

Famous Political Trials

TRIALS of
GANDHI
NEHRU
AZAD

Hero Publications
LAHORE

—

FAMOUS TRIALS

**GANDHI
NEHRU
AZAD**

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FAMOUS TRIALS
of
Mahatma Gandhi
Jawahar lal Nehru
Maulana Abul Kalam Azad

Edited by:—
DURLAB SINGH

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PREFACE

During last summer a copy of Maulana Abul Kalam Azad's statement before the Presidency Magistrate Calcutta, originally written in Urdu, came into my hands. I found it a wonderful piece of document. Courage, bravery, statesmanship and sincerity of purpose flashed from every passage. It ennobled and inspired my soul immensely. I found it unique political, spiritual and literary treatise. It was a pretty long statement covering over 33 foolscap sheets. Gandhiji described it "as an eloquent thesis giving the Maulana's views on Khilafat and Nationalism" and "an oration deserving penal servitude for life".

It occurred to me that such a rare document must be brought before the English knowing public although I knew that it would never be possible to reproduce the real beauty and excellence originally found in Maulana's polished Urdu. In any case I made an attempt. Some of the passages I translated myself and few of them came into my hands readily translated by Shyt; Mahadev Desai, the late lamented private secretary of the Mahatama.

Just as I handed over the manuscript to my publication manager I received suggestions from friends that the statements of Mahatama Gandhi in his famous Ahmedabad Trial and of Pandit Jawaharlal Nehru before the District Magistrate Allahabad may also be included in the volume and a regular " Famous Political Trials " series may be started. I welcomed the suggestion. It appealed to every patriotic heart.

I submitted the maunscript in its present form with the hope that it would serve a two fold purpose. First that it would inspire and ennoble the younger generation and secondly that it would give an idea to the readers what Gandhiji and other congress leaders meant by non-violent non co-operation and what spirit was working behind the great movement.

I like to assure the readers that if the present volume finds favour with the public, I would very soon present them not the statements alone but the fullest account of the famous conspiracy cases tried in India. There being acute paper shortage, very limited number of copies would be published. The readers are requested therefore to book their copies in advance in order to avoid disappointment.

6, Lower Mall

Lahore.

June 18, 1 44

DURLAB SINGH

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Publisher's Note

We have decided to publish in book form Historic Documents in Indian Politics and Famous Trials of Indian Political leaders. We have already on our list a series of biographies of Indian Leaders and also books on national and international topics. If therefore you are interested in our books and you have not as yet got your name registered on our mailing list please send in your adress on a post card in Block Letters.

The only course open to you, the Judge and the Assessors, is either to resign your posts and thus dissociate yourselves from evil, if you feel that the law you are called upon to administer is an evil and that in reality I am innocent, or to inflict on me the severest penalty if you believe that the system and the law you are assisting to administer are good for the people of this country and that my activity is, therefore, injurious to the public weal.

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MAHATMA GANDHIS STATEMENT AT AHMEDABAD TRIAL

18th March 1922.

Before I read this statement, I would like to state that I entirely endorse the learned Advocate-General's remarks in connection with my humble self. I think that he was entirely fair to me in all the statements that he has made, because it is very true, and I have no desire whatsoever to conceal from this Court the fact, that to preach disaffection towards the existing system of Government has become almost a passion with me. And the learned Advocate-General is also entirely in the right when he says that my preaching of disaffection did not commence with my connection with *Young India* but that it commenced much earlier, and in the statement that I am about to read it will be my painful duty to admit before this Court that it commenced much earlier than the period stated by the Advocate-General. It is the most painful duty with me, but I have to discharge that duty knowing the responsibility that rested upon my shoulder.

And I wish to endorse all the blame that the Advocate-General has thrown on my shoulders in connection with the Bombay occurrences, the Madras occurrences and the Chauri Chaura occurrences. Thinking over these things deeply and sleeping over

them night after night and examining my heart, I have come to the conclusion that it is impossible for me to dissociate myself from the diabolical crimes of Chauri Chaura or the mad outrages of Bombay. He is quite right when he says that as a man of responsibility, a man having received a fair share of education, having had a fair share of experience of this world, I should know the consequences of every one of my acts. I knew them. I knew that I was playing with fire. I ran the risk and if I was set free I would still do the same. I would be failing in my duty if I do not do so. I have felt it this morning that I would have failed in my duty if I did not say all what I said here just now. I wanted to avoid violence. Non-violence is the first article of my faith. It is the last article of my faith. But I had to make my choice. I had either to submit to a system which I considered has done an irreparable harm to my country or incur the risk of the mad fury of my people bursting forth when they understood the truth from my lips. I know that my people have sometimes gone mad. I am deeply sorry for it ; and I am, therefore, here to submit not to a light penalty but to the highest penalty. I do not ask for mercy. I do not plead any extenuating act. I am here therefore, to invite and submit to the highest penalty that can be inflicted upon me for what in law is a deliberate crime and what appears to me to be the highest duty of a citizen. The only course open to you, Mr. Judge, is as I am just going to say in my statement, either to

resign your post or inflict on me the severest penalty if you believe that the system and law you are assisting to administer are good for the people. I do not expect that kind of conversion. But by the time I have finished with my statement, you will perhaps have a glimpse of what is raging within my breast to run this maddest risk which a sane man can run.

Written Statement

I owe it perhaps to the Indian public and to the public in England to placate which this prosecution is mainly taken up that I should explain why from a staunch loyalist and co-operator I have become an uncompromising disaffectionist and non-co-operator. To the Court too I should say why I plead guilty to the charge of promoting disaffection towards the Government established by law in India.

My public life began in 1893 in South Africa in troubled weather. My first contact with British authority in that country was not of a happy character. I discovered that as a man and as an Indian I had no rights. On the contrary I discovered that I had no rights as a man because I was an Indian.

But I was not baffled. I thought this treatment of Indians was an excrescence upon a system that was intrinsically and mainly good. I gave the Government my voluntary and heart co-operation, criticising it fully where I felt it was faulty, but never wishing its destruction.

Consequently when the existence of the Empire was threatened in 1899 by the Boer challenge, I offered my services to it, raised a volunteer ambulance corps and served at several actions that took place for the relief of Ladysmith. Similarly in 1905, at the time of the Zulu revolt, I raised a stretcher-bearer party and served till the end of the rebellion. On both these occasions I received medals and was even mentioned in despatches. For my work in South Africa I was given by Lord Hardinge a Kaiser-i-Hind Gold Medal. When the War broke out in 1914 between England and Germany I raised a volunteer ambulance corps in London consisting of the then resident Indians in London, chiefly students. Its work was acknowledged by the authorities to be valuable. Lastly in India when a special appeal was made at the War Conference in Delhi in 1917 by Lord Chelmsford for recruits, I struggled at the cost of my health to raise a corps in Kheda and the response was being made when the hostilities ceased and orders were received that no more recruits were wanted. In all these efforts at service. I was actuated by the belief that it was possible by such services to gain a status of full equality in the Empire for my countrymen.

The first shock came in the shape of the Rowlatt Act, a law designed to rob people of all real freedom. I felt called upon to lead an intensive agitation against it. Then followed the Punjab horrors beginning with the massacre at Jallianwala Bagh and culminating in crawling orders, public floggings and other

indescribable humiliations. I discovered too that the plighted word of the Prime Minister to the Mussalmans of India regarding the integrity of Turkey and the holy places of Islam was not likely to be fulfilled. But in spite of the foreboding and the grave warnings of friends at the Amritsar Congress in 1919, I fought for co-operation and working the Montagu-Chelmsford reforms, hoping that the Prime Minister would redeem his promise to the Indian Mussalmans, that the Punjab wound would be healed, and that the reforms, inadequate and unsatisfactory though they were, marked a new era of hope in the life of India.

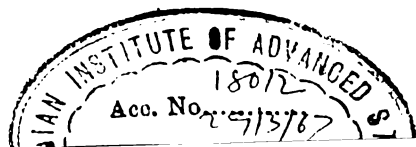
But all that hope was shattered. The Khilafat promise was not to be redeemed. The Punjab crime was whitewashed, and most culprits went not only unpunished but remained in service and some continued to draw pensions from the Indian revenue and in some cases were even rewarded. I saw too that not only did the reforms not mark a change of heart, but they were only a method of further draining India of her wealth and of prolonging her servitude.

I came reluctantly to the conclusion that the British connection had made India more helpless than she ever was before, politically and economically. A disarmed India has no power of resistance against any aggressor if she wanted to engage in an armed conflict with him. So much is this the case that some of our best men consider that India must take generations before she can achieve the Dominion Status. She has

become so poor that she has little power of resisting famines. Before the British advent, India spun and wove in her millions of cottages just the supplement she needed for adding to her meagre agricultural resources. The cottage industry, so vital for India's existence, has been ruined by incredibly heartless and inhuman processes as described by English witness. Little do town-dwellers know how the semi-starved masses of Indians are slowly sinking to lifelessness. Little do they know that their miserable comfort represents the brokerage they get for the work they do for the foreign exploiter, that the profits and the brokerage are sucked from the masses. Little do they realise that the Government established by law in British India is carried on for this exploitation of the masses. No sophistry, no jugglery in figures can explain away the evidence the skeletons in many villages present to the naked-eye. I have no doubt whatsoever that both England and the town-dwellers of India will have to answer, if there is a God above, for this crime against humanity which is perhaps unequalled in history. The law itself in this country has been used to serve the foreign exploiter. My unbiassed examination of the Punjab Martial Law cases had led me to believe that at least ninety five per cent of convictions were wholly bad. My experience of political cases in India leads me to the conclusion that in nine out of every ten the condemned men were totally innocent. Their crime consisted in love of their country. In ninety-nine cases out

of hundred, justice has been denied to Indian as against Europeans in the courts of India. This is not an exaggerated picture. It is the experience of almost every Indian who had had anything to do with such cases. In my opinions the administration of the law is thus prostituted consciously or unconsciously for the benefit of the exploiter.

The greatest misfortune is that Englishmen and their Indian associates in the administration of the country do not know that they are engaged in the crime I have attempted to describe. I am satisfied that many English and Indian officials honestly believe that they are administering one of the best systems devised in the world and that India is making steady though slow progress. They do not know that subtle but affective system of terrorism and an organised display of force on the one hand, and the deprivation of all powers of retaliation or self-defence on the other, have emasculated the people and induced in them the habit of simulation. This awful habits has added to the ignorance and the self-deception of the administrators. Section 124-A under which I am happily charged is perhaps the prince among the political sections of the Indian Penal Code designed to suppress the liberty of the citizen. Affection cannot be manufactured or regulated by law. If one has no affection for a person or thing, one should be free to give the fullest expression to his disaffection so long as he does not contemplate, promote or incite to violence. But the Section under which Mr. Banker



and I am charged is one under which mere promotion of disaffection is a crime. I have studied some of the cases tried under it and I know that some of the most loved of India's patriots have been convicted under it. I consider it a privilege therefore to be charged under it. I have endeavoured to give in their briefest outline the reasons for my disaffection. I have no personal ill-will against any single administrator, much less can I have any disaffection towards the King's person. But I hold it to be disaffected towards a Government which, in its totality, has done more harm to India than any previous system. India is less manly under the British rule than she ever was before. Holding such a belief I consider it to be a sin to have affection for the system. And it has been a precious privilege for me to be able to write what I have in the various articles tendered in evidence against me.

In fact I believe that I have rendered a service to India and England by showing in non-co-operation the way out of the unnatural state in which both are living. In my humble opinion, non-co-operation with evil is as much a duty as is co-operation with good. But in the past, non-co-operation has been deliberately expressed in violence to the evil-doer. I am endeavouring to show to my countrymen that violent non-co-operation only multiplies evil and that as evil can only be sustained by violence, withdrawal of support of evil requires complete abstention from violence. Non-violence implies voluntary submission to the

penalty for non-co-operation with evil. I am here, therefore, to invite and submit cheerfully to the highest penalty that can be inflicted upon me for what in law is deliberate crime and what appears to be the highest duty of a citizen.

