

in the Greek firm of Ralli Brothers gave this verdict and the gentlemen from Forbes and Campbell gave that verdict. You should be united, I prefer that you should be united in a matter of grave import like this. Let yourselves be guided by your own conscience, because that is, after all, the basic law of all Faiths. You must do the right, you must act according to your conscience. Now, on this matter I may again tell you. You are the sole monarch; and the charge on which you are to give your verdict is the matter of "attempt," that is, under Section 131 (Reads the Section). "Whoever abets the committing of mutiny by an officer, soldier or sailor in the army or the navy of the Queen or attempts"—that's what we are charged with—"to seduce any such officer, soldier or sailor from his duty"—I leave out the allegiance with which we are not charged—"shall be punished" etc., etc.

The Court.—You are charged with being member of a conspiracy, which attempted to seduce the troops.

M. M. Ali.—We are charged with being members of a conspiracy, that is to say, charged with having agreed to commit a criminal offence, and in pursuance of that conspiracy, somebody within this conspiracy, some fellow-conspirators, attempted these things. It does not matter whether we ourselves have attempted or some other persons have attempted. True! Well, Mr. Ross Alston of Allahabad (the Advocate-General of the United

Provinces assisting the Public Prosecutor) gets somebody in Allahabad who gets something printed somewhere, and gets that some one to reproduce something from the Ulema's *Fatwa* though he is perfectly ignorant of the Quaran. All this has to be carefully done. He gets an ignorant Maulvi to copy—every Mussalman fears and trembles when he has got to copy anything from the Quaran, lest he writes something different and attributes it to God falsely—the Moulvi copies it, gets it published for Mr. Ross Alston, gets it printed in Allahabad or in Lahore, he gets the same kind of envelopes, the letters are posted from different places but mostly from Allahabad where Mr. Ross Alston comes from (laughter). And you have got to transport me for life for this! This is the thing which we are supposed to have done. What is the proof? He (the Public Prosecutor) says this is the proof. A poet says, "The appearance of the sun is itself the proof of the sun." So in this case too what further proof is needed? Well, the charge is that these leaflets were sent to Moslem soldiers, that they were posted mostly from Allahabad. Because some were posted from Cawnpore where Maulana Nisar Ahmad Sahab, one of the accused, comes from. The Public Prosecutor attributed them to him and to us—well, Allahabad is the place where Mr. Ross Alston comes from; the place from which two C. I. D. officers who have deposed against us, come—well from that can you not have this presumption that it is Mr.

Ross Alston who did it? (laughter). Well, if this thing (showing the leaflet) is sent round, is that by itself sufficient for you as men of any sense—you who are practical businessmen, it is sufficient for you to transport me for my life—to take me away from my children—to take me away from my wife, to take me away from my mother—to take me away from my country which is dear to me—to take me away from God's work simply because they were posted mostly from Allahabad? Is that or not the whole offence? Read it for yourselves. Search for it in the entire record of evidence. If you are conscientious your judgment must be right. You who are conscientious men—you who cannot kill a gnat for nothing—you are going to transport six men for life—not six men, for at least we find we are to be seven—our revered friend Jagat Guru Shri Sankaracharya will also go with us Mussalmans, because, if there was no evidence against him, it was amply made up, after all, by the wrath of the perfectly peaceful Public Prosecutor. You saw that barerarkage yourself. Not, of course, a real storm, mind you, from such a gentle gentleman but a fairly good imitation of one—a thing of the proscenium—something just realistic enough to give us the impression that there was a storm at last with lightning and thunder, hail and wind—all this came from my peaceful and amiable friend there (laughter). Are you going to commit all of us on the proof that there are certain envelopes and certain officers from

the army received them. Officers ! Euphemism could go so further. Yes, officers, so far as courage in battle and length of service and medals—and those real medals not of silver, hanging on their breasts, but medals of lead bullets that found bullets in their bodies and their breasts—so far as they are concerned, really and truly officers ; but yet men who have got, even as veterans and heroes of a hundred battle-places, to salute the merest white tyro, the merest hollow youth with hardly a moustache on his upper lip (only girlish peach down because they themselves are brown and black). These are the people who come before you. They come and present before you these things, and say a most terrible thing had happened. "One verse"—one incorrectly transcribed verse from the Quaran—"was sent to us and even without opening these envelopes we scented that they were smelling of gunpowder—smelling of 1857. We rushed to our Officer Commanding and said "Sir—Save us from Islam !" "

Feelings are hurt, our religious feelings are hurt. We are being reminded of our religion. We are being reminded of our God. For God's sake, protect us from God. Does not the Queen's Proclamation give us protection? We are being bombarded with the quotations from Quoran ! We can stand all bombardments but not this. And it is on this evidence that we are going to be transported for life !

