the correspondent still had the opportunity of seeing a long excerpt from his letter dated August 11 published, a report of what had happened in the National Assembly from August 5 to the date of the sending of the letter. In the letter that was published he wrote:

On August 5 the session of the National Assembly was opened with the reading of the minutes of the preceding day's session, which will always be celebrated in the Annals of France.

And why would August 4, the preceding day, remain in the Annals of France? Because on that day "(...) the question of human rights and rights of the citizen" was discussed in the Assembly, as the "Gazeta" of September 3 reported. The author had perceived the topic 's political and historical dimension.

And whose was the unreasonable voice which exaggerated regarding the events in Paris to which editor Félix Antônio Castrioto referred in his editorial in the August 4 edition mentioned above? It was not the voice of the newspaper competing with "Gazeta", "Jornal Enciclopédico", published

monthly by Revcende, because this periodical, of the eight topics in which it divided matters regarding "new discoveries in all the sciences and arts for general instruction" to which it was devoted, as described in its frontispiece, reserved only article VIII for "Political relations of the different States in the world", a small part of the group of topics developed. And in the months of June, July and August 1789 "Jornal Enciclopédico" only wrote about political events which happened in France in the edition corresponding to the month of July²¹, and even so, only to note the proclamation of the Edict of Louis XVI in favor of the Protestants. Was the editor of "Gazeta de Lisboa" referring then to the pamphlets and satirical newspapers which were circulating in great number in an anonymous way? Would these be the feared journalistic competitors? The satirical newspapers, because of the nature of their texts by unknown authors, appear to fit this denunciation of the existence of an "unreasonable voice" circulating news and opinions. As Tengarrinha²² tells us, they were texts which enjoyed a relative power of influence on the populations that had access to them, due to their obvious capability of circulating unofficially, contrary to the orders of the State, since they were not licensed for this, and succeeding in acquiring a receiving public interested in accepting and disseminating what it read in them. Tengarrinha tells us with respect to the circulation of news relating to the revolutionary events underway in France:

From the pulpit, friars and priests thundered against the new subversive ideas; in the midst of the noble or wealthy families terror prevailed against the impious murderers of Louis XVI. Nevertheless, surreptitiously, insidiously, in the bars, cafés, billiard parlors, at the corners where satirical newspapers alluding to the events in France appeared, the revolutionary ideas were discussed in a prudent voice. but increasingly amplified.23

In reality this discussion did not materialize in opinion texts which we could read in the official press. And I did not have access to any of those pamphlets, so that it was not possible to know what was written in them. The correspondents and the editor of "Gazeta" did not echo the confrontation of arguments which at that point were already being heard in France, whether relating to the legitimacy of its decisions or to the type of powers exercised by the representatives in the Assembly, or also to the content of the constitutional text and of the Declaration of Human and Citizens' Rights which the French deputies wanted to be discussed and

presented as a model of political action, and perambulatory beginnings of the future French Constitution.

In Portugal there were people qualified for this latter discussion of a more philosophical and political nature regarding citizens' rights. But there was no press freedom which could serve as a potential means of expression. Ma Adelaide Marques,24 according to the analysis she made of the lists of libraries in Portugal (their nature, quantity, origin and ownership), based on the information contained in the lists which library owners were obliged to make available to the Censorship Council up to the 3rd quarter of the XIII century, and Pedro Canavarro,25 who published a study relating to the origin, nature and purpose of the Royal Press created in 1786 during the reign of D. José, gave us strong indications regarding the existence in Portugal of a considerable number of people with curiosity and actual knowledge concerning the content of many foreign works whose circulation was limited by the political powers. Even works which were prohibited and placed on the Expurgatory Index could be found in a considerable number of private libraries which existed at the close of the XVIII century in Portugal²⁶, and it was observed that they were books frequently recorded and placed on lists²⁷. In addition there were private persons or institutions to which authorization was given to possess and/or consult prohibited books²⁸. This was the case of the powerful Royal Academy of Sciences. Created in 1779, the Academy had in the figure of its founder, the Duke of Lafões, and of its secretary, the abbot Correia da Serra, knowledgeable individuals and appreciators of foreign scientific and philosophical works, capable of informing their intellectual circle about everything that was happening or was published overseas. On accepting the guiding disciplinary practice of the State in a neutral intervention with respect to a social action, they were granted the right to have, in many cases, "protected" access to certain works with prohibited circulation. Later, however, in the first decade of the XIX century, Pina Manique subjected these personages to police vigilance²⁹, because he suspected their loyalty, and presumed their real public influence in certain matters considered to be the cause of disturbance of the constituted social and political order, which shows how their knowledge was recognized as a dangerous weapon for the interests of the State at the time.

Another sign of the existence of a general network of the circulation of prohibited books and ideas was seen in the fact that the cases against booksellers because of the illegal importation and sale of books in Portugal were very frequent, which indicated that it was a current practice of this

group to continue to import these works despite the prohibitions and punishments resulting from violation, leading to the deduction that it must have been a profitable activity for which it was worthwhile running ricks 30

On February 16, 1789, the censor Antônio Pereira Figueiredo made the following defense of the Portuguese edition of the *Dicionário da* Filosofia da Religião by the Abbot Nannotte, a clear proof of the existence of a strategy of ideological combat on the part of figures that represented the State:

(...) I cannot fail to consider this Work not only very useful, but also absolutely necessary, and thus this Royal Council should allow it to be printed and run, in order to expel, with this antidote, from the midst of the Nation the poison which, despite all our diligence and precaution, so many bad books have introduced into it.31