The only course open to you, the Judge and the Assessors, is either to resign your posts and thus dissociate yourselves from evil, if you feel that the law you are called upon to administer is an evil and that in reality I am innocent, or to inflict on me the severest penalty if you believe that the system and the law you are assisting to administer are good for the people of this country and that my activity is, therefore, injurious to the public weal.

"I marvel at my good fortune. To serve India in the battle of freedom is honour enough. To serve her under a leader like Mahatma Gandhi is doubly fortune. But to suffer for the dear country! What greater good fortune could befall an Indian, unless it is death for the cause or the full realisation of our glorious dream?"

PANDIT NEHRU'S STATEMENT
BEFORE THE DISTRICT MAGISTRATE
ALLAHBAD

May 17. 1922.

“ I am making this statement not in order to defend myself against the various charges brought against me but to define my position and to state the motives which have induced me to act in the manner I have done. I have refused to plead guilty or not guilty and I have declined to participate in this trial by cross examination of witnesses or otherwise. I have done so because I do not recognise this Court as a court where justice is administered. I mean no disrespect to the presiding officer when I say that so far as political offences are concerned the courts in India merely register the decrees of the executive. They are being used to-day even more than ever before to prop up the fabric of a government which has misgoverned India long enough and which has to resort to these tactics now in an attempt to restore a prestige which is gone for ever.

“ I stand here charged with criminal intimidation and abetment of an attempt to extort. The warrant of my arrest bears also the familiar section 124 A, although I am not being tried for it to-day. I propose, however, to make a comprehensive state-

ment. I cannot divide myself up into various compartments, one for picketting, another for sedition and yet another perhaps for volunteering. All my activities have but one end in view and that end I have striven to attain with all the strength and energy that is in me."

"Less than ten years ago, I returned from England after a lengthy stay there, I had passed through the usual course of public school and university. I had imbibed most of the prejudices of Harrow and Cambridge, and in my likes and dislikes I was perhaps more an Englishman than an Indian. I looked upon the world almost from an Englishman's standpoint. And so I returned to India as much prejudiced in favour of England and the English as it was possible for an Indian to be."

"To-day, ten years later, I stand here in the dock charged with two offences and with a third hovering in the background—an ex-convict who has been to jail once already for a political offence, and a rebel against the present system of government in India. That is the change which the years have wrought in me. It is not necessary for me to recite the reasons for this change. Every Indian knows them; every Indian has felt them and has hung his head in shame for them. And if he has retained a spark of the old fire in him, he has taken a solemn pledge to strive unceasingly for India's freedom, so that his countrymen may never again be subjected to the miseries and humiliations

that are the lot of a subject people. To-day sedition against the present government in India has become the creed of the Indian people, preach and practise disaffection against the evil which it represents has become their chief occupation.

“I am charged with criminal intimidation and attempted extortion. I have wondered if these charges were seriously meant. The sections of the code which have been applied bear no relation to the facts even as disclosed by the prosecution evidence. I presume that the signal success that has attended our efforts in Allahabad has induced authorities to take some action against the picketers. If peaceful picketing for a lawful object is a crime then, indeed, I am guilty of having advised it and helped in it. But I have yet to learn that peaceful picketing has become an offence even under the laws of British India. Our object in picketing was to make the cloth dealers adhere to the pledge they had jointly taken. Does any one believe that we could achieve success in this by criminal intimidation and extortion? All the world knows that our strength lies in the support of our people and the good will of our countrymen. Our weapons are not the old time ones of force and coercion. The weapons which our great leader has put in our hands are those of love and self-sacrifice. We suffer ourselves and by our suffering seek to convert our adversary.

“Criminal intimidation involves a threat of injury to a person or his property, and injury denotes harm

“illegally” caused. So also extortion must include the putting of any person in fear of “injury” and thereby “dishonestly” inducing him to part with property. I have listened to the prosecution evidence with interest in order to find out on what ground these novel charges were based. What was the injury to any person or property that was threatened? What was the harm “illegally” caused? Where in lay the dishonesty of any of us? I have not heard a single allegation yet made, much less proved which suggests that we have caused injury to any person or property, caused any harm illegally or acted dishonestly. Not a single prosecution witness, including the police and the C. I. D. has made such an allegation. In the whole of Allahabad there was found no person of the thousands who must have witnessed the picketting, who could bring the charge of any intimidation against us or even a harsh word uttered by one of our picketers. No greater proof of our triumph can be given than this unsought testimony of the police and the C. I. D. Our picketting has been, I make bold to say, a model of its kind, perfectly peaceful, perfectly courteous relying on entreaties and exhortations and not even hinting at any force or intimidation. The cloth-dealers, who are alleged to have been intimidated by us are presumably the aggrieved party. But not one of them has complained.

“Ten months ago the cloth-dealers of Allahabad took a solemn pledge to refrain from purchasing foreign cloth till the end of 1922 All the signatories

to the pledge, and they included almost every cloth-merchant in the city, constituted themselves into an association styled the *Dyapari Mandal* and elected office-bearers and a committee. The first business of the *Mandal* was to lay down that every member who broke his pledge and purchased foreign cloth would have to pay a certain penalty and in case he refused to do this, picketting would be resorted to. The committee of the *Mandal* was to determine in each individual case how much foreign cloth had been brought and what the penalty was to be. On several occasions during the past year the *Mandal* committee considered such breaches of the pledge and imposed and received fines in accordance with their rules. Occasionally at their request picketting was also resorted to. Two months ago a large quantity of foreign cloth was purchased by some of the cloth-dealers in Allahabad. This was in contravention of the pledge and the shops of some of these cloth-dealers were picketed. Later the committee of the *Dyapari Mandal* newly reconstituted assessed the fines on the merchants who had broken their pledges and themselves collected this money, which lies at the disposal of the *Mandal*. To the best of my knowledge to the gentlemen who have given evidence for the prosecution in this case are the members of the committee of the *Mandal* and as such they must have themselves helped in the assessment and collection of the fines.

"These are the facts relating to picketting in Allahabad. It is clear beyond doubt that there was

neither any intimidation nor any attempt at extortion. The present prosecution is really an attempt to suppress lawful and peaceful picketing under cover of charges of intimidation and extortion. Picketing has been going on all over India for many months. It has taken place in many cities and bazars in the province. Here in this very city of Allahabad we have repeatedly resorted to it. And yet Government took no action against it as such. They knew well that in India as in England peaceful picketing is no crime. Of course it is open to them by a stroke of the pen to make even peaceful picketing illegal. But whether they do so or not we shall not give it up. To entreat and exhort and advise others to follow a certain line of action or to abstain from doing some thing is a right which we will not abandon, whatever the Government may do. We have few rights and privileges left in this country and even these are sought to be taken away. We have shown to the world how we value the right of free association, and we have continued our volunteers inspite of thousands of arrests and all Government notifications to the contrary. We will not and we cannot submit to any restriction of our right of free speech. A quarter of a century ago, a great English judge stated in the House of Lords with reference to this right of speech. "A man has a right to say what he pleases, to induce, to exhort, to command, provided he does not slander or deceive or commit any other of the wrongs known to the law of which speech may be the medium. Unless he is

thus shown to have abused his right, why is he to be called upon to excuse or justify himself because his words may interfere with some one else in his calling." This right of free speech we shall cling to, whatever the cost.

I am glad for many reasons that I am being tried for picketting. My trial will bring the question of the boycott of foreign cloth even more to the front and I am confident that when the people of Allahabad and the province realise the full significance of this boycott, they will discard all foreign cloth, treat it as unholy and the touch of it almost as a pollution. If they pondered over the evils and the misery and the poverty that foreign cloth has brought to this long-suffering country, perhaps they would feel some of the horror I feel at the thought of wearing it. They will not bring forth arguments that old clothes have to be worn out or that festivities require fine clothing. They would know that the salvation of India and our hungry million demanded the use of the *charkha* and the wearing of *khaddar*, and they would cast out all foreign cloth and consign them to the flames or to the dust bin. I pray that the cloth-merchants of Allahabad will adhere to their sacred pledges twice taken, and do their utmost to bring about a complete boycott of foreign cloth in this ancient and holy city. Some of these cloth-dealers have given evidence for the prosecution in this case. I have no grievance against them. I shall

suffer most gladly any imprisonment that may be awarded to me if I know that thereby I have touched their hearts and won them over to the great cause. And I would appeal to the public of this city and province and earnestly request them to do this much for their country—wear *khalidar* and ply the *charkha*.

My co-accused and I are charged with intimidation and extortion. I should like the police and Government officials to examine their own conscience, to search deep down into their hearts and say what many of them have done during the past year and a half. Intimidation and terrorism, bribery and extortion, have been going on over the length and breadth of the province. And the persons guilty of them have not been congressmen or our volunteers but the underlings of the Government who have indulged in them frequently with the knowledge and approval of their superiors. Yet they are not tried or punished. They are patted on the back and praised and promoted.

“My colleagues and I have seen and personally investigated acts of terrorism and inhumanity. We have seen how men and women have been subjected to the uttermost humiliation. We have seen how terror reigns in Sitapur. We have investigated the the brutalities of Shoratgnaj and we know how hundreds of Ballia's gallant workers have been sent to jail for the sole offence of being Congress office-bearers or other principal workers of

the Congress. And the poor down-trodden *kisans* with the haunted hopeless look in their eyes, working away like the beasts of the field from morning to nightfall, so that others may enjoy the fruits of their labour. We have seen them harassed and made utterly miserable till life became almost too heavy to be borne. I need not refer to individual districts. Almost every one of them has the same sad and splendid tale to tell.

Intimidation and terrorism have become the chief instruments of the Government. By these methods they seek to keep down people and to suppress their disaffection. Do they imagine that they will thus instil affection for themselves in the people or make them loyal instruments of their imperialism? Affection and loyalty are of the heart. They cannot be purchased in the market-place, much less can they be extorted at the point of the bayonet. Loyalty is a fine thing. But in India some words have lost their meaning and loyalty has come to be almost a synonym for treason to the motherland and a loyalist is he who is not loyal to his God or his country but merely hangs on to the coat tails of his alien master. To-day, however, we have rescued the word from the depths and in almost every jail in India will be found true loyalists who have put their cause and their faith and their country above everything else and have been true to them despite all consequences. To them has come the great call: they have seen the vision of freedom and they will not rest or turn away till they have

achieved their hearts' desire. England is a mighty country with her armies and her navies, but to-day she is confronted with something that is mightier. Her armies and her navies have to face suffering and the self-sacrifice of a nation determined to be free and no man can doubt what the issue of such a struggle must be. We are fighting for our freedom, for the freedom of our country and faith. We desire to injure no nation or people. We wish to have no dominion over others. But we must be perfectly free in our own country. England has cruelly wronged us during the past 150 years or more. And even yet she has not repented and mended her ways. India gave her a chance a year and a half ago, but in the pride and arrogance of her physical might she has not taken it. The people of India have tried her and they have passed judgment and from that decreed there is no turning back. India will be free, of that there is no doubt but if England seeks the friendship of a free India she must repent and purge herself of her many sins. So that she may be worthy of a place in the coming order of things.

I shall go to jail again most willingly and joyfully. Jail has, indeed become a heaven for us, a holy place of pilgrimage, since our saintly and beloved leader was sentenced. Big-bodied, great-hearted Shaukat Ali, bravest of the brave and his gallant brother are there and so are thousands of our co-workers. One feels almost lonely outside

the jail, and selfishness prompts a quick return. Perhaps I shall be awarded a long term of imprisonment this time. Whether this is so or not, I shall go with the conviction that I shall come out to greet Swaraj in India.