But, gentlemen of the Jury, I do not want you

to save me. I want you to be saved yourselves. This is the only evidence and nothing more, not a jot or little more than this. If there was any, our friend (the Public Prosecutor) would have told you. He has got to transport seven for life—a large and long transportation indeed! He took four hours in addressing you—practically a whole day, and thereby earned a day's fee, although his daily fee is perhaps greater than the monthly salaries of all of you combined (interrupted).

The Court.—You have no right to make a personal remark. Is it not in bad taste? I know that you don't mean it.

M. M. Ali.—I am sorry. But to what do you object? To the reference to the small salary of the Jurors or the fat fee of the Prosecutor and of his little friend?

The Court.—To any personal remark. It is not in good taste. Is it?

M. M. Ali.—I shall not refer to it again, but I thought I might be permitted to commit just one offence even against good taste when I have committed so many against your Penal Code. (Laughter).

(The court remarked something which was inaudible).

Maulana Mahomed Ali, continuing said :—Well, gentlemen, this is the main thing for which you have been sworn in as Jury and taken away from your work—five of you. Well, wherever you may come from, from Ralli Brothers, or Forbes, Forbes and

Campbell or the Customs House, you are here for that purpose ; otherwise only two gentlemen might have been brought in as assessors as wives of the Judge (laughter). In this case, you are both the husband as well as the wife (laughter). You are self-sufficient. You are the sole judge here as a Jury though there are several other charges—there are Sections more than one can number—there are Sections 120B, 117, 505 and so on—for which you act only as assessors. As you may remember, when the Policemen asked me when I was being brought to Karachi under what Sections I was charged and I told him of all the charges and he said—well they are all home-made Sections (laughter) and they can apply as many as they like. So this is the only Jury charge—Section. 120B read with Sec. 131. This is as regards the leaflet containing an extract from the *Fatwa*. It is the Jemiat-ul-Ulama that signed this *Fatwa*. We are supposed to be very frank people ; so we said this in the lower Court as well as in this Court that we were glad that the Jamiat-ul-Ulamas were at last doing their duty. The Jamiat-ul-Ulama is supposed to be a party to this conspiracy. But the Government is very moderate— It has picked out only three Ulemas for this trial. The Government is astonished at its own moderation as Lord Clive said of his own lot : "I am astonished at my own moderation." Out of the 500 Ulemas who signed the *Fatwa* only two or three have been brought here. Well, why have not the others been prosecuted?

thought that the Ulemas who had done this would have been here. It is for the first time in my life that I saw this leaflet here. In fact, it was for the first time in my life a little while ago that I came to know of this *Fatwa* of the Jamiat-ul-Ulama on this matter, though I knew of their Resolution in their Conference at Delhi. However, it does not matter, if I did not know the others who conspired with me. That is no protection for me. And I do not seek any. But in this case of attempt in pursuance of the conspiracy I thought the clear conspirators were the Jamiat-ul-Ulema. Whatever the conspiracy is, the Jamiat-ul-Ulema is a party to it and I said that at last the association of the Ulema was doing its religious duty. But I was immediately corrected by my friend brother-in-law and legal adviser though not my legal representative in this case Mr. Kuzzam Ali. He said—no, the Jamiat-ul-Ulema too denies the distribution and printing of these leaflets. So I turned round and said in the Lower Court—"Well I am not correct myself but I hope they will soon correct the forgery into a fact."

But it is the fact, gentlemen, that you have got to deal with and not with the forgery. Is it a fact that any body is a member of the conspiracy who does this? This is a presumption and not a fact. Well gentlemen, clear your head of this—of all these cobwebs woven by the Public Prosecutor. It is nothing but throwing dust—good old Karachi dust (laughter) in your eyes. Nothing more than that.

SECTION 505.

