



# Young India

1919-1931  
In thirteen volumes

Vol. IV 1922

Editor  
M. K. GANDHI

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# Young India

A Weekly Journal

Edited by Shvaib Qureshi

Vol. IV

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No. 12

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## Mrs. Gandhi's Message

My dear Countrymen and Countrywomen,

My dear husband has been sentenced to-day to six years simple imprisonment. While I cannot deny that this heavy sentence has to some extent told upon me, I have consoled myself with the thought that it is not beyond our powers to reduce that sentence and release him by our own exertions, long before his term of imprisonment is over.

I have no doubt that if India wakes up and seriously undertakes to carry out the constructive programme of the Congress, we shall succeed not only in releasing him but also in solving to our satisfaction all the three issues for which we have been fighting and suffering for the last eighteen months or more.

The remedy, therefore, lies with us. If we fail, the fault will be ours. I, therefore, appeal to all men and women who feel for me and have regard for my husband to wholeheartedly concentrate on the constructive programme and make it a success.

Among all the items of the programme, he laid the greatest emphasis on the spinning wheel and *khaddar*. Our success in these will not only solve the economic problem of India in relation to the masses, but also free us from our political bondage. India's first answer, then, to Mr. Gandhi's conviction should be that:—

(a) All men and women give up their foreign cloth and adopt *khaddar* and persuade others to do so.

(b) All women make it a religious duty to spin and produce yarn every day and persuade others to do so.

(c) All merchants cease trading in foreign piece-goods.

Kasturba Gandhi

## The Great Trial

At the Circuit House at Shahi Bag, the trial of Mr. Gandhi and Mr. Banker commenced on Saturday noon.

Sir J. T. Strangman with Rao Bahadur Girdharlal conducted the prosecution, while the accused were undefended. The Judge took his seat at 12 noon and said there was a slight mistake in the charges framed, which he corrected. The charges were then read out by the Registrar, the offence being in three articles published in the *Young India* of September 29, Dec. 15, of 1921 and February 23, 1922. The offending articles were then read out; first of them was, "Tampering with Loyalty;" the second, "The Puzzle and Its Solution" and the last was "Shaking the Manes."

The Judge said the law required that the charge should not only be read out, but explained. In this case, it would not be necessary for him to say much by way of explanation. The charge in each case was that of bringing or attempting to bring into hatred or contempt or exciting or attempting to excite disaffection towards His Majesty's Government established by law in British India. Both the accused were charged with the three offences under section 124 A, contained in the articles read out written by Mr. Gandhi and printed by Mr. Banker. The words 'hatred and contempt' were words the meaning of which was sufficiently obvious. The word 'disaffection' was defined under the section, where they were told that disaffection included disloyalty and feelings of enmity and the word used in the section had also been interpreted by the High Court of Bombay in a reported case as meaning political alienation or discontent, a spirit of disloyalty to Government or existing authority. The charges having been read out, the Judge called upon the accused to plead to the charges. He asked Mr. Gandhi whether he pleaded guilty or claimed to be tried.

Mr. Gandhi: I plead guilty to all the charges. I observe that the King's name has been omitted from the charges and it has been properly omitted.

The Judge. Mr. Banker, do you plead guilty, or do you claim to be tried.

Mr. Banker: I plead guilty.

Sir J. Strangman then wanted the Judge to proceed with the trial fully; but the Judge said he did not agree with what had been said by the Counsel. The Judge said that from the time he knew he was going to try the case, he had thought over the question of sentence and he was prepared to hear anything that the Counsel might have to say, or Mr. Gandhi wished to say, on the sentence. He honestly did not believe that the mere recording of evidence in the trial which Counsel had called for would make no difference to them, one way or the other. He, therefore, proposed to accept the plea.

Mr. Gandhi smiled at this decision.

The Judge said nothing further remained but to pass sentence and before doing so, he liked to hear Sir J. T. Strangman. He was entitled to have his general remarks on the charges against the accused read on their pleas.

Sir J. T. Strangman:—It will be difficult to do so. I ask the Court that the whole matter may be properly considered. If I stated what has happened before the Committing Magistrate, then I can show that there are many things which are material to the question of the sentence.