I have said many hard things about the British Government. For one thing, however, I must offer it my grateful thanks. It has given us a chance of fighting in this most glorious of struggles. Surely few peoples have had such an opportunity given them. And the greater our suffering, the more difficult the tests we have to pass, the more splendid will be the future of India. India has not survived through thousands of years to go down now. India has not sent her noblest and best twentyfive thousands of her sons, to the jail to give up the struggle. India's future is assured. Some of us, men and women of little faith, doubt and hesitate occasionally, but those who have vision can almost see the glory that will be India's.

I marvel at my good fortune. To serve India in the battle of freedom is honour enough. To serve her under a leader like Mahatma Gandhi is doubly fortune. But to suffer for the dear country ! What greater good fortune could befall an Indian, unless it is death for the cause or the full realisation of our glorious dream ? "

Mr. Magistrate! I will not take any more time of the court now. It is an interesting and instructive chapter of history which both of us are engaged in preparing. The dock has fallen to our lot and to yours the magisterial chair. I admit that this chair is as much necessary for this work as this dock. Let us come and finish our role in this memorable drama. The historian is eagerly awaiting it and future is looking forward to us. Allow us to occupy this dock repeated by and continuously and you may also go on writing the judgement again and again. For some time more this work will continue till the gates of another Court are flung open. This will be the Court of the law of God. Time will act as its judge and pass the judgement. And this verdict will be the final in all respect.

STATEMENT OF MAULANA AZAD
BEFORE THE PRESIDENCY MAGISTRATE
CALCUTTA

11th January, 1922.

I had no intention to submit any oral or written statement. This is a place where there is neither any hope for us, nor any demand nor even any complaint. This is only a turnpike without passing which we cannot reach our destination. For a short while therefore, even against our own will we have to break our journey here. Otherwise we would have gone straight to the gaol.

This is the only reason why for the last two years I have always opposed the idea of non-cooperator's taking any part in the proceedings of the court, although the All-India Congress Committee, The Central Khilafat Committee and the Jamiat-ul-Ulema Hind have given this permission that a written statement might be submitted for the information of the public but personally I have always advised and preferred Silence. I feel that a person who tenders the statement because he is not guilty even though he does it with a view to give information to the public, he is nevertheless not altogether free from suspicion. May be that a modest desire for acquittal and some unconcious

weakness is working within him, while the path of non-co-operation is clear and straight.

Non co-operation is the result of utter disappointment with the existing conditions. And this despondency has led to determination for complete change. Non co-operation on the part of any man reveals his dissatisfaction with the justice of the government and shows his non-acceptance of force based on injustice, with the effect that he sees no other alternative except a change.

So if he is dejected to such a degree that he feels no alternative except a change, how can he expect from that power that it will do justice to him.

Even if this reality is lost sight of, to expect acquittal in the present circumstances is not more than a vain desire. It will be as if a denial to one's own knowledge. With the exception of the Government itself, no sensible man can expect justice from the law courts in the present state. Not because they are composed of such persons who do not like to do any Justice but because these are based on such a system of Government where no magistrate can do justice to those criminals, with whom the Government itself does not like to have fair play.

I want to make it clear here that non co-operation is directed only against the Government, the system of the Government and principles of the present Government and never against individuals.

History bears witness that, whenever the ruling powers took up arms against freedom and justice, the court rooms were used as most simple and harmless weapons. The jurisdictions of courts is a force that can be utilized both for justice and injustice. In the hands of a just government, it becomes the best means of righteousness, but for the repressive and tyrannical government, no other weapon is more useful for vengeance and injustice than this.

Next to battlefields, courts have played the most prominent part in setting the example of injustice in the history of the world. From the holy founders of religions to the inventors and pioneers of science, there was no holy or righteous organisation which was not produced before the courts like criminals.

The iniquities of courts of law constitute an endless list and history has not yet finished singing the elegy of such mis-carriages of injustice. In that list we observed a holy personage like Jesus, who had to stand in his time before a foreign court and convicted even as the worst of criminals. We see also in the same list Socrates, who was sentenced to be poisoned for no other crime than that of being the most truthful person of his age. We meet also the name of that great Florentine martyr to truth, the inventor Galile, who refused to belie his observations and researches merely because their avowal was a crime in the eyes of constituted authority. I have called Jesus a man,

because to my belief he was a holy person who had brought the heavenly message of love and righteousness; but he was greater even than this in the eyes of millions of people. Consequently what a wonderful place this convict's dock is where the most righteous as well as the most criminal people are made to stand.

When I ponder on the great and significant history of the convict's dock and find that the honour of standing in that place belongs to me to-day, my soul becomes steeped in thankfulness and praise of God. And He alone sees the real joy and happiness of my mind. In this dock of the convicts I feel myself an object of envy for emperors.....

At any rate it was never my intention to present a statement; but on the 6th of January when I was produced before the court I found that the Government was quite bewildered in the matter of securing punishment for me, although I am a man who in accordance with his desires, must be given the maximum punishment.

First I was prosecuted under section 17/2 Criminal Amendment Act; but when such proof could not be produced as is considered absolutely necessary for proving the crime these days, the case under this section was withdrawn, although reluctantly. Then a case under section 124A had been set up against me but unfortunately that too was not enough for the purpose.....

Seeing this, my mind changed. I felt that the reason

which was responsible for my withholding the statement, demanded that I should not remain silent, and the crime that the government have not been able to prove I should rather admit myself with my own pen.....

The bureaucracy in India is nothing more nor less than the domination which powerful individuals will always normally attain over a nation decaying by its own neglect and internal weakness. In the natural course of things such dominant authority cannot possibly countenance any nationalistic awakening or agitation for progress, reform or justice. And as such agitation would spell the inevitable downfall of its dominant power, it seeks to kill all agitation by declaring it a crime against constituted authority. No power would tamely submit to movements likely to bring its own decline, however much such decline might be in the ultimate interest of justice. This posture of affairs is merely a struggle for existence in which both sides fight desperately for their principles. An awakened nation aspires to attain what it considers its birth right, and the dominant authority would fain not budge an inch from its position of unquestioned way. The contention might be advanced that the latter party even likes its opponents is not open to any blame inasmuch as it is merely putting up a fight for its own survival, and it is quite an incidental matter that its existence happens to be inimical to perpetuation of Justice. We cannot deny facts of human nature and its inseparable characteristics.

Like good, evil also desires to live in this world and struggles for its own existence.

In India also such a struggle for the survival of the fittest has already commenced. Most certainly, therefore, nothing can be a higher crime against the domination of Government, as at present established, than the agitation which seeks to terminate its unlimited authority in the name of liberty and justice. I fully admit that I am not only guilty of such agitation, but that I belong to that band of pioneers who originally sowed the seed of such agitation in the heart of their nation and dedicated their whole lives to the cherishing and breeding of this holy discontent. I am the first muslim in India who invited his nation for the first time in 1912 to commit this crime and within three years succeeded in bringing about a revolution in their slavish mentality. Hence, if the government regards me a criminal and consequently desires to award punishment I earnestly acknowledge that it would not be an unexpected thing and that I will have absolutely no grudge against that.

The Real Reason for my arrest

After the 17th of November, of all the things in the world which could be desired and wished (by the Government) was that on 24th December when the Prince (of Wales) comes to Calcutta there should be no *hartal* and the folly that had been committed by introducing the Criminal Amendment

Act 1908 could be accepted for one day at least. The government was of the opinion that my presence and that of Mr. C. R. Dass stood in its way. Both of us therefore were arrested after some bewilderment and consultations.....

For the last two years I could not remain continuously in Calcutta. All of my time was spent either in the central activities of the Khilafat Committee or political tours of country..... But suddenly the news about the fresh repression of the Bengal Government and of the communique of the 18th reached me in Bombay, and it became impossible for me to remain outside Calcutta any more under these circumstances. I consulted Gandhiji as well. He was also of this opinion that I should cancel all programmes and go to Calcutta. We were apprehensive lest the repression of the Government should make the people uncontrolled and undisciplined.....

I reached Calcutta on the 1st of December. I saw *repression* as well as *toleration*, both in their extremes.

I saw that the Government, unnerved by the memorable *Hartal* of the 17th had become like a man who loses all sense of proportion in anger and rage. All the national organisations of volunteers were declared unlawful under the Criminal Law Amendment Act of 1908. All the public gatherings were banned with one stroke of the pen. The discretion of the police was synonymous with law and under the pretext of

unlawful organisations it could do anything.

On the contrary the people had as if taken oaths for patience and perseverance; and determined neither to be violent under any provocations nor to deter from their path.

Under these circumstances the path of duty was clear before me. I saw two bitter realities naked before me. First, the entire machinery of the Government had centred itself in Calcutta. The final decision for victory or defeat would, therefore, be in this very place. Secondly, we were struggling with full liberty upto this time; but the present circumstances had revealed that this too was not possible henceforth. Freedom of speech and freedom of assembly: these are the birthrights of a man. The suppression of these in the words of famous philosopher Mill are in no way less than "the massacre of humanity." But this suppression is being carried on without any hesitation. So I cancelled all other programmes and decided to remain in Calcutta so long as one of the two things did not make its appearance—either the government withdrew its communique or arrested me.....

The fact is that the past few days provided both the realities simultaueously for the pages of history. If on one hand, all the artificial curtains were removed from the face of the government; on the other side, the national strength also manifested itself after passing through a hard ordeal. The world witnessed that, if the government is

unbridled in violence and repression, patience and toleration are also gaining momentum every day in the country. Just as it has always been refuted it can even be denied today ; but it will be the most instructive story for history of tomorrow. It will guide the future as to how moral and passive resistance can defeat the repression and pride of material forces and as to how it can be possible to face bloody weapons with sheer non-violence and sacrifice ? I at least do not know where among the two parties—In the government or the country to seek the education of that Great man who had brought the message of patience and godliness as against evil. I think the officials of bearaucracy will not be unaware of his name. His name was Christ.

The philosophy of the history tells us that lack of wisdom and farsightedness always befriended the declining powers. The Government imagined that they would suppress the Khilafat and Swarajya movement with violence and repression and the *Hartal* of 24th would be warded of.....but soon the Government realised that repression let lose, against national awakening, is not likely to prove fatal. I confess that not only on these two occasions but in my numerous speeches in the last two years I have used such and even more strong and definite phrases. To say so is my imperative duty in my creed and I cannot hesistate from performing my duty simply because it would be regarded a crime

under section 124 A. I want to repeat this even now and will go on repeating it so long as my tongue works. If I don't do it I will be guilty of the worst crime before the Creator and his creation.

Certainly, I have said, "This Government is a tyrant." But if I don't say so what else should I say? I don't understand why I am expected not to call spade a spade. I refuse to call white, a thing which is apparently black. The mildest and the softest words that I could use in this respect were these. I could not think of any other thing for such a crystal reality.

I have certainly been saying that there are only two paths before us; the Government should restrain from doing injustice and jeopardising our rights; and if it can't it must be wiped out of existence, I don't comprehend what else could be said. A thing which is apparently an evil it should either mend itself or end itself. When I am convinced of the evils of the Government then certainly I cannot pray for its long life.

Why is it that this has become an article of my faith as well as of millions of my countrymen? Let me make it clear that this is my faith simply because I am an Indian; because I am a mussalman; because I am a man.

It is my belief that liberty is the natural and God-given gift of man. No man and no bureaucracy consisting of men has got the right to make the servants of God its own slaves. However attractive be the euphanism invented for 'subjugation' and 'slavery'

still slavery is slavery, and it is opposed to the will and canons of God. I, therefore, consider it a bounden duty to liberate my country from its yoke.