I now come to Section 505. About the abetment of this I have not got to say any thing. I have got to deal only with myself in my own individual capacity with regard to Section 505, because I am the biggest offender in the matter and the others are only abettors under Section 109. It says, "Whoever makes, publishes or circulates any statement, rumour or report (a) with intent to cause, or which is likely to cause any officer, soldier or sailor in the army or navy of Her Majesty or in the Royal Indian Marine, or the Imperial Service Troops to Mutiny or otherwise disregard or fail in his duty as such shall be punished etc. etc."

This is wider than Section 131, gentlemen, for I may not even preach to the Imperial Service Troops of my own State of Rampur about their religious duty. What would my grandfather who was the "right-hand man", as Government itself testified, his master, the then Nawab Saheb of Rampur in 1857, and saved hundreds of Englishmen and English women at the risk of his own life and saved the U. P. Government, —have thought of this prosecution of his grandsons for declaring to the Rampur Pathans the law of Islam about sparing the lives of Mussalmans. But that is another story. Well, gentlemen, Colonel Beach, of the Army Head Quarters, Simla, and Lord Macaulay have given me my cue (reads):—"With intent to cause or which is likely to cause soldiers to disregard or fail in their duty as such".—

But what is their duty—the first duty of these soldiers which they must not disregard or fail in? When a child is born in a family—if there is any Faith in that family—the nurse should say not that a boy or a girl is born, but that a new recruit is born in the army of God. That child must be the soldier of God. That's why the primeval souls were asked this question by God—"Am I not your Lord?" and they said 'Yes'. Gentlemen, I am tempted to recite a verse—a verse of my own—a poor thing but mine own—as Touchstone said "Cinna the poet was killed for Cinna the conspirator," when Caesar was murdered and the crowds had become mad through Mark Antony's rhetoric. They killed him as a conspirator. He said—No, no, I am not Cinna, the conspirator. I am Cinna, the poet. But they said 'Then, kill him for his bad verses.' (Laughter). Gentlemen, do not transport me for life for my bad verses I address my own fellow-countrymen, my own co-religionists, and I say to them—you are being reminded of your duty—you are being reminded of your allegiance—you are being reminded of the pledge that you have given to Government before your God and men—you are being reminded of your honour and you are asked to be faithful. (Recites a verse in Arabic). Kindly carry out that first pledge also—the pledge that you gave to God while you are about it. You are loyal people. A little more loyalty will not be amiss. Can I not say to the Judge—can I not say to the Jury if these people are not true to their God,

can they be true to their King? (Pin-drop silence prevails in the house)—the God that gave them everything, life, honour, Faith, loyalty itself—the God that has given them the King? If they are not true to their God, they cannot be true to their King. I say God before everything—God before loyalty—God before King—God before patriotism, mother and child. That is my faith. Hang me if you have murdered your own souls. You may talk and be moving carcasses without souls, fit carrion to provide food for the crows.

Gentlemen, it is the Government ; it is they who want to seduce God's soldiers. We want to bring them back to their pristine loyalty. The law says that in any case there is an exception. (Reads). "It does not amount to an offence, within the meaning of this section, when the person making, publishing or circulating any such statement, rumour or report has reasonable ground for believing that such statement, rumour or report is true."

The Court.—Read out the whole section Mr. Mahomed Ali.

M. M. Ali.—I will, Sir. I will not leave out one jot or tittle. The Government will have its pound of flesh. In the case of Shylock, they allowed him only the flesh ; but they would not let him take a drop of Christian blood. But you can take that too from me, to the full measure and overflowing. That exception requires that you must establish the truth of the statement or reasonable ground for your belief

in its truth. 'There is no God but the one God and Mahomed is His Prophet'. Is that my statement? It is the creed of all Musalmans. It cannot be an offence to declare that creed even if it is likely to "seduce" a man from his allegiance to a King or Government that demands obedience from him in matters involving disobedience to God. Is it an offence to say so?

THE NEXT OFFENCE

The next offence is asking ten persons or more to commit a similar offence. But for that too, the first question is the question of statement. Whose statement? It is not my statement—; it is the statement of God. It is a declaration based on the Law of the Quaran. It is well known to every Mussalman who understands the Quaran. It is not a matter of my own opinion. Let me transport you before I am transported, say to a place where Arabic is understood, say to Aden. If a Somali or an Arab soldier who understands the Quaran in Arabic, hears Maulana Hossain Ahmed Saheb who was a teacher in Arabia reciting verses from the Quaran against the Killing of Muslims; or supposing as I said yesterday, a man comes and tells him that he (the man) is ordered to go to Mesopotamia to fight against the Moslems and asks him about the true religious law and if the Moulana says it is religiously unlawful for a Muslim to fight another Muslim—would it come under the law? It is a statement; but not his own.