From the preceding quotation we perceive that many unauthorized books circulated (and there is no reason for us to exclude the circulation of foreign newspapers) whose ideological influence was feared, books which escaped from the supervision of the Council and which were read by the public, and we also perceive how there were clear intentions on the part of the censorship system to select authors and books that would confirm the political and social order chosen and established by the Portuguese State against the "poison", revolutionary ideas placed in circulation³². Nobody ignored the power of words and of ideas. And the fear of "free and incredulous" minds was the fear of contestation of the established power. See how the prospectus of "Jornal Enciclopédico", accompanying the request for royal authorization in 1789 to give it the privilege of publication for 5 more years, was elucidative of the awareness of the power of newspapers, and further, of the awareness that their editors had of this power, and obviously, the political power itself ignored the force of these effects even less:

Newspapers are the most ready means of disseminating in the Public the Knowledge of the wise, and of making their discoveries useful for everybody. The large number to which they have multiplied, in all countries, proves how much their utility is generally known. Experience has shown that they arouse in the People the taste for acquiring learning, and who does not see how useful it is for the State that the People acquire learning?³³

José T. Bastos allows us to read the opinions of some censors who in the last decade of the XVIII century showed ability in presenting arguments and in judging printed material from the political, religious and moral viewpoints³⁴. Regardless of the importance of their function as inquisitors and of the conclusions they reached, this proves that there were people in Portugal qualified to discuss ideas, translations and grammar³⁵. But they did not do this in public. Why? Well, the political power had established well-defined politic principles which were synthesized in rules 8, 10, 11. 14, 15 and 16 of the afore-mentioned Regulation of May 18, 176836 and which were not subject to public discussion. The confrontation of ideas propitiates another type of social order whose legitimacy is not that which was being supported, since the administrative political power which regulated the Portuguese social order was legitimated by the sovereign's enlightened intervention.

The monarch thus instituted clear principles of discipline, indicators of the type of behavior to be adopted, and did not present them for discussion³⁷. With discussion, the emergence of problems would be possible, and this would immediately jeopardize any defense of the idea that a supreme immutable normative authority exists. On the other hand, if these opinions came to light it would be to publicize the contents of the works (since the titles and the authors were also publicized, although in a negative way, by their inclusion on the list of the Index) and to admit the exchange of arguments, with the possibility of learning to question and to discover the power of contesting the published principles.

Along the same line, consideration should be given to the interpretation of Tengarrinha (1983:116) regarding the Portuguese intellectuals lack of interest in utilizing the press as a means for expressing their thinking, or in collaborating as correspondents or editors. Nevertheless "Jornal Enciclopédico" had a group of editors well-versed in the scientific, philosophical and literary terms of that time, and in which university professors were constantly present with their academic articles³⁸ in the questioning of the political-philosophical reality. It must also be admitted, based on information that Arons de Carvalho and A. Monteiro Cardo give us,³⁹ that the absence of an opinion journalism in Portugal in 1789 did not result from an incompetence of our journalism, because if there was no political journalism in Portugal, there also was none, for example, in France, until the dawn of the Revolution, being a question before of a cultural form and expression of opinion to be discovered.

Nevertheless, and with respect to the French revolution, the correspondent in Paris of "Gazeta de Lisboa" in 1789 succeeded in informing his public of one of the most pertinent political issues for the future generations, which challenged the French intellectuals and

politicians. I wonder whether the Declaration of Human Rights was a metaphysical and abstract treatise, dangerous as unfavorable to religion (as the Margues of Sillery advocated, having Camus proposed that the concept of "duties" be added), or a declaration which on remaining as a "Declaration of Human and Citizens' Rights", by an almost unanimous decision of the Assembly, would occupy "(...) a very distinct place in the history of France, and of the Human Spirit", as its supporters desired?40 The Portuguese readers were thus up-to-date with the events and the latters' importance had been revealed to them. But why then were there not more allusive articles? J. Tengarrinha alludes to the fact that a rigid jurisdiction with respect to press freedom was instituted and this, in the last decades of the XVIII century, made the editors "cut off their own hands"41. I have no proof that the editor or the correspondent of "Gazeta de Lisboa" had suffered any official pressure. I did not find censored paragraphs, texts or ideas in the manuscripts. I am inclined toward the theory of the act of self-censorship imposed by the editor on himself when he perceived that he could lose the maximum privilege of His Majesty, the privilege of printing, if he had persisted in the publication of news that he knew would be potential cause of social disorder.

Portuguese society, all those who had economic resources to buy the expensive newspapers and possessed cultural interests and a literary background, or all those who in public places had access to their information, were reasonably well informed of the events in Paris, as demonstrated by recent studies of these sessions in which what happened was described⁴². The public was accompanying the controversy regarding the production and philosophical and legal basis of a text relating to Human and Citizens' Civil Rights, a controversy regarding the institutionalization of civil rights not only of the French people but of Mankind, a controversy which was about to extend to the Portuguese public, because this preamble to the French Constitution had pretensions of universality which went beyond the borders of the social order exclusively involving the French nation.

But instead of offering news, the Portuguese newspapers remained silent about the events in Paris. I wonder if this silence was conniving with the official line of those in power, or a form of resistance, as Antônio M. Hespanha affirms⁴³?