The notorious fallacies of 'reform' and 'gradual transference of power' can produce no illusions and pitfalls is my unequivocal and definite faith. Liberty being the primary right of man, it is nobody's personal privilege to prescribe limits or apportion shares in the distribution of it. To say that a nation should get its liberty in graduated stages is the same as saying that an owner should by right receive his property only in bits, and creditor his dues by instalments.....Whatever philanthropic acts might be performed by a man who has usurped our property, his usurpation would still continue to be utterly illegal.

Evils cannot be classified into good and bad. All that is in fairness possible is to differentiate the varying degree. For instance we can say very heinous robbery and less heinous robbery, but who can speak of good robbery and bad robbery? I cannot, therefore, at all, conceive of any justification for such domination because by its very nature it is an act of inequity.

Such is my duty as a man and as an Indian, and religious injunctions have imposed upon me the same duty. In fact, the greatest proof of the truth of my religion is that it is another name for the teaching of the rights of man. I am a Mussalman, and by virtue of being a Mussalman this has become my religious duty. Islam never accepts as valid a sovereignty which is personal or is constituted of a bureaucracy of a handful

of paid executives. Islam constitutes a perfected system of freedom and democracy. It has been sent down to get back for the human race the liberty which has been snatched away from it. Monarchs, foreign dominations, selfish religious pontiffs and powerful sections had alike misappropriated this liberty of man. They had been fondly nursing the belief that power and possession spell the highest right. The moment Islam appeared, it proclaimed that the highest right is not might but right itself. No one except God has got the right to make serfs and slaves of God's creatures. All men are equal and their fundamental rights are on a Par. He only is greater than others whose deeds are the most righteous of all.....

The sovereignty of the 'Prophet of Islam and of the Kalifs was a perfected conception of democratic equality, and it only could take shape with the whole nations' will, unity, suffrage and election. This is the reason why the sovereign or a president of a republic is like a designated kalif; khilafat literally means nothing more nor less than a representation so that all the authority a kalif possesses consists in his representative character, and he possesses no domination beyond this representative authority.

If the Islam defines it as a duty of Mohamedans to refuse to acknowledge the moral justification even of an Islamic Government, if full play is not granted in it to the will and franchise of the nation, it is perfectly superfluous to add what under Islam would be the ruling given about a foreign

bureaucracy. *If to-day there was to be established in India an Islamic government, but if the system of that Government was based upon personal monarchy or upon bureaucratic oligarchy, then to protest against the existence of such a government would still be my primary duty as a Musselman. I would still call the Government oppressive and demand its replacement.*

I frankly confess that this original conception of Islamic sovereignty could be unimformly maintained in its primal purity on account of the selfishness and personal domineering of the later Mahommedan sovereigns. The mighty magnificence of the emperors of Ancient Rome and of the Shahs of Persia had attracted the Muslim Sovereigns powerfully to the dubious glory of great monarchical empires. They began to prefer the majestic figures of Kaiser or Khosroe to the simple dignity of the original Kalifs clad often times in old lattered cloaks. No period of the dynasties and sovereignties of Islam has however failed to produce some true Muslim martyrs, who have made public declarations of the tyrannies and transgressions of such monarchies and joyfully and trimphantly suffered all miseries and hardships which inevitably confronted them in the thorny paths of duty.

To expect from Mussalman that he should not pronounce what is right is to ask him to retire from Islamic life. If you have no right to demand from a person to give up his religion, then certainly you cannot require a Mussalman that he should not

call tyranny a tyranny, because both the things are synonymous.

This is that vital organ of Islamic life which, if cut off, terminates the very existence of its best characteristics.....In the Quran—the Holy Book of Islam—the Mussalmans have been told that they are witnesses of truth in the God's universe. In the capacity of a nation this is their national character.....

Among the numerous sayings of the Prophet of Islam one is this, "Pronounce what is good, restrain the evil. If you don't do it, evil men will dominate you and God's curse will overtake you. You will offer prayers but they will not be accepted."

But how would this national duty be performed? Islam has indicated three different standards under three different conditions:— If anyone of you sees an evil it is necessary that he should correct it with his own hands. If he has not the power to do it personally he should proclaim it and if he feels that he has not the power to pronounce it even he should consider it evil in his heart at least. But this last degree is the weakest stage of religion." In India we have not the capacity to correct the evils of the government with our own hands, we have, therefore, adopted the second measure, *i. e.* we pronounce its evils.

The Holy Prophet of Islam has preached the following doctrine to the Muslims. That man is blessed with the best of deaths who proclaims

the truth in face of a tyrannical administration and is slaughtered in punishment of this deed? The scripture of Islam, the Holy Quran, defines the greatest attribute of the true Muslim to be that they fear not any being except God and whatever they consider to be the truth, they reckon not any authority in the public proclamation of such truth'. The Quran further defines the national Characteristics of the Muslims as follows: "They are the witnesses to truth on God's earth! As long, therefore, as they continue to be Muslims they cannot desist from giving this public evidence. In fact it has designated Muslims as witnesses, i.e., givers of the evidence of truth. When the Prophet of Islam extracted a promise of righteousness from any person, one of the clauses of such a bond used to be, I will always proclaim, the truth in whatever condition and wherever I may happen to be.

Those Mussalmans who have it in their religious duties that they should accept death rather than hesitate from telling what is true, a case under section 124 A can never be a very frightful thing, the maximum punishment under which is seven years.....

In the early Islamic days Mussalmans were truthful to such an extent that an old woman could dare say to the Khalifa of the time in the open court "If you fail to do justice your hair would be uprooted like anything". تکلے کی طرح تمہارا - بال نکال دینگے.

But instead of instituting a case against her he would thank God that such outspoken tongues were present in the nation. Exactly in the Jumma prayers gathering when the Sultan would get up and say, "Hear and obey", a man would get up at once and say, "neither we will hear nor obey." Why? "Because the cloak that you have got on your person is much more than your own share of cloth and this is a breach of trust." On this Khalifa would produce his son for his witness who would declare that he had given his own share of cloth to his father and this cloak was prepared with that.

This attitude of the nation was towards the Khalifa whose bravery and enterprize overthrew the thrones of Egypt and Iran. Nevertheless there was no 124 A in Islamic Government. When the attitude of ours, the Mussalmans, towards our own national governments had been such, then what hope can the officers of an alien government expect from us? Is "the government established by law" in India more dear for us than the one established by *Shariat*?

Is the kingship of England and status of Lord Reading more respectable for us than the caliphate of Abdul Malik and status of Hajaj-bin-Yousaf? If we leave aside the great difference between "alien and non-Muslim" and "national and Muslim", even then what we have been saying for the governments of Hajaj Bin Yusaf and Khalid Qasri, we will repeat the same about

the " Reading " and " Chelmsford " governments. We had said to them. Fear from God because the earth is loaded with your tyrannies." We repeat the same to-day. As a matter of fact, what we are doing to-day in India, on account of our weakness and helplessness, was in reality meant to be done towards the tyranny and repression of our own national administrators and not towards alien rulers. Had the agents of British Government understood this reality, they would have realized that the patience and toleration of Mussalmans has passed all limits. More than this, they cannot quit Islam for Britain.

Islam has pointed out two ways to face the tyranny of rulers, because conditions are different in both the cases. One tranny is forcible possession by alien rulers, and one of course is of Mohammadan rulers themselves. For the first, Islam orders the use of sword. For the second the commandment is that sword may not be taken up but as far as possible every Mussalman should go on proclaiming the truth. In the first case, there will be executions at the hands of the enemies, while in the second place there will be untold sufferings and punishments at the hands of the tyrants. Mussalmans should make sacrifices of both the kinds in both the cases and the result of the both is success and victory. Consequently the Mussalmans have made both kinds of sacrifices in the last thirteen centuries. They have suffered martyrdoms at the hands of foreigners and also shown patience and perseverance against their own.

Just as in the first case their, "war efforts" are without parallel, in the second case their "spirit of martyrdom" is unique.

The Mussalmans in India today have adopted the second course although their fight is with the first category.

The time had come for them to take up "the war effort" but they have adopted the "martyrdom spirit." They have decided not to fight with weapons but rather remain non-violent i.e., they will do the same as they had to do in the case of Mussalman rulers. Undoubtedly for their this attitude a particular state of India is responsible. But the government should think what more the unfortunate Mussalmans can do. Unexpectedly they are doing against the foreigners what they should have done in case of their own national rulers.

Truly, I have not the slightest grievance that a case has been set up against me with a view to give me punishment. But the revolution of circumstances is very painful for me that a Mussalman is expected not to call tyranny a tyranny because he will be tried under section 124-A.

An outstanding abject-lesson in speaking the truth which their national history presents to the Muslims is to be found in order of an autocratic monarch by which each organ of a rebellious victim's body was to be cut off. The charge against the victim was that he had proclaimed inequity of the tyrant. Firm as a rock he stood

and took the punishment in all its heinous stages, but his tongue right on to the moment when it was severed went on proclaiming that autocrat was tyrant. This is an incident of the reign of the Emperor Abdul Malik, whose domain extended from Syria to Sind. Can any one then attach any weight to a sentence under section 124-A as compared to this terrible penalty ?

I confess that it is the moral decadence of Muslims and their renouncing the real Islamic life that is responsible for the bringing about of this fallen state. While I am penning these lines I know there is still living in India many a Muslim who through his weakness pays homage to this very tyranny.

But the failure of man to act upto the spirit of certain tenets cannot belie the intrinsic truth of those principles. The tenets of Islam are preserved in its scriptures. These under no circumstances, make it permissible for Muslims to enjoy life at the expense of freedom. A true Muslim has either to immolate himself or to live as a free nation ; no third course is open for him in Islam.

I declare that during last two years not a single day has passed when I had not proclaimed the tyranny of the government with regard to "the khilafat" and "the Punjab affairs." I admit having always said that a government which is bent upon exterminating the khilafat and is neither prepared to compensate nor is ashamed of the tyrannies of

the Punjab, there can be no loyalty for such a government in the heart of any Indian.

On Dec. 13, 1917 when I was interned in Ranchi. I wrote a detailed letter to Lord Chelmsford that if the British Government against their declared promises ever takes possession of Islamic countries or Islamic caliphate the Indian Muslims would find themselves faced with only two alternatives. Either they should side with Islam or with the British Government.

Atlast the same happened. The government broke their promises glaringly. Neither that promise was kept up which the government announced on January 2, 1914 nor could it keep up the words which Lloyd George the Prime Minister of England made in the course of a speech in the House of Commons on January 5, 1918.

These things created a strange position for the Indian Mussalmans. The minimum that they could do according to the Islamic law was to withdraw their support and co-operation.....Mussalmans have come to believe that to obtain what is right and just they must have Swaraj.

My own declaration in this respect, however, is quite unequivocal. The present government is an unjust bureaucracy. It is absolutely opposed to the will and wishes of millions of people. It has always preferred prestige over justice and truth. It regards the barbaric massacre of Jallianwala as right; it considers no injustice that men should be made to creep like animals: it allows the whipping of young

students till they became unconscious simply because they refused to salute the Union-Jacks ; it does not resist from trampling over the Islamic Caliphate even after petitions of thirty crore people ; it considers no sin in breaking all its pledges and promises etc..... If I don't call such a government a " tyrant " and " either mend yourself or end yourself," should I call it " just " and don't mend yourself but live long " simply because tyranny is powerful and is equipped with prison houses ?

Continuously in the last twelve years I have been training my community and my country to demand their rights and their liberty. I was only eighteen years old when I first started speaking and writing on this theme. I have consecrated my whole being to it and sacrificed the best of my life, meaning the whole of my youth, to my infatuation of this ideal. For four years I have suffered internment, but during my internment even I have never desisted from pursuing on my work and inviting people to this national goal. This is the mission of my life, and if I live at all, I elect to live only for this single purpose. Even as the Quran says " my prayers and my observances and my life and my death are all for my lord, the God of the Universe ".