It is God's ; and it is true. Supposing the Government wants a Hindu to kill a cow and some Brahmin tells him that the cow is a sacred animal—it has got to be protected—it is the mothers of millions of orphans and feeds us all—it is a symbol of innocence and of helplessness among God's creatures needing our chivalrous protection—you have got to protect it. Is the Brahmin guilty of an offence to seduce that Hindu from doing his duty even though the Army Commander needs that cow for the army's food? I challenge the Army Commander or for the matter of that, the Commander-in-Chief to say that it is the duty of a Mussalman soldier or a Hindu soldier to go against his Faith in spite of the fact that the Viceroy has disallowed the Resolution to be moved in the Legislative Assembly—the Council which I was invited to be in? The "Pioneer" said—"You can influence people. You have such wonderful influence over the people—you have got such talents—you have got the wonderful gift of attracting the masses—will you not come to the Council?" I said in a speech of mine, which is the subject of another prosecution,—I said that I cannot, because who ever goes to the Council has got to pass through the "Crawling Lane" on his belly and the guard of honour is provided by our sisters of Jalianwala whom a cowardly British bully sought to dishonour.

The Court.—(Inaudible) What is your point?

M. M. Ali.—To that Assembly I was invited to go where no one is allowed to move a Resolution like

the one disallowed by the Viceroy, that no man, no Mussalman, in the Government service, particularly in the Army, shall be compelled to go against his religion. (Reads the form to be filled up by a soldier before he is enlisted). (The Judge interrupted the Maulana again and asked what he wanted to prove.)

M. M. Ali.—I want to show what the man is required to do when he joins the Army, what is and what is not his duty as a soldier. (Reads). Mark gentlemen, the question is—"Are you willing to go wherever ordered by land or sea and allow no caste, usage to interfere with your military duty?"—there is no question to the man—"Will you do anything which is against your Faith"? or "Will you have any objection when you will be asked to commit a sin," or "are you willing to go to Hell by land or by sea?" (laughter). There is no question like that.

THE MOLOCH OF IMPERIALISM.

The Public Prosecutor asked me,—he said to me—if somebody believes in human sacrifice and when your child is demanded you will be the first to seek the protection of the law. In any case, as a non-co-operator, these days, I do not want to seek the protection of the law. Neither do I believe that there is any sect that can demand such a sacrifice from other people. The only sect that can demand human sacrifice of other people's children is the sect of the Militarists. They demand it—their

Moloch of greed demands it—their Moloch of Imperialism demands it—their greed for dominion demands it—they want that on the high seas, on God's big broad oceans, whenever a foreign ship passes one of theirs it should dip its flag in recognition of the boast that "England is the mistress of the seas". It is these people who want such human sacrifice.

PASSAGE-AT-ARMS.

The Judge asked me—"But what about the thief? Do you want that the thief's hand should be cut off? I said, if the Government was an Islamic Government I would require this of it. I would have the adulterer stoned to death too, though adultery is no offence in English law. My bargain as a Muslim with an Islamic Government is different from my bargain as a Muslim with a non-Muslim Government. From non-Muslims I do not require that they should do anything for me, except permit me to hold my own religious opinions and act up to them with impunity. My religion can impose its obligations only upon me and not upon others. There is an obligation upon me to tell God's own truth that it is religiously forbidden to join the British Army and to fight a Muslim without a just cause, and that it is unjust to kill a brother-Muslim at the bidding of the Government, which is next to infidelity. The Prophet said—the last thing that he said collecting all the

people who had gone to the pilgrimage together—some 175 thousand people assembled together at Mecca, and the Prophet asked—"What day is it?"—

The Court.—I would ask you to stop. Never mind about the Prophet.

M. M. Ali.—(Indignantly) I *must* mind Prophet, I think you should withdraw that.

M. S. Ali.—Blasphemy and impertinence!

M. M. Ali.—You *must* withdraw that. You must make amends. I have got to mind about the Prophet. I have to take a man's life who insults that Prophet.

The Court.—You must stop. You cannot go on.