The first point, he said, he wanted to make out, was that the matter which formed the subject of the present charges formed a part of the campaign to spread disaffection openly and systematically to render Government impossible and to overthrow it. The earliest article that was put in from *Young India* was dated 25th May 1921 which said that it was the duty of a non-cooperator to create disaffection towards the Government. The counsel then read out portions of articles written by Mr. Gandhi in the *Young India*.

Court said nevertheless it seemed to it that the court could accept plea on the materials of which the sentence had to be based.

Sir J. Strangman said the question of sentence was entirely for the Court to decide. The Court was always entitled to deal in a more general manner in regard to the question of the sentence than the particular matter resulting in the conviction. He asked leave to refer to articles before the court and what result might have been produced, if the trial had proceeded in order to ascertain what the facts were. He was not going into any matter which involved dispute.

The Judge said there was not the least objection. Sir J. Strangman said he wanted to show that these articles were not isolated. They formed part of an organised campaign, but so far as *Young India* was concerned, they would show that from the year 1921. The Counsel then read out extracts from the paper, dated June 8, on the duty of a non-cooperator, which was to preach disaffection towards the existing government and preparing the country for civil disobedience. Then in the same number there was an article on disobedience. Then in the same number there was an article on Disaffection—a virtue or something to that effect. Then there was an article on the 25th of July 1921, in which it was stated that "we have to destroy the system". Again, on September 30, 1921, there was an article headed, "Punjab Prosecutions" where it was stated that a non-cooperator worth his name should preach disaffection. That was all so far as *Young India* was concerned. They were earlier in date than the article, "Tampering with Loyalty" and it was referred to the Governor of Bombay. Continuing, he said the accused was a man of high educational qualifications and evidently from his writings a recognised leader. The harm that was likely to be caused was considerable. They were the writings of an educated man, and not the writings of an obscure man and the Court must consider to what the results of a campaign of the nature disclosed in the writings must inevitably lead. They had examples before them in the last few months. He referred to the occurrences in Bombay last November and Chauri-Chaura, leading to murder and destruction of property, involving many people in misery and misfortune. It was true that in the course of those articles they would find Non-violence was insisted upon as an item of the campaign and as an item of the creed. But what was the use of preaching Non-violence when he preached disaffection towards Government or openly instigated others to overthrow

it? The answer to that question appeared to him to come from Chauri-Chaura, Madras and Bombay. These were circumstances which he asked the court to take into account in sentencing the accused and it would be for the Court to consider those circumstances which involve sentences of severity.

As regards the second accused, his offence was lesser. He did the publication and he did not write. His offence nevertheless was a serious one. His instructions were that he was a man of means and he asked the Court to impose a substantial fine in addition to such term of imprisonment as might be inflicted upon him. He quoted Section 10 of the Press Act as bearing on the question of fine. When making a fresh declaration, he said a deposit of Rs. 1000 to Rs. 10,000 was asked in many cases.

Court: Mr. Gandhi, do you wish to make a statement on question of sentence?

Mr. Gandhi: I would like to make a statement.

Court: Could you give me the writing to put it on record?

Mr. Gandhi: I shall give it as soon as I finish it reading.

Before reading his written statement, Mr. Gandhi spoke a few words as introductory remarks to the whole statement. He said:—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 rests upon my shoulders, and I wish to endorse all the blame that the learned Advocate General has thrown on my shoulders in connection with the Bombay occurrences, Madras occurrences and the Chauri Chaura occurrences. Thinking over these deeply and sleeping over them night after night, 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 have known the consequences of every one of my acts. 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 have felt it this morning that I would have failed in my duty, if I did not say what I said here just now.

I wanted to avoid violence. I want to avoid violence. Non-violence is the first article of my faith. It is also the last article of my creed. But I had to make my choice. I had either to submit to a system which I considered had 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 write and cheerfully 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, the 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. The statement was then read out,

#### 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 an Indian I had no rights. More correctly I discovered that I had no rights as a man because I was an Indian.