How could I deny this " Crime " when I am the first pioneer in this latest phase of that Islamic movement in India which has created a tremendous revolution in the political world of the Indian Muslims and has

gradually elevated them to that pinnacle of national consciousness on which they are seen to-day. In 1912 I started an Urdu journal, the *Al-Hilal* which was the organ of this movement and the object of the publication of which was mainly what I have declared above. It is an actual fact that within these three years it had created a new atmosphere in the religious and the political life of the Mussalmans of India.

Previously, they were not only cut off from the political activities of their Hindu brothers but were acting as weapons in the hands of the bureaucracy. The government's policy of divide and rule created a sort of apprehension in their mind that Hindus are larger in numbers; and if the country attains independence there will be Hindu Raj in India. But *Al-Hilal* persuaded the Mussalmans to have confidence in their faith instead of numerical inferiority and invited them to join hands with the Hindus fearlessly.....Bureaucracy could not tolerate such a movement for long. First of all, therefore, the security of *Al-Hilal* was forfeited, and when the paper was re-started under the name of *Al-Bilagh*, the Government of India interned me in 1916. I must say that *Al-Hilal* was out and out an invitation for "liberty or death.".....

On the 1st of January 1920 I was set at liberty after an internment of four years; and since that time upto the moment of my arrest, the whole of my time was spent in publicity and propaganda of these very ideals. On February 28th and 29th, 1920 a khilafat

conference was held in the Town Hall of Calcutta where the Mussalmans in utter disappointment made this announcement : " If the British Government even now fails to accede to the demands of the khilafat, the Mussalmans in accordance with their religious injunctions will be compelled to cut off all loyal connection."

I was the president of that conference.

I had clearly explained in my long presidential address all the facts which are presented in these two speeches (on the basis of which I am being tried here).

In this address I had also made an explanation of that Islamic injunction under which the Mussalmans are required to non co-operate with the government *i.e.*, withdraw their hand of help and co-operation.

It was here in this conference where that resolution was adopted under which it was declared un-Islamic for any faithful Mussalman to serve in the army. The Karachi case was launched on the basis of the same resolution. I have often pointed out in the press and in my numerous speeches that this resolution was first of all drafted by me and it has been thrice adopted under my presidentship. So I am the proper person to deserve punishment in connection with this " crime " also I have with certain more additions published this statement in a book form with its English translation as if it is a written record of my " offences."

During the last two years, alone and with Mahatma Gandhi I have undertaken several tours of the country There is hardly any city where I have not delivered speeches again and again on ' The Khilafat ', ' The Punjab '

'The Swaraj' and 'Non co-operation' and where I have not repeated all these things which are being shown in these two speeches.

In December 1920 a conference of the All-India Khilafat Committee was held side by side with the annual session of the Indian National Congress. In April 1921 a conference of the Jamiat-ul-Ulma came off in Bareilly; in October last U. P. Provincial Khilafat Conference took place in Agra; in November the annual session of All-India Jamiat-ul-Ulma was held in Lahore. I was also the president of all these conferences and what ever was said by all the speakers in all these conferences or by me in the presidential speeches contained all the things that are being shown in these two speeches. I must declare that they were more unambiguous and equivocal than these.

If the implications of my these two speeches come under section 124-A I must confess that I have committed this crime times without number. I will have to say that in the last two years I have done nothing except infringement of the section 124-A.

In this war of liberty and justice I have adopted the path of Non-violent non-co-operation. Opposed to us stands an authority armed with the complete equipment for oppression, excess and bloodshed. But we place our reliance and trust, next to God, only upon our own limitless power of sacrifice and unshakable fortitude. Unlike Mahatma Gandhi my belief is not that armed force should never be opposed by armed force. It is my belief that such opposing of

violence with violence is fully in harmony with the natural laws of God in those circumstances under which Islam permits the use of such violence. But at the same time, for purposes of liberation of India and the present agitation, I entirely agree with all the arguments of Mahatma Gandhi and I have complete confidence in his honesty. It is my definite conviction that India cannot attain success by means of arms, nor is it advisable for it to adopt that course. India can only triumph through non violent agitation and India's triumph will be a memorable example of the victory of moral force.

What I have already said in the begining I repeat the same in the conclusion. All that the Government is doing to-day with us is nothing extraordinary for which it should be condemned. Volience and oppression are always a second nature of the foreign Governments at the moment of national awakening and we should not expect that human instinct will be changed for us.

This is a national weakness common to all individuals and organisations. How many men are there in the world who would return the thing that has come into their possession simply because they have no right over it? Then why should such a mercy be expected for a full-fledged continent? Power does not acknowledge a certain argument simply because it is reasonable and logical. It will not yield until a greater power makes its appearance and compels it to submit to all unreasonable and illogical demands.

We realize that, if our passion for freedom and

determination for demanding what is our right is true and strong, the very government which holds us as criminals to-day will be compelled to greet us tomorrow as victorious patriots.

I am charged with 'sedition' but let me understand the meaning of 'sedition'. Is 'sedition' that struggle for freedom which has not as yet been successful? If this is so I confess frankly, but at the same time let me remind that this very thing is called patriotism when it is successful. The armed leaders of Ireland were regarded rebels uptill yesterday but what title would the Great Britain suggest for De-valera and Griffith to-day?

Consequently what is happening today, its judgment would come tomorrow. Iniquity would be effaced and justice would live behind. We have our faith in the decision of the future.

In any case it is natural to expect showers when there are clouds in the sky. We see that all the signs for the change of weather are visible. But pity is over those eyes who refuse to see the signs.

I had said in these very speeches "the seed of liberty can never yield fruit unless fertilized by the water of oppression".

The government has begun fertilization.

I had also said "Don't be sad over the arrest of Khilafat volunteers. If you really want justice and freedom get ready for going to the jails."

I want to say something about the Magistrate also. Let him award the maximum punishment that he can

without hesitation. I will never have any complaint or grudge. I know it that unless the entire administration is changed the instruments will go on with their work.

I finish my statement in the words of Gardino Brono the famous martyr of Italy who was also made to stand before the court like me :—

“ Give me the maximum punishment that can be awarded without hesitation. I assure you that the pain that your heart will feel while writing the order, not a hundredth part of it will be felt by me while hearing the judgment.”

Mr. Magistrate! I will not take any more time of the court now. It is an interesting and instructive chapter of history which both of us are engaged in preparing. The dock has fallen to our lot and to yours the magisterial chair. I admit that this chair is as much necessary for this work as this dock. Let us come and finish our role in this memorable drama. The historian is eagerly awaiting it and the future is looking forward to us. Allow us to occupy this dock repeatedly and continuously and you may also go on writing the judgment again and again. For some time more this work will continue till the gates of another's Court are flung open. This will be the Court of the Law of God. Time will act as its judge and pass the judgment. And this verdict will be the final in all respect.

A PPENDIX I

What is Non-Co-operation

by Gandhiji.

*What is this non-co-operation about which you have heard much, and why do we want to offer this non-co-operation? I wish to go for the time being into the why. There are two things before this country; the first and the foremost is the Khilafat question. On this the heart of the Mussalmans of India has become lacerated. British pledges, given after the greatest deliberation by the Prime Minister of England in the name of the English nation, have been dragged into the mire. The promises given to Muslim India, on the strength of which the consideration that was accepted by the British nation was exacted, have been broken and the great religion of Islam has been placed in danger. The Mussulmans hold—and I venture to think they rightly hold—that so long as British promises remain unfulfilled so long is it impossible for them to tender a whole-hearted fealty and loyalty to the British connection; and if it is to be a choice

Speech at Madras.

for a devout Mussulman between loyalty to the British connection and loyalty to his Code and Prophet, he will not require a second to make his choice—and he has declared his choice. The Mussulmans say frankly, openly and honourably to the whole world that if the British ministers and the British nation do not fulfil the pledges given to them and do not wish to regard with respect the sentiments of 70 millions of the inhabitants of India who profess the faith of Islam, it will be impossible for them to retain Islamic loyalty. It is a question then for the rest of the Indian population to consider whether they want to perform a neighbourly duty by their Mussulman countrymen and if they do, they have an opportunity of a lifetime which will not occur for another hundred years, to show their good-will, fellowship and friendship and to prove what they have been saying for all these long years that the Mussalman is the brother of the Hindu. If the Hindu regards that before the connection with the British nation comes his natural connection with his Muslim brother, then I say to you that if you find that the Muslim claim is just, that it is based upon real sentiment, and that at its background is this great religious feeling, you cannot do otherwise than help the Mussalmans through and through so long as their cause remains just and the means for attaining the end remains equally just, honourable and free from harm to India. These are the plain conditions which the Indian Mussalmans have accepted and it was when they saw that they could accept the proffered aid of the

Hindus that they could always justify the cause and the means before the whole world that they decided to accept the proffered hand of fellowship. It is then for Hindus and Mussalmans to offer a united front to the whole of the Christian powers of Europe and tell them that weak as India is, India has still got the capacity of preserving her self-respect, she still knows how to die for her religion and for her self-respect.

That is the Khilafat in a nut-shell ; but you have also got the Punjab. The Punjab has wounded the heart of India as no other question has for the past century. I do not exclude from my calculation the Mutiny of 1857. Whatever hardships India had to suffer during the Mutiny, the insult that was attempted to be offered to her during the passage of the Rowlatt legislation, and that which was offered after its passage, were unparalleled in Indian history. It is because you want justice from the British nation in connection with the Punjab atrocities, you have to devise ways and means as to how you can get this justice. The House of Commons, the House of Lords, Mr. Montagu, the Viceroy of India, everyone of them knows what the feeling of India is on this Khilafat question and on that of the Punjab ; the debates in both the Houses of Parliament, the action of Mr. Montagu and that of the Viceroy have demonstrated to you completely that they are not willing to give the justice which is India's due and which she demands. I suggest that our leaders have got to find a way out of this great difficulty and unless we have made ourselves even with

the British rulers in India, and unless we have gained a measure of self-respect at the hands of the British rulers in India, no connection and no friendly intercourse is possible between them and ourselves, I, therefore, venture to suggest this beautiful unanswerable method of non-co-operation.

Is it Unconstitutional ?

I have been told that non-co-operation is unconstitutional. I venture to deny that it is unconstitutional. On the contrary I hold that non-co-operation is a just and religious doctrine ; it is the inherent right of every human being and it is perfectly constitutional. A great lover of the British Empire has said that under the British constitution even a successful rebellion is perfectly constitutional and he quotes historical instances which I cannot deny in support of his claim. I do not claim any constitutionality for a rebellion successful or otherwise so long as that rebellion means in the ordinary sense of the term what it does mean, namely, wresting justice by violent means. On the contrary I have said it repeatedly to my countrymen that violence, whatever end it may serve in Europe, will never serve use in India. My brother and friend Shaukat Ali believes in methods of violence ; and if it was in his power to draw the sword against the British Empire, I know that he has got the courage of a man and he has got also the wisdom to see that he should offer that battle to the British Empire. But because he recognises as a

true soldier that means of violence are not open to India, he sides with me accepting my humble assistance and pledges his word that so long as I am with him and so long as he believes in the doctrine so long will he not harbour even the idea of violence against any single Englishman or any single man on earth. I am here to tell you that he has been as true as his word and has kept it religiously. I am here to bear witness that he has been following out this plan of non-violent non-co-operation to the very letter and I am asking India to follow this non-violent non-co-operation. I tell you that there is not a better soldier living in our ranks in British India than Shaukat Ali. When the time for the drawing of the sword comes, if it ever comes, you will find him drawing that sword and you will find me retiring to the jungles of Hindustan. As soon as India accepts the doctrine of the sword, my life as an Indian is finished. It is because I believe in a mission special to India, and it is because I believe that the ancients of India, after centuries of experience, have found out that the true thing for any human being on earth is not justice based on violence but justice based on sacrifice of self, justice based on *yagna* and *kurbani*—I cling to that doctrine and I shall cling to it for ever—it is for that reason I tell you that whilst my friend believes also in the doctrine of violence and has adopted the doctrine of non-violence as a weapon of the weak, I believe in the

doctrine of non-violence as a weapon of the strongest soldier for daring to die unarmed with his breast bare before the enemy. So much for the non-violent part of non-co-operation. I, therefore, venture to suggest to my learned countrymen that so long as the doctrine of non-co-operation remains non-violent so long there is nothing unconstitutional in the doctrine.