M. M. Ali.—I am doing what the law allows me. The law says that I am not to seduce troops from their duty. I say it is not a part of a Muslim soldier's duty to kill a Muslim brother. And I am here entitled to argue this till eternity. So long as I want to explain my position I have this right. Take away this right and end this farce. What's the use of this farce? Take out a shooting and shoot us out of hand, or if you prefer to keep up this farce of a trial, try us after our death, as Lord Nelson once did. I say that no man is required to go against his religion—military duty does not inculcate this.

The Court.—It is irrelevant.

M. M. Ali.—I am explaining what my religion says—I have given it in my statement in the lower Court. It is perfectly relevant.

The Court.—Sit down.

M. M. Ali.—I have not yet done with section 505 and have not even touched the charge under Section 117 against me. I have not said one word about that. Am I to be punished without saying one word about it?

The Court.—I will not give you a right of speech.

M. M. Ali.—Will you show me a single sentence in your law-books that the judge has the power to take away that right? You have already taken away one of my rights by not allowing me to make a statement before the Prosecution addressed the Jury. Your own Bombay High Court says that and the Public Prosecutor agrees. I do not know if the Judicial Commissioner of Sindh has laid down another law. Now you are going to stop me again from addressing the Jury. You can object to a particular part of my address. You can say, "Do not say this." But I cannot understand how you can stop me altogether by saying that you will not allow me to say anything more. (The Court kept on saying 'sit down,' 'I won't hear you.')

M. M. Ali.—I am explaining that it is not the law, that it is no part of a Muslim's duty, to go against his religion. Have I not got to prove that this statement, contained in the resolution, is a true statement and not a false statement? Is it relevant or not?—I ask.

The Court.—Entirely irrelevant.

M. M. Ali.—Entirely irrelevant; therefore, I have not got to argue about that.

The Court.—I have allowed you to argue.

M. M. Ali.—The trouble is that you are intervening too much. I say that first of all I do not come under this Section. I have got to prove what my Faith is, and that it is not the soldier's duty as such to go against his Faith. I have got to prove why the declaration was made. And I have to prove that that declaration is a true statement.

A SCENE.

The Court.—It is not relevant.

M. M. Ali.—Do you think that you are authorised by law to take that right from me? The law says it does not amount to an offence within the meaning of the Section (Reads the first part of the Exception again.)

The Court.—'And'

M. M. Ali.—Never mind about 'and'—I am arguing that it is a true statement, I am not yet arguing about the intention.

The Court.—I do not want to hear you.

M. M. Ali.—It is for the Assessors at any rate, you cannot take away the Assessors' right. They will have to give their opinion about this whether I am guilty or not. It is according to law. And the law says this (reads again). I cannot take your word for it. I cannot really upon—I cannot at any man's word act against the clear provision of the law.

The Court.—Argue your case.

M. M. Ali.—It is not your case that I am arguing :
(laughter). Well, gentlemen of the Jury,—

The Court.—I do not want to hear you.

M. M. Ali.—You may not hear me as you have done on many other occasions. You have slept through a great deal of evidence that was being read out. You may sleep now. But I have got to address the Jury.

The Court.—(With apparent anger) Will you sit down?

M. M. Ali.—If I don't?

The Court.—I shall put you in custody.

M. M. Ali.—Do.

(The Superintendent of Police was here called to make the accused sit down but retired without touching him, leaving him standing.)

(The Court directed the Sheristadar to call accused No. 2. Maulana Hossain Ahmad. The Sheristadar, approaching, called out but Maulana Hossain Ahmed did not utter a single word or budge an inch.)

M. M. Ali.—(Not minding this interruption).
Now, gentlemen of the Jury.—

The Court.—Do not interrupt the Court.

M. M. Ali.—I am not interrupting the Court, rather you are interrupting me, I have got to argue regarding this exception, I have got to deal with this, Take away the charges under Section 505 and 117

against me if you can and I shall stop. You have got the power to amend the charge up to the last.

The Court.—I cannot allow you to discuss religious law here.