But I was not baffled. I thought that this treatment of Indians was an excrescence upon a system that was intrinsically and mainly good. I gave the Government my voluntary and hearty co-operation, criticising it freely 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 1906 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 1918 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 the 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 Bag and culminating in crawling orders, public floggings and other indescribable humiliations. I discovered too that the plighted word of the Prime Minister to the Mussulmans of India regarding the integrity of Turkey and the holy places of Islam was not likely to be fulfilled. But in spite of the forebodings 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 Mussulmans, 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 white-washed 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. This cottage industry, so vital for India's existence, has been ruined by incredibly heartless and inhuman processes as described by English witnesses. Little do town-dwellers know how the semi-starved masses of India 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 that 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 unbiased examination of the Punjab Martial Law cases has 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 the love of their country. In ninety-nine cases out of hundred justice has been denied to Indians as against Europeans in the Courts of India. This is not an exaggerated picture. It is the experience of almost every Indian who has had anything to do with such cases. In my opinion 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 Englishmen 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 a subtle but effective 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 habit 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 system 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 are 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 that section. 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 a virtue to be disaffected towards a Government which in its totality has done more harm to India than any previous system. India is less meanly 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-door. 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 a deliberate crime and what appears to me to be the highest duty of a citizen. The only course open to you, the Judge, is either to resign your post and thus dissociate yourself 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."

Mr. Banker: I only want to say that I had the privilege of printing these articles and I plead guilty to the charge. I have got nothing to say as regards the sentence.

The following is the full text of the judgment:—

Mr. Gandhi, you have made my task easy in one way by pleading guilty to the charge. Nevertheless what remains, namely the determination of a just sentence, is perhaps as difficult a proposition as a judge in this country could have to face. The law is no respecter of persons. Nevertheless: it will be impossible to ignore the fact that you are in a different category from any person I have ever tried or am likely to have to try. It would be impossible to ignore the fact that in the eyes of millions of your countrymen, you are a great patriot and a great leader. Even those who differ from you in politics look upon you as a man of high ideals

and of noble and of even saintly life. I have to deal with you in one character only. It is not my duty and I do not presume to judge or criticise you in any other character. It is my duty to judge you as a man subject to the law, who by his own admission has broken the law and committed what to an ordinary man must appear to be grave offence against the State. I do not forget that you have consistently preached against violence and that you have on many occasions, as I am willing to believe, done much to prevent violence. But having regard to the nature of your political teaching and the nature of many of those to whom it was addressed, how you could have continued to believe that violence would not be the inevitable consequence, it passes my capacity to understand.

There are probably few people in India, who do not sincerely regret that you should have made it impossible for any government to leave you at liberty. But it is so. I am trying to balance what is due to you against what appears to me to be necessary in the interest of the public, and I propose in passing sentence to follow the precedent of a case in many respects similar to this case that was decided some twelve years ago, I mean the case against Bal Gangadhar Tilak under the same section. The sentence that was passed upon him as it finally stood was a sentence of simple imprisonment for six years. You will not consider it unreasonable, I think, that you should be classed with Mr. Tilak, i.e. a sentence of two years simple imprisonment on each count of the charge; six years in all, which I feel it my duty to pass upon you and I should like to say in doing so that if the course of events in India should make it possible for the Government to reduce the period and release you, no one will be better pleased than I.

The Judge to Mr. Banker:— I assume you have been to a large extent under the influence of your chief. The sentence that I propose to pass upon you is simple imprisonment for six months on each of the first two counts, that is to say, simple imprisonment for one year and a fine of a thousand rupees on the third count, with six months simple imprisonment in default.

Mr. Gandhi said: I would say one word. Since you have done me the honour of recalling the trial of the late Lokmanya Bal Gangadhar Tilak, I just want to say that I consider it to be the proudest privilege and honour to be associated with his name. So far as the sentence itself is concerned, I certainly consider that it is as light as any judge would inflict on me, and so far as the whole proceedings are concerned I must say that I could not have expected greater courtesy.

Then the friends of Mr. Gandhi crowded round him as the Judge left the court and fell at his feet. There was much sobbing on the part of both men and women. But all the while Mr. Gandhi was smiling and cool and giving encouragement to everybody who came to him. Mr. Banker also was smiling and taking this in a light-hearted way. After all his friends had taken leave of him, Mr. Gandhi was taken out of the court to the Sabarnati Jail. And thus the great trial finished.