I ask further: Is it unconstitutional for me to say to the British Government: I refuse to serve you? Is it unconstitutional for our worthy chairman to return with every respect all the titles that he has ever held from the Government? Is it unconstitutional for any parent to withdraw his children from a Government or aided-school? Is it unconstitutional for a lawyer to say: I shall no longer support the arm of the law so long as that arm of law is used not to raise me but to debase me? Is it unconstitutional for a civil servant or for a judge to say: I refuse to serve a Government which does not wish to respect the wishes of the whole people? I ask: Is it unconstitutional for a policeman or for a soldier to tender his resignation when he knows that he is called to serve a Government which traduces its own countrymen? Is it unconstitutional for me to go to the *krishan* (to the agriculturist) and say to him: It is not wise for you to pay any taxes if these taxes are used by the Government not to raise you but to weaken you? I hold and I venture to submit that there

is nothing unconstitutional in it. What is more : I have done every one of these things in my life and nobody has questioned the constitutional character of it. I was in Kaira working in the midst of seven lakhs of agriculturists. They had all suspended the payment of taxes and the whole of India was at one with me. Nobody considered that it was unconstitutional. I submit that in the whole plan of non-co-operation there is nothing unconstitutional. But I do venture to suggest that it will be highly unconstitutional in the midst of this unconstitutional Government—in the midst of a nation which has built up its magnificent constitution for the people of India to become weak and to crawl on their belly—it will be highly unconstitutional for the people of India to pocket every insult that is offered to them ; it is highly unconstitutional for 70 millions of Mussulmans of India to submit to a violent wrong done to their religion : it is highly unconstitutional for the whole of India to sit still and co-operate with an unjust Government which has trodden under its feet the honour of the Punjab. I say to my countrymen : So long as you have a sense of honour and so long as you wish to remain the descendants and defenders of the noble traditions that have been handed to you for generations after generations, it is unconstitutional for you not to non-co-operate and unconstitutional for you to co-operate with a Government which has become so unjust as our Government has become. I am not anti-English ;

I am not anti-British ; I am not anti-any Government ; but I am anti-untruth—anti-humbbug and anti-injustice. So long as the Government spells injustice, it may regard me as its enemy, implacable enemy. I had hoped at the Congress at Amritsar—I am speaking God's truth before you—when I pleaded on bended knees before some of you for co-operation with the Government. I had full hope that the British ministers, who are wise as a rule, would placate the Mussulman sentiment, that they would do full justice in the matter of the Punjab atrocities, and, therefore, I said ; Let us return good-will to the hand of fellowship that has been extended to us which, I then believed, was extended to us through the Royal proclamation. It was on that account that I pleaded for co-operation. But to-day that faith having gone and obliterated by the acts of the British ministers, I am here to plead not for futile obstruction in the Legislative Council but for real substantial non-co-operation which would paralyse the mightiest Government on earth. That is what I stand for to-day. Until we have wrung justice and until we having wrung our self respect from unwilling hands and from unwilling pens, there can be no co-operation. Our *Shastras* say and I say so with greatest deference to all the greatest religious preceptors of India but without fear of contradiction that our *Shastras* teach us that there shall be no co-operation between injustice and justice, between an unjust man and a justice-loving man, between truth and untruth.

Co-operation is a duty only so long as Government protects your honour, and non-co-operation is an equal duty when the Government, instead of protecting, robs you of your honour. That is the doctrine of non-co-operation.

Non-co-operation and the Special Congress

I have been told that I should have waited for the declaration of the Special Congress which is the mouthpiece of the whole nation. I know that it is the mouthpiece of the whole nation. If it was for me, individual Gandhi, to wait, I would have waited for eternity. But I had in my hands a sacred trust. I was advising my Mussalman countrymen and for the time being I hold their honour in my hands. I dare not ask them to wait for any verdict of their own conscience. Do you suppose that Mussalmans can eat their own words, can withdraw from the honourable position they have taken up ? If perchance—and God forbid that it should happen—the Special Congress decides against them, I would still advise my countrymen, the Mussalmans, to stand single-handed and fight rather than yield to the attempted dishonour to their religion. It is therefore given to the Mussulmans to go to the Congress on bended knees and plead for support. But support or no support it was not possible for them to wait for the Congress to give them the lead. They had to choose between futile violence, drawing of the naked-sword and peaceful non-violent but effective non-co-operation and they have made their choice. I venture further to say to you that if

there is anybody of men who feel as I do, the sacred character of non-co-operation, it is for you and me not to wait for the Congress but to act and to make it impossible for the Congress to give any other verdict. After all what is the Congress! The Congress is the collected voice of individuals who form it, and if the individuals go to the Congress with a united voice, that will be the verdict you will gain from the Congress. But if we go to the Congress with no opinion because we have none or because we are afraid to express it, then naturally we await the verdict of the Congress. To those who are unable to make up their mind, I say, by all means wait. But for those who have seen the clear light as they see the lights in front of them, for them to wait is a sin. The Congress does not expect you to wait but it expects you to act so that the Congress can gauge properly the feeling. So much for the Congress.

Boycott of the Councils

Among the details of non-co-operation I have placed in the foremost rank the boycott of the councils. Friends have quarrelled with me for the use of the word boycott, because I have disapproved—as I disapprove even now—boycott of British goods or any goods for that matter. But there, boycott has its own meaning and here boycott has its own meaning. I not only do not disapprove but approve of the boycott of the councils that are going to be formed next year. And why do I do it? The people—the masses—

require from us, the leaders, a clear lead. They do not want any equivocation from us. The suggestion that we should seek election and then refuse to take the oath of allegiance would only make the nation distrust the leaders. It is not a clear lead to the nation. So I say to you, my countrymen, not to fall into this trap. We shall sell our country by adopting the method of seeking election and then not taking the oath of allegiance. We may find it difficult and I frankly confess to you that I have not that trust in so many Indians making that declaration and standing by it. To-day I suggest to those who honestly hold the view, viz., that we should seek election and then refuse to take the oath of allegiance—I suggest to them that they will fall into a trap which they are preparing for themselves and for the nation. That is my view. I hold that if we want to give the nation the clearest possible lead and if we want not to play with this great nation, we must make it clear to this nation that we cannot take any favours, no matter how great they may be, so long as those favours are accompanied by an injustice, a double wrong done to India not yet redressed. The first indispensable thing before we can receive any favours from them is, that they should redress this double wrong. There is a Greek proverb which used to say : “ Beware of the Greeks but especially beware of them when they bring gifts to you.” To-day from those Ministers who are bent upon perpetuating the wrong to Islam and to the Punjab, I say we cannot accept gifts but we should

be doubly careful lest we may not fall into the trap that they may have devised. I, therefore, suggest that we must not coquet with the councils and must not have anything whatsoever to do with them. I am told that if we, who represent the national sentiment, do not seek election, the Moderates who do not represent that sentiment will. I do not agree. I do not know what the Moderates represent and I do not know what the Nationalists represent. I know that there are good sheep and black sheep amongst the Moderates. I know that there are good sheep and black sheep amongst the Nationalists. I know that many Moderates hold honestly the view that it is a sin to resort to non-co-operation. I respectfully agree to differ from them. I do say to them also that they will fall into a trap which they will have devised if they seek election. But that does not affect my situation. If I feel in my heart of hearts that I ought not to go to the councils, I ought at least to abide by this decision and it does not matter if ninety-nine other countrymen seek election. That is the only way in which public work can be done and public opinion can be built. That is the only way in which reforms can be achieved and religion can be conserved. If it is a question of religious honour, whether I am one or among many, I must stand upon my doctrine. Even if I should die in the attempt it is worth dying for than that I should live and deny my own doctrine. I suggest that it will be wrong on the part of any one to seek election to these councils. If once we feel that

we cannot co-operate with this Government, we have to commence from the top. We are the natural leaders of the people and we have acquired the right and the power to go to the nation and speak to it with the voice of non-co-operation. I, therefore, do suggest that it is inconsistent with non-co-operation to seek election to the councils on any terms whatsoever.

Lawyers and Non-co-operation

I have suggested another difficult matter, *viz.*, that the lawyers should suspend their practice. How should I do otherwise knowing so well how the Government had always been able to retain this power through the instrumentality of lawyers? It is perfectly true that it is the lawyers of to-day who are leading us, who are fighting the country's battles, but when it comes to a matter of action against the Government, when it comes to a matter of paralysing the activity of the Government, I know that the Government always looks to the lawyers, however fine fighters they may have been, to preserve their dignity and their self-respect. I therefore, suggest to my lawyer friends that it is their duty to suspend their practice and to show to the Government that they will no longer retain their offices, because lawyers are considered to be honorary officers of the courts and, therefore, subject to their disciplinary jurisdiction. They must no longer retain these honorary offices if they want to withdraw co-operation from Government

But what will happen to law and order? We shall evolve law and order through the instrumentality of these very lawyers. We shall promote arbitration courts and dispense justice, pure, simple, home-made justice, *swadeshi* justice to our countrymen. That is what suspension of practice means.

Parents and Non-co-operation

I have suggested yet another difficulty—to withdraw our children from the Government schools and to ask collegiate students to withdraw from the college and to empty Government-aided schools. How could I do otherwise? I want to gauge the national sentiment. I want to know whether the Mussulmans feel deeply. If they feel deeply, they will understand in the twinkling of an eye that it is not right for them to receive schooling from a Government in which they have lost all faith: and which they do not trust at all. How can I, if I do not want to help this Government, receive any help from that Government, I think that the schools and colleges are factories for making clerks and Government servants. I would not help this great factory for manufacturing clerks and servants if I want to withdraw co-operation from that Government. Look at it from any point of view you like. It is not possible for you to send your children to the schools and still believe in the doctrine of non-co-operation.

The Duty of Title-holders

I have gone further. I have suggested that our title-holders should give up their titles. How can they hold on to the titles and honours bestowed by this Government? They were at one time badges of honours when we believed that national honour was safe in their hands. But now they are no longer badges of honour but badges of dishonour and disgrace when we really believe that we cannot get justice from this Government. Every title-holder holds his title and honours as trustee for the nation and in this first step in the withdrawal of co-operation from the Government, they should surrender their titles without a moment's consideration. I suggest to my Muhammadan countrymen that, if they fail in this primary duty they will certainly fail in non-co-operation unless the masses themselves reject the classes and take up non-co-operation in their own hands and are able to fight that battle, even as the men of the French Revolution were able to take the reins of Government in their own hands leaving aside the leaders and marched to the banner of victory. I want no revolution. I want ordered progress. I want no disordered order. I want no chaos. I want real order to be evolved out of this chaos which is misrepresented to me as order. If it is order established by a tyrant in order to get hold of the tyrannical reins of Government, I say that it is no order for me but it is disorder. I want to evolve justice out of

this justice. Therefore I suggest to you the passive non-co-operation. If we would only realise the secret of this peaceful and infallible doctrine, you will know and you find that you will not want to use even an angry word when they lift the sword at you and you will not want even lift your little finger, let alone a stick or a sword.