In 1798, Pina Manique, the implacable chief of police, revealed, from the analysis of documents from that time, concerns over crimes relating to robberies, adultery, kidnapping and "deflowering", escaping from recruitment and the monopoly by certain individuals of wheat and of barley for the purpose of inflating the prices⁴⁴. We have no record of any action of vigilance or stricter punishment relating to the press, or of any visible concerns with freedom in the ideas and in the terms utilized by the correspondent F. A.Brotero.45

As I. Bastos⁴⁶ tells us, even after the accentuation of the supervision of the press in 1798, the Royal Academy of Sciences continued to take advantage of the permission for importing and reading works without the latter needing to be submitted to the royal censorship, which proves that there were in Portugal people familiar with the political theories which were then being read in other realms of Europe. But we have no record of any discussion between our intellectuals such as that which occurred, for example, between Edmund Burke with his book Reflections on the Revolution in France (1790) and Thomas Paine with his The Rights of Man (1791-92).47

Albert Hirschman, in his Rhetoric of Reaction⁴⁸, presents to us one of the most interesting theories in Political Communication relating to the type of ideological counteroffensives (to the type of rhetoric utilized) for each one of the three stages in citizenship progress as T.S.Marshall identified them: that of civil rights (XVIII century), that of political rights (XIX century) and that of economic and social rights (XX century). These reactions can be schematized as arguments of the type: Theory of perversity (any action seeking to improve in some way the political, social or economic order only aggravates the situation whose correction is sought), Theory of futility (any attempt at transformation of the social order is in vain, whatever we do is inconsequential) and Theory of jeopardy (the cost of the reform proposal is very high insofar as it can jeopardize acquired rights, suspending them)⁴⁹.

The Revolution of 1789 in France was seen by its opponents as proof of the exercising of the perversity argument, on seeming to support the arguments of Plato and Aristotle regarding the proximity of Democracy as a phenomenon to a regime of tyranny of the majority, and the Declaration of Human Rights would be seen as a document leading to potential violence and social disorder instead of leading to potential values such as tolerance and peace. E. Burke became the intellectual harbinger of all those who supported the established order, adding that this order was that of the English political and social State, understood to be a model, in a society which had striven to carry out change in the social institutions without demanding radical alterations in the concept of freedom of individual action or in the idea of a monarchial regime, which owed its regulation in the first instance to Divine Providence.

In Portugal, at this close of the century, the royalist ideology still guaranteed a basis sufficient for guiding the actions of supervision and protection of the existing social and political order, in a situation of redoubled attention to the perversity of the social effects which could result from press freedom. Accordingly, in Portugal the readers⁵⁰ were reasonably well-informed of the events which led to the revolution in France and were aware of the political proposals that converged to the need for creating a Constitution in which a Universal Declaration of Human and Citizens' Rights would edify social and political relations. They were aware that there was a discussion regarding the nature of the Declaration, but they were not permitted to read in their newspaper the final text which acclaimed these rights, nor could they accompany the development of the revolutionary events after August 1789.

Political communication, which in Portugal was to gain great importance in the press at the time of the French invasions in the first decade of the XIX century, also as a form of national resistance to the influence and the power of an invading State, has always been a communicational resource dependent upon the interests of the institutionalized political power. I call attention to the fact that in Portugal, with our history as a nation more than eight hundred years old, we have only lived a little more than fifty years without censorship of the press.⁵¹

II - THE RECEPTION IN THE PORTUGUESE PRESS OF THE UNIVERSAL DECLARATION OF HUMAN RIGTHS IN THE YEAR OF 1948

Knowing that the Universal Declaration of Human Rights emphasizes in an explicit way the civil, political and social freedoms of individuals, and these assertions contradicted the restrictions imposed by the Portuguese State on the civic and political actions of its citizens in 1948, it is important for me to distinguish the newspapers or magazines which included news or articles about the Declaration, and about the act which led to its approval at United Nations headquarters, analyzing the content of this information and these opinions for the purpose of understanding how it was that this information was read by the reading community of the time, seeking to know also the influence which this reading had on the Declaration's symbolic representation for the Portuguese, and on the awareness, or not, of their rights and responsibilities as citizens in a society which the Declaration proposed to be plural, democratic and with universal rights confirmed.

On December 8, 1948, Portugal became aware that the Soviet Union, one of the five States that were permanent members of the Security Council, had vetoed its entrance into the United Nations General Assembly. This was the international news on the front page of the periodicals which I consulted in those days, and the event which was linked to the approval by the United Nations General Assembly of the Universal Declaration of Human Rights (DUDH) on December 10, received a quantitative and qualitative treatment by the press consulted at a level far below that of the former event.

In 1948, the total number of periodicals printed in Portugal reached 496, and of these, 30 were dailies, 168 were weeklies and 298 were described as others⁵². The periodicals consulted for this article, corresponding to the period of Nov./Dec. 1948, were the following⁵³:

> A Voz, Lisbon. Director: Pedro Correia Marques A Acção, Lisbon. Director: A. Marques Mano de Mesquita Diário de Lisboa, Lisbon. Director: Joaquim Manso Diário de Notícias, Lisbon. Director: Augusto de Castro Diário da Manhã (1931), Lisbon. Director: Manuel Múrias Diário Popular, Lisbon. Director: Luís Forjaz Triqueiros Ilustração Portuguesa, Lisbon. O Mundo Literário, Lisbon, Director: laime Cortesão Casimiro O Comércio do Porto, Porto. Director: Seara Cardoso O Século, Lisbon, Director: Ioão Pereira da Rosa Jornal de Notícias. Lisbon, Director: M. Pacheco de Miranda Primeiro de Janeiro. Lisbon, Director: M. Pinto de Azevedo Júnior República, Lisbon. Director: Carvalhão Duarte Seara Nova, Lisbon. Director: José Bacelar Sol Nascente, Porto.