M. M. Ali.—There is no question of religious law. I am arguing about the law of the land as you call it. I have got to show to the Assessors that this declaration of statement contained in the Resolution is true because it is based on the Quaran and the Hadis,

The Court.—There is no necessity of it,

M. M. Ali.—The necessity of it is what I have got to consider myself not you. You had no right to stop the prosecution witnesses. You could not have stopped them unless you said that their evidence was inadmissible. You did not stop the Public Prosecutor. He was to prove what he thought was necessary. But you will allow me to prove what I think necessary, to prove that it is a true statement of Muslim Law that I laid down, that it is *haram* to serve in the Army. I have got to prove that from the Quoran and Hadis. Material or immaterial, I have got to do it and I am to do it from the Islamic Law. I have got to take my law from the Quaran and the King. The king gives me protection for following the Quaran's Law in those Proclamations. That is the King's Law. If you do not obey that, then why is the King's portrait over there (pointing to the Portrait of King Edward, hung upon the wall). I have got to take my law from you, you have got to take the Law from the King, I have got my statement, based on this King's law, I

do not want to create a scene, I am not here for that purpose, I have shown no disrespect to you even though I could not show any respect to the Court as part of the Government. I don't want to be obstinate and cheeky. But I cannot have my right brushed aside.

The Court.—But you take so much time.

M. M. Ali.—Yesterday you sent me word that you will give me half an hour more to-day to discuss supremacy of religious law before I come to the legal points and the facts of the case. I have already finished with that, I say that religious law is to be an exception in every case. Now, dealing with law of the land, Section 505, I have got to prove that that declaration in the resolution that it is religiously forbidden to serve in the army is a true statement and, therefore I come under the exception to Section 505.

The Court.—Suppose it is accepted that it is a true statement?

M. M. Ali.—Let the Assessors accept it. Let them give it to me in writing. Will they give it to me that this is considered to be proved? Tell me that this is proved—that my statement is true. I will go on. Then I will not argue one word more about it. Ask the Public Prosecutor whether I have got the right or not.

The Public Prosecutor.—We admit that the passages cited in this statement before the lower Court are in the Quaran.

M. M. Ali.—I want you to admit more than that. I want you to admit that this statement for which I am charged under Section 505 is in accordance with the Quaran and the Hadis.

P. P.—We can't admit that.

M. M. Ali.—If you won't admit I have got to prove it. Supposing a Christian is charged with making a statement of his belief in God, God the Father, God the Son and God the Holy Ghost. He says that he has got to prove that, that is the Christian belief and it is a true statement. He says "I will shew it from the Bible. I will show it from the Epistles—I will show it from the Gospels—I will show it from the Prayer Book". Will he not be entitled to do that? Will I a Mussalman be fair to think that it will be fair of me—not to allow him to prove that this is a correct statement of the Christian Trinitarian's Faith?

The Court.—(Nodding his hand). Sit down.

M. M. Ali.—I cannot sit unless you admit that my statement is true. I should like to say one thing. I really do not want to be obstinate. I do not want to be needlessly importunate out of sheer cussedness and ill-will against the Court. I do not want to show any disrespect to *you*. This does not tally with any part of my character as an accused person or as a Non-co-operator. But at the same time I want to stand on my right.

THE JUDGE RELAXES.

The Court.—You are wasting the Court's time.

M. M. Ali.—I am not wasting anybody's time. I just want to convince the jury that the statement is a true statement.

The Court.—It matters not,

M. M. Ali.—It matters a great deal to me. It matters much so far as I am concerned. It matters a great deal to prove to the gentlemen of the Jury that this is in accordance with the Quaran and the Hadis and that I did not fabricate it. I may have made a false statement. Supposing I commit a rape and I come in before the Court and I say that my religion allows it. You can say—"Show it to me from your religious law." You will not take my word for it and you will have to allow me to prove it. What is it, after all? I am not asking for protection for a murder that I have committed—I am not asking for protection for arson that I have committed—not I am seeking protection for loot. Loot becomes sacred when the Army Commander orders it. Murder is no murder when the Army Commander commands it. In my case, too, when the Quaran commands, murder is no murder. So, when I refer to the Quaran you can say—"show to me".

The Court.—Suppose we admit it for argument's sake.

M. M. Ali.—I want it to be admitted for all purposes. I may not argue one word about the intention. Gentlemen. I am not speaking in my

defence. But I must prove that this was a correct statement. I had the same difficulty with my friend, Mr. Montagu. He said "Far be it from me, Mr. Mahomed Ali, to intervene in a discussion about your religion". I said to him—"Please do. Let us discuss it and let me prove to you what my religion is". I was actually in tears before him when I told him it is no pleasure to me to be against his Government. He respected those tears. I explained the religious law about the Khilafat and the Jazirat-ul-Arab and he had to listen. I had to explain my religion to Mr. Lloyd George also and to some other members of the Cabinet and they had not said that they had nothing to do with the Quaran. I want to prove that this is a correct statement and you must not take away my right to prove it. Will you allow it?