A Service to the Empire

You may consider that I have spoken these words in anger because I have considered the ways of this Government immoral, unjust, debasing and untruthful. I use these adjectives with the greatest deliberation. I have used them for my own true brother with whom I was engaged in a battle of non-co-operation for full thirteen years and although the ashes cover the remains of my brother, I tell you that I used to tell him that he was unjust when his plans were based upon immoral foundation. I used to tell him that he did not stand for truth. There was no anger in me. I told him this home truth because I loved him. In the same manner I tell the British people that I love them and that I want their association but I want that association on condition well-defined. I want my self-respect and I want my absolute equality with them. If I cannot gain that equality from the British people, I do not want that British connection, If I have to let the British people go and import temporary disorder and dislocation of national business,

I will rather favour that disorder and dislocation than that I should have injustice from the hands of a great nation such as the British nation. You will find that by the time the whole chapter is closed that the successors of Mr. Montagu will give me the credit for having rendered the most distinguished service that I have yet rendered to the Empire, in having offered this non-co-operation and in having suggested the boycott, not of his Royal Highness the Prince of Wales, but of boycott of a visit engineered by the Government in order to tighten its hold on the national neck. I will not allow it even if I stand alone, if I cannot persuade this nation not to welcome that visit, but will boycott that visit, with all the power at my command. It is for that reason I stand before you and implore you to offer this religious battle, but it is not a battle offered to you by a visionary or a saint. I deny being a visionary. I do not accept the claim of saintliness. I am of the earth, earthly, a common gardener, man as much as any one of you, probably much more than you are. I am prone to as many weaknesses as you are. But I have seen the world, I have lived in the world with my eyes open. I have gone through the most fiery ordeals that have fallen to the lot of man. I have gone through this discipline. I have understood the secret of my own sacred Hinduism, I have learnt the lesson that non-co-operation is the duty not merely of the saint but it is the duty

of every ordinary citizen, who not knowing much, not caring to know much, but wants to perform his ordinary household functions. The people of Europe teach even their masses the poor people, the doctrine of the sword. But the *Rishis* of India, those who have held the traditions of India, have preached to the masses of India the doctrine, not of the sword, not of violence but of suffering, of self-suffering. And unless you and I are prepared to go through this primary lesson, we are not ready even to offer the sword and that is the lesson, my brother Shaukat Ali has imbibed to teach and that is why he to-day accepts my advice tendered to him in all prayerfulness and in all humility and says ; "Long live non-co-operation." Please remember that even in England the little children were withdrawn from the schools, and colleges, Cambridge and Oxford were closed. Lawyers had left their desks and were fighting in the trenches. I do not present to you the trenches but I do ask you to go through the sacrifice that the men, women and the brave lads of England went through. Remember that you are offering battle to a nation which is saturated with spirit of sacrifice whenever the occasion arises. Remember that the little band of Boers offered stubborn resistance to a mighty nation. But their lawyers had left their desks. Their mothers had withdrawn their children from the schools and colleges [and the children had become the volunteers

of the nation. I have seen them with these naked-eyes of mine. I am asking my countrymen in India to follow no other gospel than the gospel of self-sacrifice which precedes every battle. Whether you belong to the school of violence or non-violence, you will still have to go through the fire of sacrifice and of discipline. May God grant you, may God grant our leaders the wisdom, the courage and the true knowledge to lead the nation to its cherished goal ! May God grant the people of India the right path, the true vision and the ability and the courage to follow this path, difficult and yet easy, of sacrifice !

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(II)

*Resolution : " In view of the fact that on the Khilafat question both the Indian and Imperial Governments have signally failed in their duty towards the Mussulmans of India, and the Prime Minister has deliberately broken is pledged word given to them and that it is the duty of every non-Moslem Indian in every legitimate manner to assist his Mussulman brother in this attempt to remove the religious calamity that has overtaken him :

And in view of the fact that in the matter of the events of April 1919, both the said Governments have grossly neglected or failed to protect the innocent people of the Punjab and punish officers guilty of unsoldierly and barbarous behaviour towards them and

Speech at the Special Congress at Calcutta, while proposing the Non-co-operation Resolution.

have exonerated Sir Michael O'Dwyer who proved himself directly or indirectly responsible for most of the official crimes and callous to the sufferings of the people placed under his administration, and that the debate in the House of Lords betrayed a woeful lack of sympathy with the people of India and showed virtual support of the systematic terrorism and frightfulness adopted in the Punjab and that the latest Viceregal pronouncement is proof of entire absence of repentance in the matters of Khilafat and the Punjab :

This Congress is of opinion that there can be no contentment in India without redress of the two aforementioned wrongs and that the only effectual means to vindicate national honour and to prevent a repetition of similar wrongs in future is the establishment of *Swarajya*. The Congress is further of opinion that there is no course left open for the people of India but to approve of and adopt the policy of progressive non-violent non-co-operation until the said wrongs are righted and *Swarajya* is established.

And inasmuch as a beginning should be made by the classes who have hitherto moulded and represented opinion and inasmuch as Government consolidates its power through titles and honours bestowed on the people, through schools controlled by it, its law courts and its legislative councils, and inasmuch as it is desirable in the prosecution of the movement to take the minimum risk and to call for the least sacrifice compatible with the attainment of the desired object, the Congress earnestly advises :

(a) Surrender of titles and honorary offices and resignation from nominated seats in local bodies ;

(b) refusal to attend Government Levees, Durbars and other official and semi-official functions held by Government officials or in their honour ;

(c) gradual withdrawal of children from schools and colleges owned, aided or controlled by Government and in place of such schools and colleges establishment of national schools and colleges in the various provinces ;

(d) gradual boycott of British courts by lawyers and litigants and establishment of private arbitration courts by their aid for the settlement of private disputes ;

(e) refusal on the part of the military, clerical and labouring classes to offer themselves as recruits for service in Mesopotamia ;

(f) withdrawal by candidates of their candidature for election to the Reformed Councils and refusal on the part of the voters to vote for any candidate who may, despite the Congress advice, offer himself for election ;

(g) The boycott of foreign goods ;

(h) And inasmuch as non-operation has been conceived as a measure of discipline and self-sacrifice without which no nation can make real progress and inasmuch as an opportunity should be given in the very first stage of non-co-operation to every man, woman and child for such discipline and self-sacrifice, this Congress advises adoption of *Swadeshi* in piece-goods on a vast scale, and inasmuch as existing mills of India with indigenous capital and control do not

manufacture sufficient yarn and sufficient cloth for the requirements of the nation and are not likely to do so for a long time to come, this Congress advises immediate stimulation of further manufacture on a large scale by means of reviving hand-spinning in every home and hand-weaving on the part of the millions of weavers who have abandoned their ancient and honourable calling for want of encouragement."

In moving this resolution, Mahatamaji said :

I am aware, more than aware, of the grave responsibility that rests on my shoulders in being privileged to move this resolution before this great assembly. I am aware that my difficulties, as also yours, increase if you are able to adopt this resolution. I am also aware that the adoption of any resolution will mark a definite change in the policy which the country has hitherto adopted for the vindication of the rights that belong to it and its honour. I am aware that a large number of our leaders who have given the time and attention to the affairs of my Motherland which I have not been able to give, are ranged against me. They think it a duty to resist the policy of revolutionizing the Government policy at any cost. Knowing this I stand before you in fear of God and a sense of duty to put this before you for your hearty acceptance.

I ask you to dismiss me, for the time being, from your consideration. I have been charged of saintliness and a desire for dictatorship. I venture to say

that I do not stand before you other as a saint or a candidate for dictatorship. I stand before you to present to you the results of my many years' practical experience in non-co-operation. I deny the charge that it is a new thing in the country. It has been accepted at hundreds of meetings attended by thousands of men and has been placed in working order since the 1st of August by the Mussulmans, and many of the things in the programme are being enforced in a more or less intense form. I ask you again to dismiss personalities in the consideration of this important question and bring to bear patient and calm judgment on it. But a mere acceptance of the resolution does not end the work. Every individual has to enforce the items of the resolution in so far as they apply to him. I beseech you to give me a patient hearing. I ask you neither to clap nor to hiss.....You will not hiss out of the stage any single speaker. For non-co-operation is a measure of discipline and sacrifice and it demands patience and respect for opposite views. And unless we were able to evolve a spirit of natural toleration for diametrically opposite views, non-co-operation is an impossibility. Non-co-operation in an angry atmosphere is an impossibility. I have learnt through bitter experience the one supreme lesson to conserve my anger, and as heat conserved is transmuted into energy, even so our anger controlled can be transmuted into a power which can move the world. To those who have been attending the Congress as

brothers in arms, I ask what can be better discipline than that which we should exercise between ourselves ?

I have been told that I have been doing nothing but wreckage and that by bringing forward the resolution, I am breaking up the political life of the country. The Congress is not a party organisation. It ought to provide a platform for all shades of opinions, and a minority need not leave this organisation but may look forward to translate itself into a majority in course of time if its opinion commended itself to the country. Only let no man in the name of the Congress advocate a policy which has been condemned by the Congress. And if you condemn my policy, I shall not go away from the Congress but shall lead with them to convert the minority into a majority.

There are no two opinions as to the wrong done to the Khilafat. Mussulmans cannot remain as honourable men and follow their Prophet if they do not vindicate their honour at any cost. The Punjab has been cruelly, brutally treated and inasmuch as one man in the Punjab was made to crawl on his belly, the whole of India crawled on her belly, and if we are worthy sons and daughters of India, we should be pledged to remove these wrongs. It is in order to remove these wrongs that the country is agitating itself. But we have not been able to bend the Government to our will. We cannot rest satisfied with a mere

expression of angry feeling. You could not have heard a more passionate denunciation of the Punjab wrongs than in the pages of the Presidential address. If the Congress cannot wring justice from unwilling hands, how can it vindicate its existence and its honour? How can it do so if it cannot enforce clear repentance before receiving a single gift, however rich, from those blood-stained hands?

I have, therefore, placed before you my scheme of non-co-operation to achieve this end and want you to reject any other scheme unless you have deliberately come to the conclusion that it is a better scheme than mine. If there is a sufficient response to my scheme. I make hold to reiterate my statement that you can gain *Swarajya* in the course of a year. Not the passing of the resolution will bring *Swarajya* but the enforcement of the resolution from day to day in a progressive manner due regard being had to the conditions in the country. There is another remedy before the county and that is drawing of the sword. If that was possible India would not have listened to me gospel of non-co-operation. I want to suggest to you that even if you want to arrest injustice by methods of violence, discipline and self-sacrifice are necessary. I have not known of a war gained by a rabble, but I have known of war gained by disciplined armies and if you want to give battle to the British Government and to the combined power of Europe, we must train ourselves in discipline and

self-sacrifice. I confess I have become impatient. I have seen that we deserve *Swarajya* to-day, but we have not got the spirit of national sacrifice. We have evolved this spirit in domestic affairs and I have come to ask you to extend it to other affairs. I have been travelling from one end to the other end of the country to see whether the country has evolved the national spirit, whether at the altar of the nation it is ready to dedicate its riches, children, its all if it is ready to make the initiatory sacrifice. Is the country ready? Are the title-holders ready to surrender their titles? Are parents ready to sacrifice the literary education of their children for the sake of the country? The school and colleges are really a factory for turning out clerks for Government. If title-holders are not ready, *Swarajya* is very nearly an impossibility. Immediately the conquered country realized instinctively that any gift which might come to it is not for the benefit of the conquered but for the benefit of the conqueror, that moment it should reject every form of voluntary assistance to it. These are the fundamental essentials of success in the struggle for the independence for the country whether within the Empire or without the Empire. I hold a real substantial unity between Hindus and Mussulmans infinitely superior to the British connection, and if I had to make a choice between that unity and the British connection, I would have the first and reject the other. If I had to choose between the

honour of the Punjab, anarchy, neglect of education, shutting out of all legislative activity, and British connection. I would choose the honour of the Punjab and all it meant, even anarchy, shutting out of all schools etc., without the slightest hesitation.