Of the 15 newspapers and magazines with wider circulation that were consulted, only three published the news of the approval by the United Nations General Assembly of the Declaration of Human Rights which occurred on December 11, 1948. The newspaper "O Primeiro de Janeiro" on 12/11/1948 put the news on the front page, emphasizing it and presenting an extended article. The newspaper "República" also published the news on December 11, giving it two lines in an inside section of the newspaper, on page 5, entitled "Last minute telegrams say that...". Also on December 11, "O Jornal de Notícias" announced in turn, in a not very correct or clarified way, the fact that the study of the Universal Declaration of Human Rights on the part of the UN General Assembly had begun.

On December 7, however, "República" had already published the news, on the front page, that the Committee responsible for Social, Humanitarian and Cultural Matters in the United Nations had succeeded in having approved the DUDH preamble, with the newspaper concluding that "(...) the Declaration is against discrimination resulting from racial, religious, sex, language, political, property, origin and nationality differences "

No newspaper published the text of the Declaration under discussion, not even when it was approved. The entire DUDH text would only be published in the bulletin published by the Portuguese Human Rights League, in Lisbon, in 1949, as part of the collection Education,54 a publication with more limited circulation.

Critical articles referring to a draft of a DUDH were found published in the newspaper "A Voz". This newspaper of Christian inspiration published on November 1, 1948 an article by Pinheiro Torres in which he discussed the revolutionary origin and pagan nature of the principles advocated in the Declaration, accusing its authors of having, at the same time, forgotten the basic role of a parallel declaration which would assert a conception of duties owed to the State, as well as having put aside Christian principles, the justification for the western civilized order which should be visible as the basis of the Declaration. Pinheiro Torres also foresaw the fact that this proposal, even when not possessing a religious grounding of a Christian nature for its principles, would hardly be accepted by the Soviet regime which, the author wrote, still maintained untouchable in 1948 a system of slavery instituted in the concentration camps where thousands of political dissidents were imprisoned, at the same time that it maintained other enslaved nations shackled to its regime.

In reality, the Soviet Union did not vote in favor of the approval of the Declaration, but with its abstention made possible the approval of the DUDH by the General Assembly. With 48 votes in favor and 8 abstentions (the 6 countries of the socialist bloc plus the South African Union and Saudi Arabia), and without any contrary vote, the Universal Declaration was approved on that day of December 10 by the United Nations General Assembly then represented by 56 States.

In Portugal the newspaper "Diário da Manhã" announced mistakenly on December 8 that on the preceding day (December 7) the UN had approved the DUDH (event which would only take place on December 10), having confused the voting process resulting from the request for Portugal's entrance into the UN with the voting of the Declaration. The proximity between the two votes facilitated this confusing of the stories and consequent factual error in the news, but the undervaluing of the news of the approval of the Declaration in favor of the news of Portugal not being admitted as a member of the United Nations because of the Soviet Union's veto was also influential. Even though the Assembly had 39 favorable votes, with the abstention of six countries, and the contrary vote of one, the resolution recommending Portugal's entrance into the organization, with the Assembly defining it as a peaceful State capable of complying with the obligations imposed by the UN Charter on all the members, was vetoed.

The supporters of the authoritarian regime then in power in Portugal, with Antônio de Oliveira Salazar as head of the government, and the analysts in general, would not accept what they called the abuse of the right to veto on the part of the Soviet Union, with the multiplication in the newspapers of opinions criticizing the structure of the Security Council, formed by the 5 "major" countries which were victorious in the Second World War, disapproving the predominance granted over the group of states represented in the organization, as well as pointing to its inefficiency due to the constant political differences which divided them, and the idea which circulated in the press as a general consensus was that these disagreements were jeopardizing the necessary legitimacy of the Council's decisions with respect to the peaceful resolution of international conflicts.

On the front page of "Diário Popular" of December 10, 1948, the following could be read:

Chaillot will close in a few days and nevertheless there continues to be the Slavic bloc and the Western bloc, there continues to be the veto, the substantial majority and the persistent sullen minority. (...) And it is thus that when a basic question is debated, the 58 come down to 2: on one hand 52, and on the other 6. On the latter side are the USSR, Byelorussia, Ukraine, Poland, Czechoslovakia and also Yugoslavia. On the other side are all the others, with a short oscillation in the pendulum of abstentions... But I want to believe that, sincerely, the 52, like the 6, are convinced that their point of view is correct, that which best serves the interests of the United Nations Charter, of international cooperation, of World Peace, of freedom.(...)

On the other hand, there was great interest in reporting the communication which the then chairman of the United Nations General Assembly made to the Portuguese Foreign Minister advising that a resolution had been adopted by the Assembly in favor of the entrance of Portugal, as well as the fact that a twenty-page document entitled "Portugal and the UN" had been delivered to the UN and distributed to the delegations present in the Assembly. This document was an attempt on the part of the political opposition in Portugal, by means of the Antifascist National Unity Movement, to alert the members of the United Nations Assembly to the authoritarian, dictatorial regime of Salazar, and to the fact that there was a desire to create democratic conditions which would then permit the entrance of a free Portugal into the organization. This document appealed to international solidarity to support its efforts, vetoing the entrance of Portugal into the UN, as a punishment for the dictatorial Portuguese regime.

The newspapers closest to the regime criticized the document's anonymous nature and unpatriotic appearance, as well as emphasizing sarcastically the type of support given to the movement by an oppressive regime such as the Soviet Union was at that time. The other newspapers limited themselves to reporting the fact that a document was circulating which contested the policy of Portugal's entrance into the UN Assembly.