## Young India

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# Young India

23-3-22

## Weighed and Found Wanting

The trial which took place on the 18th instant before the Sessions Judge of Ahmedabad is the most memorable trial that the world has witnessed, since the days of the great prophet of Palestine. It was not the prisoner at the bar who was on his trial. It was the system of Government represented by the learned Judge, which was on its trial; and the sentence passed against the accused was really the sentence passed against that system. It may take some time for the sentence to be executed, but the decree of Heaven has gone forth and is unalterable. The ways of Heaven are slow but they are sure. Mills of God grind slow but grind very fine indeed. More than 19 centuries ago, another empire had similarly tried to deprive God's children of their birth-rights and trample under foot their liberties. Caesar was to rule supreme over the world. Who was God to claim a share in that rule, and who were the people of the world to talk of their rights and liberties to the mighty Roman Empire and question its divine right to rule? It crucified the messenger of God who had the temerity to talk of the brotherhood of man and preach "Blessed are the meek for they will inherit the Kingdom of God." It threw its followers to hungry lions to be torn to pieces to celebrate Roman festivals and thought that it had crushed the movement. What has been the result? The mighty Roman Empire has gone to wreck and ruin, but the voice, of the martyr prophet comes ringing down the centuries, clear and distinct even though many of his so-called followers listen it not. The countries Rome sought to subjugate have won back their liberties. That is how God administers justice.

To-day another 'Empire' built on organised force, maintained by sheer hard fibre and engaged in the exploitation of the weak and the helpless, questions the right of one fifth of the entire population of the world to manage its own affairs, refers to the government created by itself for the administration of the country inhabited by 300 million human beings possessing the oldest culture in the world as a "Subordinate Imperial Department," interferes with the religious liberty of people, commits the brutal atrocities of the Punjab, shamelessly breaks its pledged words and when the poor oppressed people try to defend their rights, even though it be by Non-violent Non-co-operation which is essentially an appeal to human conscience, it throws their saintly leader into prison. Can this 'Empire' escape divine punishment? The judgment was given on the 18th instant "weighed and found wanting". But there are some who have ears but hear not, have eyes but see not. Such do not see the writing on the wall.

Nevertheless, the writing is there and it is a sin to help the Government, whose wickedness and bad faith are established, who has shown itself impervious to any human consideration and is bent upon trampling under foot the liberties of 300 million human beings. It is a duty that we owe to ourselves, a duty that we owe to the *English nation*, a duty that we owe to humanity and a duty that we owe to God to

mend or end this Government. Every good Indian and every good Englishman must consider it his sacred duty to destroy this Government's power to do mischief and keep in bondage millions of human beings, whether in India or outside. And with this end in view, he must refuse to serve it, whether in military or civil capacity. He who supports wickedness is guilty of wickedness himself.

What is our immediate duty? First and foremost, to stand firm by our demands and observe strict Non-violence. Secondly, refuse to be tempted into a premature offensive. If we start civil disobedience while we have not recognised our forces, we will only be playing into the hands of our enemy. It will be disastrous. He is an incompetent general indeed, who succumbs to the provocations of his enemy and launches a premature offensive. Let us consolidate our position and reorganise our forces; weed out from amidst our ranks all those who do not fully believe in Non-violence in word, deed and intent, even as a policy. Let us signalise the conviction of our leader by enlisting one crore members of the National Congress. It will show to the world the extent of organised public opinion behind our demands, it will give us an opportunity to educate and prepare the masses so that the stream of national self-assertion may not run dry, for want of proper organisation and guidance. Two months intensive and whole-hearted work should be sufficient to achieve this end. Side by side with this, the whole country should adopt with *khaddar* and see that there is no Indian homewithout a spinning wheel. Let not a yarn of foreign cloth be imported into the country. People do not yet realise the full economic power of this weapon. It strengthens our own power of resistance and weakens that of our own adversary. It will make us self-sufficient and increase the resources of millions of starving Indians. Remove untouchability for, unless you convince these 'depressed' millions that Swaraj will not mean a perpetuation of their social inferiority, they will not lend their whole-hearted support to you. Convince them that the Swaraj that we want will be real Swaraj and how can we do that until we mix with them freely. Prevention of the use of liquor and the peaceful boycott of British courts by the establishment of *panchayats* efficiently administering even-handed justice, are two other very powerful weapons. They will purify us, effect so much saving of national wealth and incidentally diminish the renews of war of our opponents. Given sufficient number of zealous workers, it should not take more than five or six months to accomplish this, after which we can start, it need be, not only individual but mass civil disobedience and redress Punjab wrong, liberate Turkey and Jazirat-ul-Arab and win Swaraj for ourselves.