If you have the same feeling burning in you as in me for the honour of Islam and the Punjab, then you will unreservedly accept my resolution.

I now come to the burning topic, viz., the boycott of the councils. Sharpest differences of opinion existed regarding this and if the house to divide on it, it must divide on one issue, viz., whether *Swarajya* has to be gained through the councils or without the councils. If we utterly distrust the British Government and we know that they are utterly unrepentant, how can you believe that the councils will lead to *Swarajya* and not tighten the British hold on India ?

I now come to *Swadeshi*. The boycott of foreign goods is included in the resolution, You have got here, I confess, an anomaly for which I am not originally responsible. But I have consented to it. I will not go into the history of how it found a place into the resolution of which the essence is discipline and self-sacrifice. *Swadeshi* means permanent boycott of foreign goods. It is therefore a matter of redundancy. But I have taken it in, because I could not reject it as a matter of conscience. I know, however, it is a physical impossibility. So long as we have to rely on the pins and needles—figurative and literal both—we cannot bring about a complete boycott of foreign

goods. I do not hesitate to say that this clause mars the musical harmony, if I may claim it without vanity, of the programme, I feel that these words do mean the symmetry of the programme. But I am not here for the symmetry of the programme as for its workability.

I again ask you not to be influenced by personality. Reject out of your consideration any service that I have done. Two things only I claim: Laborious industry, great thought, behind my programme, and unflinching determination to bring it about. You may take only those things from me and bring them to bear on any programme that you adopt.

APPENDIX II.

Non-co-operation confirmed

The Nagpur Resolution

“ Whereas in the opinion of the Congress, the existing Government of India has forfeited the confidence of the country ;

Whereas the people of India are now determined to establish Swaraj ; and

Whereas all methods adopted by the people of India prior to the last Special Session of the Indian National Congress have failed to secure due recognition of their rights and the redress of their many and grievous wrongs, more specially in reference to the Khilafat and the Punjab ;

Now this Congress, while reaffirming the resolution on Non-violent Non-co-operation passed at the special session of the Congress at Calcutta declares the entire or any part or parts of scheme of the Non-violent Non-co-operation, with the renunciation of voluntary association with the present Government at one end and the refusal to pay taxes at the other, should be put in force at a time to be determined by either the Indian National Congress or the All India Congress Committee and that in the meanwhile

to prepare the country for it, effective steps should continue to be taken in that behalf :—

- (a) by calling upon the parents and guardians of school children (and not the children themselves) under the age of 16 years to make greater efforts for the purpose of withdrawing them from such schools as are owned, aided or in any way controlled by Government and concurrently to provide for their training in national schools or by such other means as may be within their power in the absence of such schools ;
- (b) by calling upon students of the age of 19 and over to withdraw without delay, irrespective of consequences, from institutions owned, aided or in any way controlled by Government, if they feel that it is against their conscience to continue in institutions which are dominated by a system of government which the nation has solemnly resolved to bring to an end, and advising such students either to devote themselves to some special service in connection with the non-cooperation movement or to continue their education in national institutions ;
- (c) by calling upon trustees, managers and teachers of Government affiliated or aided schools and municipalities and local boards to help to nationalise them ;

- (d) by calling upon lawyers to make greater efforts to suspend their practice and to devote their attention to national service including boycott of law courts by litigants and fellow lawyers and the settlement of disputes by private arbitration ;
- (e) in order to make India economically independent and self-contained, by calling upon merchants and traders to carry out a gradual boycott of foreign trade relations ; to encourage handspinning and hand weaving, and in that behalf, by having a scheme of economic boycott planned and formulated by a committee of experts to be nominated by the All-India Congress Committee ;
- (f) and inasmuch as self-sacrifice is essential to the success of Non-co-operation by calling upon every section and every man and woman in the country to make the utmost possible contribution of self-sacrifice to the national movement ;
- (g) by organising Committees in each village or group of villages with a provincial central organisation the principal cities of each province for the purpose of accelerating the progress of Non-co-operation ;
- (h) by organising a band of national workers for a service to be called the Indian National

Service ; and

- (i) by taking effective steps to raise a national fund to be called All-India Tilak Memorial Swarajya Fund for the purpose of financing the foregoing National Service and the Non-co-operation movement in general.

The Congress congratulates the nation upon progress made so far in working the programme of Non-co-operation, specially with regard to the boycott of councils by the voters and claims, in the circumstances in which they have been brought into existence, that the new councils do not represent the country, and trusts that those who have allowed themselves to be elected in spite of the deliberate abstention from polls of an overwhelming majority of their constituents, will see their way to resign their seats in the councils, and that if they retain their seats in spite of the declared will of of their respective constituencies in direct negation the principle of democracy, the electors will studiously refrain from asking for any political service from such councillors.

This Congress recognises the growing friendliness between the police and the Soldiery and the people, and hopes that the former will refuse to subordinate their creed and country to the fulfilment of orders of their officers, and, by courteous and considerate behaviour towards the people, will remove the reproach hitherto levelled against them that they

are devoid of any regard for the feelings and sentiments of their own people.

And This Congress appeals to all people in Government employment, pending the call of nation for resignation of their service, to help the national cause by importing greater kindness and stricter honesty in their dealings with their people and fearlessly and openly to attend all popular gatherings whilst refraining from taking any active part therein, and more specially by openly rendering financial assistance to the national movement.

Non-violence. This Congress desires to lay special emphasis on Non-violence being the integral part of the non-co-operation resolution and invites the attention of the people to the fact that Non-violence in word and deed is as essential between people themselves, as in respect of the Government, and this Congress is of opinion that the spirit of violence is not only contrary to the growth of a true spirit of democracy but actually retards the enforcement (if necessary) of the other stages of Non-co-operation.

Finally in order that the Khilafat and the Punjab wrongs may be redressed and Swarajya established within one year, this Congress urges upon all public bodies, whether affiliated to the Congress or otherwise, to devote their exclusive attention to the promotion of Non-violence and Non-co-operation with the Government and inasmuch as the movement of Non-

co-operation can only succeed by complete co-operation amongst the people themselves, this Congress calls upon the leading Hindus to settle all disputes between Brahmans and Non-Brahmans, wherever they may be existing, and to make a special effort to rid Hinduism of the reproach of untouchability and respectfully urges the religious heads to help the growing desire to reform Hinduism in the matter of its treatment of the suppressed classes."

APENDIX III

Gandhiji's Dictator

The Ahmedabad Resolution

“ Whereas since the holding of the last National Congress, the people of India have found, from actual experience, that by reason of the adoption of non violent non-co-operation, the country has made great dvanice in fearlessness, self-sacrifice and self-respect, and whereas, the country on the whole is rapidly progressing towards Swaraj this Congress confirms the resolution adopted at the special session of the Congress at Calcutta and reaffirmed at Nagpur and places on record the fixed determination of the Congress to continue the programme of non-violent non-corporation with greater vigour than hitherto in such manner as each province may determine till the Punjab and the Khilafat wrongs are redressed and Swaraj is established and the control of the Government of India passes into the hands of the people from that of an irresponsible corporation.

And whereas, by reason of the threat uttered by His Excellency the Viceroy in his recent speeches and the consequent repression started by the Government

India in the various provinces by way of disbandment of Volunteer Corps and forcible prohibition of public and even committee meetings in an illegal and high-handed manner and by the arrest of many Congress workers in several provinces, and whereas this repression is manifestly intended to stifle all Congress and Khilafat activities and deprive the public of their assistance, this Congress resolves that all activities of the Congress be suspended as far as necessary and appeals to all, quietly and without any demonstration to offer themselves for arrest by belonging to the Volunteer organisations to be formed throughout the country in terms of the resolution of the Working Committee arrived at in Bombay on the 23rd day of November last, provided that no one shall be accepted as volunteer who does not sign the following pledge :—

With God as witness I solemnly declare that

- (1) I wish to be a member of the National Volunteer Corps.
- (2) So long as I remain a member of the Corps I shall remain non-violent in word and deed and shall earnestly endeavour to be non-violent in intent since I believe that as India is circumstanced, non-violence alone can help the Khilafat and the Punjab and result in the attainment of Swaraj and consolidation of unity among all the races and communities of India whether Hindu, Musلمان. Sikh, Parsi. Christian or Jew.
- (3) I believe in and shall endeavour always to

promote such unity.

- (4) I believe in Swadeshi as essential for India's economic, political and moral salvation and shall use handspun and handwoven Khaddar to the exclusion of every cloth.
- (5) As a Hindu I believe in the justice and necessity of removing untouchability and shall on all possible occasion seek personal contact with and endeavour to render service to the submerged classes.
- (6) I shall carry out the instructions of my superior officers, and all the regulations not inconsistent with the spirit of this pledge prescribed by the Volunteer Board or the Working Committee or any other agency established by the Congress.
- (7) I am prepared to suffer imprisonment, assault, or even death for the sake of my religion and my country without resentment.
- (8) In the event of my imprisonment I shall not claim from the Congress any support for my family or dependents.

This Congress trusts that every person of the age of 18 and over will immediately join the volunteer organisations.

Notwithstanding the proclamations prohibiting public meetings, this Congress advises the holding of committee meetings, and of public meetings, the latter in enclosed places and by tickets and by previous announcements at which as far as possible only speakers previously announced shall deliver written speeches,

care being taken in every case to avoid risk of provocation and possible violence by the public in consequence.

This Congress is further of opinion that civil disobedience is the only civilized and effective substitute for an armed rebellion whenever every other remedy for preventing arbitrary, tyrannical and emasculating use of authority by individuals or corporations has been tried and therefore advises all Congress workers and others, who believe in peaceful methods and are convinced that there is no remedy save some kind of sacrifice to dislodge the existing Government from its position of perfect irresponsibility to the people of India to organise individual civil disobedience when the mass of people have been sufficiently trained in the methods of non-violence and otherwise in terms of the resolution thereon of the last meeting of the All India Congress Committee held at Delhi,

This Congress is of opinion that, in order to concentrate attention upon civil disobedience whether mass or individual, whether of an offensive or defensive character, under proper safeguards and under instructions to be issued from time to time by the Working Committee or the Provincial Congress Committee concerned, all other Congress activities should be suspended whenever and whatever and to the extent to which it may be found necessary.

This Congress calls upon all students of the age of

18 and over, particularly those studying in the national institutions and the staff thereof, immediately to sign the foregoing and pledge become members of National Volunteer Corps.

In view of the impending arrests of a large number of Congress workers this Congress whilst requiring the ordinary machinery to remain intact and to be utilised in the ordinary manner whenever feasible, hereby appoints until further instructions Mahatama Gandhi as the sole executive authority of the Congress and invests him with the full power to convene a special session of the Congress or of the All India Congress Committee or the Working Committee, such powers to be exercised between any two sessions of the All India Congress Committee and also with the power to appoint a successor in emergency.

This Congress hereby confers upon the said successor and all subsequent successors appointed in turn by their predecessors his aforesaid powers.

Provided that nothing in this resolution shall be deemed to authorise Mahatama Gandhi or any of the aforesaid successor to conclude any terms of peace with the Government of India or the British Government without the previous sanction of the All India Congress Committee to be finally ratified by the Congress specially convened for the purpose, and provided also that the present creed of the Congress shall in no case be altered by Mahatama Gandhi or his successors except with leave of the Congress first obtained. "