The members of the Antifascist National Unity Movement (MUNAF -1943), embryo of the Democratic Unity Movement (MUD-1945), who met clandestinely, succeeded in organizing to present a twenty-page document entitled "Portugal and the UN" to the United Nations headquarters, then in the Chaillot Palace in Paris, on December 8, the day of the vote in the General Assembly on the resolution which recommended the admission of Portugal to the United Nations. Russia, a permanent member of the Security Council, vetoed this entrance.55

The admission of Portugal to the United Nations would only be achieved on December 14, 1955, despite the fact that the regime in force in Portugal continued to be the same and, further, there was an explicit conflict of interest of international nature opposing Portugal to the Indian Union. Portugal maintained a colonial presence in Goa, Daman and Diu, considered territories of the Portuguese State in India, against the interest and volition of the Indian Union. However neither of these facts prevented the approval of Portugal's admission to the United Nations. 56

Portugal was preparing for the undemocratic presidential elections of 1949, and the violent repression of the press which would be felt after the elections was not yet totally visible in this period at the end of 1948. There was still the illusion that new pro-democratic political reforms announced as about to be prepared since the postwar period would finally come about, and a certain news opening for information and political news coming from abroad was noted, an opening which did not imply, obviously, the hypothesis of the press making more dynamic a free discussion of ideas regarding the values, interests and persons that were guiding the nation's government.

Although article 8, number 4 of the Portuguese Constitution of 1933 presented "freedom of expression of thought in any form" as constituting one of the individual rights and guarantees of Portuguese citizens, the truth was that the preventive censorship system was also instituted. In the same article 8, § 2, the legislators provided that "special laws shall regulate the exercising of freedom of expression of thought, of teaching, of assembly and association, and with regard to the first of these, should avoid preventively or repressively the perversion of public opinion in its function of social force and safeguard the moral integrity of the citizens, to whom will be assured the right to have inserted without charge a rectification or defense in the periodical publication in which they were slandered or defamed, without prejudice to any other liability or procedure determined by law."

Censorship was made official then with decree no 22,409 of April 11, 1933, which provided in its article 2, "(...) the publications defined in the Press law and also handbills, posters and other publications continue to be subject to prior censorship whenever any of them deal with matters of a political or social nature".

In 1948 the censorship service, which was directly controlled by the then head of the government Oliveira Salazar, formed part of the Secretariat for Information and Popular Culture. This situation had been established by Salazar since 1940 when the censorship ceased to be definitively under the guidance of the Interior Ministry and began to be his responsibility.57

Although subject to the formal power of a constitution which was presented as exemplary in its confirmation of the unalienable existence of rights, freedoms and guarantees for Portuguese citizens, the latter were living in 1948 without enjoying these rights contained in the words of the constitutional text. Portuguese society was under the yoke of a group of laws which regulated in an oppressive way, among other rights, the exercising of the right to freedom of expression.

Arons de Carvalho maintains that Salazar ordered the practicing of a censorship by omission (removing what he did not want the public to read and having as its repressive bodies the political police and the system of censorship under his own control) and not of imposition or propaganda (of the type: write want I want), as opposed to that which the representatives of the fascist forces in Germany, Italy and Spain had performed, and also opposed to that which occurred in Russia under Stalin, which led Arons de Carvalho to say that "Salazar did not consider the press to be an essential or even an important instrument for the execution of his policy".58 The press was then a media which should be controlled, but would not be understood in absolute terms as a propaganda media.

I have already recounted here that with the exception of the newspaper "A Voz", there were no important articles on the topic "Human Rights" in 1948 in the Portuguese newspapers. In that newspaper it was possible to read a long article by Pinheiro Torres on the issues related to the basis and the selection of the values advocated in the articles of the Declaration. He wrote on page 4: "The basic laws of human freedom and brotherhood are those of the conscience, and on the latter only religion can act effectively." Does this assertion reflect a general position of Portuguese society? We cannot confirm this. In reality, although in the newspapers consulted there were no articles of opinion which clearly adopted support for the Declaration's universal principles just as they were to be agreed upon by consensus among all those contributing to the drafting of the text, in a search for concepts common to all cultures and religions, there was also, barring exceptions, no common front for attack on these principles or on the document. That Pinheiro Torres expressed the position of a part (high level) of the Portuguese Church, more orthodox, and that this position was close to the government's line of interpretation, is something which we can easily recognize, and in issues of moral nature the tradition of Oliveira Salazar was to respect the directives of the Church, there having been, as a matter of fact, close collaboration between the author and the Church until the latter began to develop a social thinking which was critical of the regime. The difference began in 1959, when the Bishop of Porto wrote an open letter criticizing the absence of guarantees and public freedoms in Portugal, initiating a confrontation between the thinking of some groups of Catholics and the ideology of the Estado Novo.59

But it is also true that in 1948 Portugal was not a member of the United Nations, and therefore the voting of the Declaration did not convoke the Portuguese nation to take a public position. In a certain way Portugal remained outside the discussion of the text because, I believe, it was outside the Organization, therefore not having ratified the document. That certain sectors of the Church in Portugal wanted to actively publicize their critical position with relation to a document which evoked an ethical support of certain values, as was done in the newspaper "A Voz", was something which resulted from the awareness that the institution itself had of the international importance of the phenomenon, and was based on indications regarding the official position taken by the Vatican.

But if the Portuguese press did not make a major announcement of the Declaration's approval, nor of its official content, this does not prevent us from stating that the Portuguese were informed regarding the document's existence. Also I did not find in any of the archives documents which proved the exercising of censorship or punishment, in the form of disciplinary processes against the newspapers with relation to the publication of news referring to the DUDH.