## Maulana Abdul Bari's Message

Maulana Abdul Bari sends the following message to *Young India* on Mahatma Gandhi's conviction:— Mahatma Gandhi has been sentenced to six years. He has attained his object. I am convinced that all political prisoners will suffer equal terms of imprisonment; they have received sentences in proportion to their services in the national cause. Mahatma Gandhi deserved a heavier sentence than six years. Let us see who deserves transportation or death. There is every prospect that Non-co-operation will now gain greater force. I sincerely advise people to bear the sufferings patiently, using nothing but *khaddar* and popularising *charakha*; but the most important thing, which I emphasised in my last speech, is the maintenance of perfect unity between Mussalmans and Hindus, as well as complete harmony between all classes of people. In the absence of this condition, all movements will be realised. I pray to God to help us to remain united.

## The Situation

The Government are in a fix. Present day politics are based on certain ideas and principles which are not necessarily connected with ideas and principles of right-doing or righteous conduct. Government is conducted more or less like a game of chess. Success sanctifies its politics; failure spells its condemnation.

The Non-Co-operation movement seeks to deliver politics from the bondage of Non-morality or immorality to which it is committed. The non-co-operation movement, therefore, must seek its inspiration not from the current methods of Western political conduct and life but from what may be called eternal verities.

How did the non-co-operation movement originate? It was found that the Government was powerless to step aside from a course of conduct which both the non-co-operators and the co-operators have pronounced to be unrighteous and disastrous alike to the higher life of the people and that of the Government. Was it *hate* that prompted the movement? So long as the desire of the people is to prevent the committal or perpetuation of Governmental wrong-doing, there could be no hate. Hate comes in directly the people's struggle is no longer a moral struggle but degenerates into a communal or racial one. The Government have been guilty of not coming up to the standard of right-doing which was expected by the people in the matter of the Punjab and the Khilafat. A politically helpless people would necessarily nurse in their breasts their hatred against the wrong-doer. This hatred had to be eradicated; so the fight had to be transferred from the lower political plane to the higher moral or spiritual plane. Such a transference is good both for the people and the Government.

The Government is unmoral or non-moral because it is a *system*, and a system has no soul and may be directed equally to the perpetuation of a wrong or a right. So also Law and Order are soulless qualities. Law introduces uniformity in life in the relation of individual to individual; uniformity is essential and we may almost take it that it is more essential for law to be *certain* than to be *just*. But for human beings who want to live a free moral life, a law must above all things be a *just* law. Modern politics makes a fetish of law merely because it is law. A system of government which produces a sense of helplessness among a people, which emasculates or terrorises must not be inveighed against, because it is *by law established* and you are guilty of sedition because by inveighing against it you stir up disaffection. So long as the law exists, you are bound to bend the knee to it. And if you must seek to oust the unjust law, you must not wage a *moral* war against it, for you are guilty of sedition—whether overt consequences of violence follow or not. The only alternative left for you is to get behind each law and direct a flank attack; you are free only to proceed politically through the channels of memorialising, of interpellating, of drawing attention by motions in Councils and by political agitation of a kind.

In the West, therefore, politics are daily getting degraded because the custodians of religion and morality among Western people—the Church and the Clergy are kept in their places muzzled for fear of trenching upon the domain of the Law, not the moral law or the scriptural law but the political law—the Law and the Constitution. In this way the collective life of the modern people who swear by the Law as against Morality has been steadily going downwards. Law can not be an end in itself, so where

it can be shown that a law is *unjust*, the state, if it does not or cannot abrogate it forthwith, must see to it that no Court of law should pronounce a man guilty of violating *such* a law.

And so also there should be no fetish made of the doctrine of *Order*. For *Order* also is a means to a higher end, and when that higher end is jeopardised the plea for *Order* fails. *Order* exists for the protection of the higher life—the moral life of human beings, for it is clear that not life but only death is orderly.

