

Law No. (27) of 1951
on punishing insubordination and similar crimes

I, Muhammad Idris al-Mahdi as-Senussi, Emir of Cyrenaica,

- Upon the consultation of my Cabinet, have decided to enact the following law:

Article (1)

Title

This law shall be called “Insubordination Law No. (27) of 1951.”

Article (2)

Explanation

For the purposes of this Law:

“Intended insubordination” shall refer to the intent to incite hatred, aversion or contempt against the person of His Highness the Emir or His Majesty the next King of Libya or his heirs or successors, or against the government of Cyrenaica that has been formed by law, or against the administration of justice, as well as the intent to incite any residents of Cyrenaica to use illegal means to attempt to change any order prescribed in Cyrenaica on the basis of the law, or the intent to provoke dissatisfaction or aversion among any of the families of Cyrenaica or to promote feelings of hatred or aggression between the different classes of the families of Cyrenaica.

“Newspaper” shall mean any periodic publication that includes general news or commentary on general news. It shall include any part or extract of such a publication.

“Book” shall include any bound book or section or part of a bound book, piece of writing or pamphlet in any language, or any musical page, map, chart, printed drawing or one that is drawn by itself on a stone, and any part of an extract from any of these bound books, pieces of writing, pamphlets, musical pages, maps, charts or drawings.

“Document” shall include oil paintings, photographic drawings or any other visible representations.

Article (3)

Punishment for Insubordination

Any person that:

- a. Performs any act to implement an objective of insubordination;
- b. Complains with any other person or persons to commit an act for the purpose of inciting insubordination in which all of these two or more persons participates;
- c. Prints or publishes any words or writing intended to incite insubordination;
- d. Sells, puts up for sale, distributes or possesses any newspaper, book or document containing any words or writing that incites subordination, or any newspaper, book or document that is prohibited to import or has been declared a publication that incites insubordination;
- e. Imports to Cyrenaica any newspaper, book or document that contains any words or writing that incites insubordination, or any newspaper, book or writing whose import to Cyrenaica is prohibited or that have been declared publications that incite subordination;

Shall be considered to have committed a crime and shall be subject to imprisonment for a period of no more than five years.

If the perpetrator has already been convicted in a crime of this type, then he shall be subject to the punishment of imprisonment for a period of no more than ten years.

Article (4)

Possession of Illegal or Insubordination-Inciting Publications

1. Any person that receives a newspaper, book or document containing any words or writing that incites subordination, or a newspaper, book or document prohibited from import into Cyrenaica, or that has been declared a publication that incites subordination, shall submit this newspaper, book or document immediately to the responsible officer in the nearest police station, or the nearest administrative employee. Upon failure to do so, the person shall be considered to have committed a crime and shall be subject to imprisonment for a period of no more than one year.
2. Persons that obey the provisions of Paragraph (1) of this article or that have previously been convicted pursuant to Paragraph (c) of Article (3) of this law may not be convicted.

Article (5)

Confiscation of Insubordination-Inciting Publications

During the conviction of any person of a crime pursuant to Article (3) or Article (4) of this Law, the court shall order the confiscation of any newspaper, book or document that incites subordination or has been prohibited. They shall be disposed of as ordered by the Minister of Justice.

Article (6)

Authority Over Parcel Inspection

Any of the following officers:

1. Director of public post;
2. Any officer in the customs station authorised to supervise customs;
3. Any police officer authorised by the head of the police house to detain and open any parcel or item suspected to contain a newspaper, book or document whose printing, publication, sale, display for sale, distribution or possession is considered a crime pursuant to Article (3) and Article (4) of this law. During this inspection, if any newspaper, book or document of the aforementioned type is found in the parcel or item, then the officer shall detain and keep the same. The arrest of the person that imports, distributes sends by mail, or possesses this parcel or item may be arrested without written permission. The same may also be tried for a crime pursuant to Article (3) and Article (4) of this law.

Article (7)

Declaration of Insubordination-Inciting Publications

The Cabinet shall declare, by virtue of a public publication, any newspaper, book or document that is considered to be an insubordination-inciting publication.

Article (8)

Illegal Military Training

1. Any person that:
 - a. Supplies or trains any other person on the use of weapons or on carrying out military exercises, movements or manoeuvres without permission from His Highness the Emir.

- b. Is present in any meeting or assembly of persons convened without the permission of His Highness the Emir to exercise or train any other persons on the use of weapons or on carrying out military exercises, movements or manoeuvres,

Shall be considered to have committed a crime and shall be subject to imprisonment for a period of no more than seven years.

2. Any person that trains in or practices the use of weapons or trains in military exercises, movements or manoeuvres in a meeting or congregation convened without the approval of His Highness the Emir, or is present in such a meeting or assembly in order to undertake such exercise or training, shall be considered to have committed a crime and shall be subject to imprisonment for a period of no more than two years.

Article (9)

Publishing False News to Spread Fear and Worry in Public

1. Any person that publishes or transmits any statement, rumour or news that would potentially cause the fear or alarm of the public or prejudice public security, with knowledge of the fact that the statement, rumour or report is false, shall have committed a crime and shall be subject, upon conviction, to imprisonment for a period of no more than three years.
2. The person's lack of knowledge or lack of reasons to have known that the statement, rumour or news was false shall only be considered a defence to an accusation pursuant to the preceding paragraph if it is proved, prior to publication, that he had taken reasonable procedures to verify the validity of this statement, rumour or news.

Article (10)

Defamation of Foreign Rulers, etc.

Any person that publishes anything [...] or any sign or visual representation that would insult, denounce, or expose to hatred or contempt any foreign worker, Emir, ambassador, representative or any other person of high standing shall have committed a crime and shall be subject to imprisonment for a period of no more than three years.

Article (11)

Interference in the Functions of the Government of Cyrenaica

1. Any person that commits an act intended to interfere with the freedom of the Prime Minister or any member of Cabinet carrying out their position or authority of their position shall have committed a crime and shall be subject to imprisonment for a period of no more than three years.
2. Any person that protests outside of the personal residence of the Prime Minister or any member of Cabinet, or any representation of a foreign country shall be considered to have committed a crime and shall be subject to imprisonment for a period of no more than two years.

Issued in the Al-Manar Royal Palace on 26/Muharram/1371.

Corresponding to 27/October/1951.

Muhammad Idris al-Mahdi as-Senussi
Emir of Cyrenaica – Libya