Regarding the role of the United Nations in the world, its constitution and function, there was an intense generalized interest which was expressed by the quantity of news about the Organization, as well as by the existence of a group of articles which reflected on the possibility/ purpose of the organization as promoter of international cooperation.

On the day in which Article 19 of the DUDH proclaimed among other principles that "Every individual has the right to freedom of opinion and expression, which implies the right not to be bothered due to his opinions and the right to seek, receive and disseminate, without regard for borders, information and ideas via any means of expression", the Portuguese press remained prevented from consubstantiating it in practice.

And if Eleanor Roosevelt's concern, when she was leaving the Organization's headquarters after the Declaration's approval, regarding the obligatory nature of a Declaration which did not then go beyond a statement of intentions, was a concern which made sense for every State in the world, it had a special interest for countries which were not yet experiencing democracy nor possessed a free press, as was then the case of Portugal. This country had to wait until 1974 to see a democratic regime installed, and to see adopted in 1976 a Constitution which finally installed an extremely extensive catalog of basic rights, consolidated in an effective practice of press freedom.

Eleanor Roosevelt: "It was after midnight when I left the Palais de Chaillot",.she wrote. "I was tired. I wondered whether a mere statement of rights, without legal obligation, would inspire governments to see that these rights were observed."60

NOTES

- 1 imorgado@netcabo.pt
- 2 All the quotations from newspapers of the period are left with the Portuguese spelling which was then in use.
- 3 The "folhas volantes" (handbills) of an informative nature must have taken the name of "qazeta" (gazette) because in Italy a "qazetta" (a small coin from the XVI century) was paid for the act of reading a newspaper. Rocha Martins, 1941, says that this small currency unit was the cost of the newspaper, but other sources say that it was the price people paid when they wanted to read the newspaper without acquiring it. The term became universal and began to be the synonym of a newspaper, almost always an official one.
- In the blog *Almanague Republicano* (Republican Almanac), José M. Martins makes a list, albeit incomplete, of the Portuguese periodical press in the XVIII century, and the respective bibliography, in the post "Imprensa" Periódica Portuguesa – notas bibliográficas II" (Portuguese Periodical Press – bibliographic notes II) and "Imprensa Periódica Portuguesa – notas bibliográficas III" (Portuguese Periodical Press – bibliographic notes III), respectively on 12/26/06 and 1/3/07, in http://arepublicano.blogspot. com/.
- In the catalog of the "Real Mesa Censória" (Royal Censorship Council) of the National Archive of Torre do Tombo (ANTT), in which the term "imprensa periódica" (periodical press) is referred to, there is the indication of the printing of the periodical "Passatempo curioso. Tardes de Inverno" (Curious pastime. Winter Afternoons) (1776-1792) and also noted for the year 1789 the foreign periodicals translated into Portuguese "London Courier" (1788-1810) and "Gazeta de Madrid" (1713-1770; 1777-1795; 1796-1799; 1800-1801). However, I did not encounter for consultation any issue of these newspapers relating to the year 1789. J. Tengarrinha presents also the title "Com Privilégio Real" (With Royal Privilege) as having been printed in the years between 1778 and 1807.
- Serrão, J. Veríssimo, História de Portugal (History of Portugal) Lisbon, Verbo, 1990:293-460.
- ld., pp. 293-460.

- Marques, Ma Adelaide, Salvador, A real mesa censória e a Cultura Nacional - Aspectos da Geografia Cultural Portuguesa (The royal censorship council and National Culture – Aspects of Portuguese Cultural Geography), Coimbra, Coimbra ed., 1963: 50.
- Bastos, José Timóteo (1929), História da Censura em Portugal. Ensaio sobre a compreensão do pensamento português. (History of Censorship in Portugal. Essay on the comprehension of Portuguese thinking), Lisbon, Moraes, 1983: 131-137.
- 10 ANTT Arquivo Nacional da Torre do Tombo, "Real Mesa censória" (Royal Censorship Council), "Imprensa periódica" (Periodical press).
- 11 In Portugal four phases of the censorship have been identified (Bastos, 1983:11): Inquisition (1537-1776); Real Mesa Censória (Royal Censorship Council) (1776-1787); Real Mesa da Comissão Geral sobre o Exame e Censura dos Livros (Royal Council of the General Committee on the Examination and Censorship of Books) (1787-1795); Return to the Inquisition (1795-1820). The extinction of the Inquisitions of Lisbon, Toma, Coimbra, Évora, Viseu and Porto occurred in 1820, but the decreelaw which ordered the official extinction was from March 31, 1821.
- 12 "Gazeta de Lisboa", nº 31, of August 4, 1789, microfilmed issue from the archives of the National Library of Lisbon (BNL).
- 13 The authorization to print (or to import works) was a Royal favor, a privilege attributed to an identified individual who periodically had to renew this authorization. For example, Manuel de Figueiredo, in April 1778, explained well in his request that he was aware of the monopoly in the privilege of printing held by the editor and publisher Joseph Freire Monterroyo (with current spelling and full name: José Freire Monterroio Mascarenhas) in publishing the well-known "Gazeta de Lisboa" as long as he lived, without anyone else being able to have printed "any papers of the same nature, even though under other titles, nor brought in from abroad (...)". Cf. ANTT. Real Mesa Censória. "Requerimentos para obtenção de privilégios de impressão e de importação de obras" (Reguests for obtaining privileges for printing and importation of works) (1771-1799), cx. 180. Antônio C. Gouveia (Historia de Portugal, dir. by J.Mattoso, Lisbon, Estampa, 1993:427) has corrrectly called our attention to the fact that when this periodical appeared in 1715, it was called "História Annual Chronológica e Política do Mundo, e especialmente da Europa" (Chronological and Political Annual History of the World, and especially of Europe), and not "Gazeta de Lisboa", as it is referred to today.