When, therefore, Law and Order are weighed in the balance of righteousness and of the living forces of life itself and are not found wanting, they must be welcomed with open arms and cherished and nourished with all possible care and tenderness. But when Law and Order are instrumental in promoting a peace, which is the *peace* of death, of a steady deterioration of the forces of life, of a helpless subjection to the forces of wrong-doing or a helpless drifting along, then no code of politics should stand in the way of all possible moral and peaceful efforts on the part of a people to shake off the spirit of enslavement that may have overtaken it.

So politics in India must not follow in open blindness of spirit the path which has been taken by it in the West, the path of soulless Materialism. The present Non-co-operation movement must, therefore, irretrievably plant its feet on the vital foundations of moral-doing and of absolute Non-violence accompanied by a steadfast determination not to yield an inch when such yielding means the degradation of the higher spirit of the divine in us. self-purification—the purging of all the impurities that attach themselves to our lower selfish lives is the *sine qua non* of the life of a true votary of Non-co-operation. And so the Bardoli resolutions followed up in the true spirit and with unflinching devotion will lead to a mass awakening of such tremendous moral force that the land of India will once again become holy and be an exemplary and a steadying light amongst the encircling gloom to the erring nations and peoples of the earth.

## How to Release Mr. Gandhi

By convicting Mahatma Gandhi the Government has challenged our right to live as free and self-respecting human beings. The action of the Government is an open threat not only to the liberties of India, but to the liberties of the world. Will Imperialism be permitted to keep humanity in chains of slavery? India must supply the answer. The eyes of the world are turned towards us and the souls of our ancestors are anxiously watching us. Every Indian worth the name must proclaim the truth from every housetop and withdraw his or her support from this unjust and wicked Government. The honour of the country and the liberties of the generations yet unborn are at stake and every person, whether Indian or Englishman, who remains in the service of this Government, whether military or civil, is guilty of most heinous crime against humanity. Let all resign their posts under this Government, for, then alone can they prove that they are true to their God. Let us all discard foreign cloth and take to *khaddar*. Let us close all cloth importing houses. Let us organise our ranks by enlisting one crore new members of the Congress and ensuring perfect Non-violence and real and sincere Hindu-Muslim unity; and God willing, within six months, we shall bring out of prison Mahatma Gandhi and thousands of other brave and distinguished sons of India, both Hindus and Mussulmans, who are suffering for their country and for their faith

ANANTYA SUNDARI

## Hakimji's Reply

The following is the reply sent by Hakim Ajmal Khan to Mahatma Gandhi's letter which was published in the *Young India* last week:—

Ahmedabad, 17th March 1922.

My Dear Mahatmaji,

I have received the letter which you wrote to me from Sabarmati Jail and thank you very sincerely for the kind sentiments that you have expressed towards me. Whether I really deserve them is another question into which I do not propose to enter.

I am glad that Mr. Shankarlal Banker is with you in the Jail. He has great affection for you and possesses qualities which have endeared him to you. I feel sure that his company in jail will be a source of extra pleasure and satisfaction to you.

I can, however, feel happy at your arrest only when I find that as a mark of the profound respect that it has for you the country takes still greater interest in the national movement than it did when you were free. But it gives me infinite pleasure to see that the country observed perfect peace on your arrest. This is a clear sign of the spread of the spirit of Non-violence in the country, which is as essential for our success as pure air is for life.

I have no doubt that the secret of the progress of our country lies in the unity of the Hindus, the Mussulmans and other races of India. Such a unity should not be based on policy, for that, in my opinion, will only be a kind of armistice which might with difficulty be sufficient for present requirements. But I clearly see that the two great communities are coming closer to each other every day. And although the number of men whose hearts are absolutely free from any sectarian prejudices may not be very great in the two communities, I feel convinced that the country has found the road to real unity and will advance on it with steady steps towards its goal. So highly do I prize the unity of races inhabiting our country, that if the country gave up all other activities and achieved that alone, I would consider the Khilafat and the Swaraj questions automatically solved to our satisfaction. For the achievement of our objects is so intimately connected with this unity that to me the two appear identical.

The question naturally arises, how are we to achieve this living and lasting unity? I can find only one answer to that. We can only achieve it by the sincerity and purity of our hearts. Not until every one of us has driven selfishness out of his mind, will our country succeed in achieving its object. I know that the differences which have been created by a century of this system of Government cannot very soon be eradicated and, therefore, we cannot expect our efforts to bear fruit immediately. But there can be no doubt that we have accomplished the work of generations in months and have actually achieved what the pessimists among us considered impossible of achievement.

