

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 violance 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

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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 Mussalman. I would still call the Government oppressive and demand its replacement.*

I frankly confess that this original conception of Islamic sovereignty could be ununiformly 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 monarchial 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 triumphantly 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 Prophe 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 Mislms. 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". بال نكالدينگے

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 unconcious simply because they refused to salute the Union-Jacks; it does not resist from trampling over the Islamic Caliphate even after pettitions of thirty core people; it considers no sin in breaking all it 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 governments 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 ever 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 beginning 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. Violence 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.