- 14 For a work to be placed on sale (book, pamphlet or periodical) it was necessary to have 1. Permission to print; 2. Permission to run; 3. Made payment of a circulation fee (Tengarrinha, 1983:105). The jurisdiction also applied overseas. The interested party submitted a request to the Council (the petition was addressed to the Queen), expounding the arguments in support of the general interest in the printing of the work.
- 15 Martins, Rocha. Pequena História da Imprensa Portuguesa (Little History of the Portuguese Press). Lisbon, Inquérito, 1941:28.
- 16 In 1789 he became a columnist for "Gazeta de Lisboa", narrating the events of that epic. He returned to Portugal a year later, and in 1791 he was appointed professor of the University of Coimbra. Cf. http://www. argnet.pt/dicionario/mirandainocencio.html
- 17 "Gazeta de Lisboa", nº 31, of August 4, 1789, microfilm library of the Biblioteca Nacional de Lisboa (BN).
- 18 Macedo, J. Borges de, "Absolutismo" in *Dicionário de História de Portugal* (Portuguese Historical Dictionary), Figueirinhas, Lisbon, 1971, p. 13.
- 19 In my opinion the fact that Portuguese thinkers were for the most part eclectic "Catholic illuminists" and have always understood reason as a faculty submitted to "Scripture and Tradition" (cf. Pedro Calafate, "Ética" (Ethics) in Luzes (Knowledge), Lisbon, Círculo dos Leitores, III vol. 2002:115-121), and the fact that Antônio Verney, our most outstanding pedagogic guide in the XVIII century, had a clear royalist orientation, explains the peculiarity of the Portuguese social and political experience relating to what was about to happen in political and social terms in England (whose parliamentary politics was known and followed by the Portuguese newspapers which reported the discussions held in the two chambers relating to the political affairs of that nation), in the United States and above all in France.
 - It was not merely a detail that Antonio Verney had been one of the ideologists of the thinking and the political action of the head of the government of King D. José I, the Marquês of Pombal, a convinced advocate of the theory of the absolute power of the State, centered on the figure of the monarch. But it is not possible for me to develop this thesis here.
- 20 BN, "Imprensa Periódica" (Periodic Press) . "Gazeta de Lisboa". Second supplement, no XXXV (September 5, 1789) and no 50 (December 15, 1789).

- 21 BN, "Imprensa periódica", "Jornal Enciclopédico", July 1789, p.58 (footnote).
- 22 Tengarrinha, José, História da Imprensa Portuguesa (History of the Portuguese Press), Lisbon, Caminho, 1983:7.
- 23 Id. Pp. 78-79.
- 24 Marques, Ma Adelaide S., A Real Mesa...., Coimbra, Coimbra ed., 1963:57-
- 25 Canavarro, Pedro, Imprensa Nacional Actividade de uma Casa impressora (National Press - Activity of a Printing House), Lisbon, INCM, 1975:30-34.
- 26 ANTT, "Real Mesa Censória" (Royal Censorship Council), Livros Defesos (Forbidden Books)/Index Librorum prohibitorom.
- 27 Marques, Ma Adelaide S., in her book A Real Mesa Censória (The Royal Censorship Council) shows that in 1769 for a population calculated at 2,500,000 inhabitants, there were 2,420 libraries listed officially in the "Real Mesa". Cf. pp. 57-60. One listed for each 1,000 inhabitants. But not all the possessors of libraries would give a list of their libraries to the censors, especially outside the large cities.
- 28 Id., p.46.
- 29 Tengarrinha, José. História da Imprensa Portuguesa, p. 79.
- 30 ANTT, "Real Mesa censória", "Processos a livreiros, impressores e outros" (Cases against booksellers, printers and others)
- 31 ANTT, "Real Mesa censória", "Censuras e pareceres" (Censorships and opinions), cx. 14, nº 6.
- 32 Bastos, José Timóteo da Silva (1926), História da Censura em Portugal. Ensaio Sobre Compreensão do Pensamento Português (History of Censorship in Portugal. Essay on Comprehension of Portuguese Thinking), Lisbon, Moraes, 1983:152.
- 33 ANTT, "Real Mesa censória", "Requerimentos para obtenção de privilégios de impressão e de importação de obras" (Requirements for obtaining privileges of printing and importing works) (1771-1799), cx. 180.