I do not consider the question of the Khilafat, in other words, the question of the evolution of Islamic policy, a passing phase. Just as in centuries past, it presented itself in one form or another, so will it in centuries to come. God alone knows how and when it will finally be solved. Therefore, even those who do not believe in Hindu-Muslim unity in the true sense of the term must understand that even as a policy it carries centuries under its arms. It is an admitted fact that looking to the present condition of India, next to Hindu-Muslim unity in importance is the question of Non-violence.

How far have our efforts, or rather your efforts, been successful in that direction is shown by the progress of events. But the most striking proof of all of our success in that direction is afforded by our North-West Frontier Province where Non-violence had the least chance of success. When we find our brethren in that corner of India generally opposing the shield of Non-violence to the violent attacks of their opponents, we feel convinced that the spirit of Non-violence has spread and is spreading satisfactorily in the country.

Doubts are entertained with regard to the United Provinces in this matter; but my own opinion is that in consequence of the dearth of national workers, the Congress creed has not been sufficiently explained to the people. I feel sure, however, the United Provinces will very soon come up to the level of other Provinces.

If some extraordinary or special causes have occasionally led to violence in some parts of the country, they should afford no ground for despair. We should not be unprepared for such stray cases, when we remember that we have been working with a limited number of workers in the midst of a population of 33 crores and working for eighteen months only. At the same time we should not minimise the significance of such occurrences and concentrate all our efforts on preventing their recurrence. Unity of the races inhabiting India and Non-violence are the two essential conditions for the success of the present movement.

*Khadkar*, too, no doubt is of invaluable help to us in the achievement of our objects. It will demonstrate our unity and show us how far we have advanced towards Swaraj. I do not think that picketing is so necessary for popularising *Khadkar* as the country considers it to be. The country considers it a short cut and spends its limited time over it, although as you yourself have observed, the real work lies in creating in the minds of our people love for home-made things. But so far as I think our Congress Committees have not sufficiently devoted their time and attention to it. This is the reason why they want to make up for this neglect by adopting the comparatively easier method of picketing. I, however, hope that in future the various Congress Committees would adopt it as their ideal to persuade people to use hand-spun and hand-woven *Khadkar* and prefer it to picketing.

You have also touched upon the question of untouchability in your letter. On the face of it, it might appear to be a communal question. It is really a national question, for, the country as a whole cannot progress until and unless its component parts progress too. It is the duty of every person who has the interest of the country at heart to interest himself in all such questions as affect our national growth. Consequently, everything which comes in the way of the material or moral progress of the country must engage our attention. It is, therefore, as much a Muslim question as Hindu. Similarly, if the Mussulmans are backward in education, every good Hindu should think of their educational advancement, for every step in that direction is a step towards the educational advancement of the country as a whole, even though it may superficially appear to be to the advantage of one community only. I hope, therefore, the country will pay to the question of untouchability the attention that it deserves.

Bardoli and Delhi resolutions invite the country to concentrate its efforts on the constructive programme laid down by you. I hold that if we were to start civil disobedience, we would not have the necessary atmosphere required for the success of the constructive programme. It is very difficult to

find a *via media*. I trust the Working Committee will fully consider the question and adopt a proper and suitable course.

Now that we are starting constructive work we should reorganise the Congress office to suit to our requirements. We should divide the work and create separate departments for different works, each under a member of the Working Committee selected for the purpose.

In the end, I join you in your prayers and wish to assure you that though my failing health will not enable me to be of very great service to my country, it will be my earnest endeavour to discharge my duties until Mr. C. R. Das is once more amongst us. May God help us in the sacred work which you and the country have undertaken for truth and justice, and may your going to jail lead to the achievement of our triple goal.