- 34 Bastos, José Timóteo (1926), História da censura em Portugal, pp. 131-160
- 35 INB 1789 we can verify that 47 opinions were given regarding manuscripts presented to the Council. Cf. ANTT, "Real Mesa Censória", "Censuras e pareceres" (Censorship and opinions).
- 36 Margues, Maria Adelaide S., 1963:47-50.
- 37 Read Gouveia, Anto Camões, "Estratégias de interiorização da disciplina" (Strategies for internalization of discipline), in História de Portugal, dir. José Matoso, Lisbon, Ed. Estampa, 1993:415-449).
- 38 See the article on the use of freedom published in the edition of August 1789 by the professor of philosophy de Évora, Bento José de Sousa Farinha.
- 39 Carvalho, A. Arons de, and Cardo, A. Monteiro, A liberdade de imprensa (Press freedom), Lisbon, Meridiano, 1971:14.
- 40 BN, "Imprensa Periódica", "Gazeta de Lisboa", Extraordinary Supplement, nº XXXV (September 3, 1789).
- 41 Tengarrinha, José (1983), A História da Imprensa Portuguesa, p. 47.
- 42 Morange, Jean, La Déclaration des Droits de l'homme et du Citoyen, Paris, PUF, 1988:11-20.
- 43 Antônio Hespanha, author of "A resistência dos poderes" (The resistance of power), in História de Portugal, dir. J. Mattoso, Lisbon, Ed. Estampa, vol. 4, 1993:451-459, does not apply this theory to the Portuguese iournalists of the old regime, but I believe it is possible to establish a parallelism, because men who knew the importance of the news and the general interest in its publication, on failing to give the news, being coerced externally or by self-censorship to do so, knew that this silence would have a reading. The reading could be: we were urged to limit expression in our editing, or we felt that we could not go any further with this news, otherwise the privilege of printing could be withdrawn from us, or we are conniving with the fear of the royal power relative to the danger of the dissemination of this type of political actions and ideas due to the possibility of social disorder, or also let us remain in this cautious silence and in this space which will be devoid of news from France you, readers, will see a world of things which will happen, which will leave you at the minimum alert and curious about everything that could be learned from this.

- 44 ANTT, Police General Headquarters, Books of the Secretariats, book III with respect to 1789.
- 45 Later it happened that the supervisory and punitive power in the name of the State was accentuated, to the point that in 1812 Pina Manique demanded that announcements could only be published when authorized by him. Before this, in 1795, the Powers comprehended that they had to replace the tribunal of the Royal Council, a tribunal of the State, with another tribunal which they believed would be more supervisory, rigorous and effective in the struggle against opinions contrary to those of royalty, and which were perceived to be gaining ground in Portugal, thus instituting the tribunal of the Holy Office of the Inquisition.
- 46 Bastos, José T. História da Censura em Portugal, pp. 15-155.
- 47 Portugal had eight years later, in the translation of the English newspaper "British Mercury" which circulated in 1798, a sample of this spirit critical of the French Revolution which E. Burke had begun to theorize.
- 48 Hirschman, Albert O., The Rhetoric of Reaction, Cambridge, Belknap Harvard Press, 1991.
- 49 Id. P. 7.
- 50 "Gazeta de Lisboa" had a press run of 1,500 copies, but, as Tengarrinha tells us in his book *História da Imprensa...*, p. 119, many of these newspapers went to public places, where they could be read to a large number of listeners, or consulted by a large number of readers, thus expanding the number of potential news readers or listeners.
- 51 Luís Humberto Marcos, "História da censura em Portugal" (History of censorship in Portugal), in Imprensa, Censura e Liberdade (Press, Censorship and Freedom), Catalog of the Exposition, Institute of Social Communication and National Museum of the Press, 1999.
- 52 Anuário Estatístico 1948 (Statistical Yearbook 1948), Portugal, Instituto Nacional de Estatística, Lisbon. Tipografia portuguesa Lda., 1949:133.

53 Newspapers traditionally supporting the regime of Antônio Oliveira Salazar, head of the government of the Estado Novo (1932-1970): "Diário da Manhâ" (official); Unofficial: "Diário de Notícias", "AVoz" and "Novidades".

Newspapers supporting the republican and socialist opposition: "República", "Diário de Lisboa", "Jornal de Notícias" and the magazines "Seara Nova" and "Vértice".

Magazines supporting the Communist opposition: "Sol Nascente" ("Avante" was a newspaper which circulated clandestinely).

Prohibition, in 1948, of the publication of the Catholic newspaper "Trabalhador" published by the Catholic Workers League.

- 54 The League had been founded in 1922 by Sebastião Lima, a republican journalist.
- 55 This apparent victory of the Portuguese democratic opposition had a short duration, since with the effort at internationalization conducted by the foreign policy of Portugal, in 1949 the authoritarian policy of the Estado Novo was rewarded, when Portugal was accepted as a founding member of NATO – a victory for the government.
- 56 Portugal benefited from the agreement established betrween the former Soviet Union (USSR) and the United States of America, namely that of not vetoing systematically the entrance of countries proposed by each one of the superpowers. Portugal was proposed as a member by the United States. However, the Portuguese colonization would always be a topic contributing to the heightening of the tensions in the relations of Portugal with the United Nations. These tensions would only terminate with the change of regime caused by the Revolution of 1974, and by the consequent decolonization process of the overseas territories of the Portuguese empire.
- 57 The history of the evolution of censorship in Portugal can be read in the book by Alberto Arons de Carvalho and A. Monteiro Cardoso, Da Liberdade da Imprensa (Press Freedom), Lisbon, Merediano, 1971, or in that by Alberto Arons de Carvalho, A censura e as Leis de Imprensa (Censorhip and the Press Laws), Lisbon, Seara Nova, 1973. Curiously, these two books were published even before April 25, 1974, which proves that the Estado Novo regime with Marcelo Caetano, who replaced Oliveira de Salazar on the latter's death, permitted more freedom of publication.
- 58 Alberto Arons de Carvalho, *A censura e as leis de Imprensa* (Censorship and the press laws), Lisbon, Seara Nova, 1973, p. 103.

- 59 Antônio Barreto, "Salazar" in Dicionário de História de Portugal, Lisbon, Figueirinhas, 2000:373.
- 60 Mary Ann Glendon, A World made new: Eleanor Roosevelt and the Declaration of Human Rights, New York, Random House, 2001, p. 170.

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