Yours sincerely,

Mohammad Ajmal Khan

### Working Committee's Resolutions

The following Resolutions were passed by the Working Committee at its meeting held on the 17th instant:—

1. The Working Committee congratulates the country upon the exemplary self-restraint and peace observed throughout the length and breadth of the land on and since the arrest of Mahatma Gandhi, and trusts that the same dignified restraint will be continued during the trying times to which the people must look forward.
2. The Working Committee is of opinion that observance of perfect peace in the country at this moment of the supreme trial is a striking proof of the progress of Non-violence and is further of opinion that Mahatma Gandhi's arrest and the restraint observed by the country have considerably advanced the cause of the Khilafat, the Punjab and Swaraj.
3. The Working Committee desires to make it clear that Mahatma Gandhi's arrest makes no change in the programme recently laid down in Bardoli-Delhi resolutions and calls upon all Congress organisations to devote themselves to the prosecution of the constructive programme laid down therein. The Working Committee warns the Provincial Committees against any hasty use of the powers conferred upon them in respect of individual civil disobedience, whether defensive or aggressive.
4. The Working Committee regards the univocal adoption of the spinning wheel and of consequent use of hand-spun and hand woven *khaddar* as essential for the attainment of the country's goal and, therefore, urges all Congress and Khilafat organisations to prosecute the *khaddar* programme much more vigorously than hitherto.
5. Inasmuch as the use of *khaddar* apart from its great and undoubted political value is bound to give to millions of India's homes a steady cottage industry needed for the nation's spare hours and is calculated to supplement the slender resources of millions of half-starved poor people and is thus bound to establish a link between the classes and the masses, the Working Committee hopes that men and women of all parties and races inhabiting India and irrespective of political colour will lend their hearty support and co-operation to the movement and to that end authorises Mian Mahomed Ilaji Jan Mahomed Obhotani and Seth Jammalal Dajaj to interview the capitalists and others in order to put the growing national cottage industry on a sound economic basis.

Subsequently, the Committee held another meeting after Mahatmaji's conviction and passed the following resolution:—

This Committee while realising that Mahatma Gandhi's conviction deprives the country of the guidance of its universally trusted and beloved leader rejoices that through him India delivers to the world even in her bondage her ancient message of Truth and Non-violence.

### The Judgment

(By T. Prakasam)

Mahatma Gandhi's trial and conviction on the 18th of March 1922 in the city of Ahmedabad marks out a new epoch in the history of the world. A parallel to this can be found only in the life of Jesus or in that of Pralhad. Gandhi who was described before 18th of March as "the greatest man of the world" has shown on that day, by the plea recorded by him before the Court of Law and by the message of Truth and Non-violence he sent forth to the world, that he is higher than man. He has demonstrated to the world that it is possible for man to detach the body from the soul before death and surrender it to the opponent to be dealt with as he pleased. With his dear wife and children and friends and co-workers seated round him in Court—most of them with tears in their eyes—Mahatma Gandhi in unflinching voice claimed responsibility for the murderous riots of his countrymen, whose faces he never knew and whose identity even as his followers is unascertained, and invited the judge to inflict the severest penalty (transportation for life) on him as he had no extenuating circumstance to plead from his stand-point of Truth. If the judge were Justice Davar, the plea of Gandhi may have got him even sentence of death on a separate charge under the present system of Government. It is impossible to believe that there could be a man like this in this world. His plea for Truth drew tears of blood even from those few who seemed to have doubted his sincerity and attributed motives to him, when he suspended civil disobedience after Chauri Chaura tragedy. The judge, Mr. Broomfield, who came on the bench with a suppressed cynical smile was so overpowered after hearing Mahatmaji that he could not pause to assign judicial reasons for his conviction.

His judgment is more an apology. It is not Gandhi that was convicted and sentenced; but it is the Bureaucracy that has been condemned to death by his incarceration. The fact, about twenty-five thousand of his co-workers and followers had already gone to jail refusing to plead, is itself unprecedented in the history of the world. His trial and imprisonment and his message of love and peace ought to be sufficient to secure freedom for his country. He has rendered immeasurable service to the general cause of peace and unity, of good that forms the highest tradition of this land. It is for the country to fulfil his message and deserve the Kingdom of God, for which he has been pleading. He expects the jail gate to be opened for him by the Swaraj Parliament and it will be possible only if the country maintains the four pillars of Swaraj so well founded by him. I have no doubt the country will respond as cheerfully and promptly as possible. I am glad I have lived to work under him and witnessed what I have been witnessing these few days in this city. Personally, I feel all this is more than Swaraj.