The Court.—If you will only do it in a very short way. (The whole house burst into peals of laughter at the Judge's relaxing at long last.)

M. M. Ali.—(To the Court). Why did you not say so before? Of course, I will do it in a short way—in fact in a *very* short way.

QUOTATION FROM QUARÁN.

The Maulana then quoted some three or four verses of the Quaran, already cited in his statement in the lower Court, and added short comments to

prove that these made service in the British Army Haram which was being used to kill Mussalmans without just cause or to destroy the Khilafat and the temporal power of Islam. Thereafter, he cited a few of the Traditions of the Prophet, cited in the lower Court statement and explained their bearing on the declaration, contained in the Resolution. The verses and the Hades cited were the following?

1. "It is not for one of the Faithful to kill another but by mischance"—and thereafter follow the severe penances prescribed even in cases of such mischance". (Sura-i-Nisa, Chapter IV.)

2. "But whoever shall kill one of the Faithful wilfully his recompense shall be Hell ; for ever shall he abide therein ; God shall be wrath with him, and shall curse him, and had prepared for him a great torment". (Idem).

3. "O ye Faithful : devour not each other's substances falsely except that it be trading among you by your own consent ; and kill not your own people. Verily God is unto you merciful. And whoever shall do this of malice and wrongfully, we will soon cast him in fire, for unto God is this easy. If you shun the great things that are forbidden, we will blot out your faults and we will lead you into Paradise with honourable entry." (Idem.)

4. (After recounting the story of the first killing, the murder of a brother by a brother, the crime of Cain in spite of Abel's declaration of his own doctrine of non-violence, the doctrine of every Moslem in like

circumstances.) Even if thou stretch forth thy hand against me to slay me, verily I fear God, the Lord of the Worlds, the Quaran says: For this have we obtained unto the children of Israel that whoever slayeth another soul unless it be for man-slaughter or for spreading disorder in land, it is as though he slew all mankind; and whoever saveth a life it is as though he saved all mankind alive. (Sura-i-Matdah Chapter V.).

5. And (the servitors of the Beneficent God are) they who call on no other gods with God, nor slay the soul God hath forbidden to be slain, except for just cause, and commit not fornication, for he who doth this shall meet the reward of sin (that part of Hell which is known as Asam). Doubled unto him shall be the torment of the Day of resurrection, and therein shall he remain disgraced for ever (Sura-i-Al-Furpan Chap. XXV).

1. Shedding a Moslem's blood is not permissible except in three cases, when a life is taken for a life (i.e. as punishment for a renegade deserting his side). (This is to be found in the most authentic collections of Bukhari, Moslem, Tirmizi, Abu Daud, Nasai and others.)

2. A Moslem is he from whose tongue and hand a Moslem remained immune. (Bukhari-B, Moslem-M, Abu-Daud-AD. Tirmizi-T &c.)

3. To abuse a Moslem is wrong doing and to war against him is *infidelity* (Kufr') (B.M.T.AD.: Nasai-N, Ibt—Majis—IM.)

4. "He who bore arms against us is not from among us, i.e. is not a Moslem any longer (B.M.T. AD.)

5. "Even if the inhabitants of all the heavens and all the earths were accessories in the slaying of a single Moslem, God will certainly push them all into fire. (T. Behaq-BQ-Tibrani-TB).

6. "Whosoever assisted in the slaying of a Moslem even with a half a word, shall meet God with this written between his eyes ; "Despairer from God's Mercy (i.e. he shall receive no portion of God's abounding Mercy"). (IM-BQ-Asbahani.)

7. "God may, it is to be hoped, forgive every sin, but not the man who died while still an infidel, nor the man who killed a Moslem wilfully." (AD Ibn-i-Nabangug Hakim).

8. Let him who can see to it that there is not between him and Heaven even a handful of a Moslem's blood, for whosoever such a man will present himself before any of the gates of Paradise, God will interpose Himself between him and Paradise. (TB-BQ.)

9. "When two Mussalmans quarrel with each other and use their swords, both the slayer and the slain shall be cast into the Fire." When the people said "O Prophet of God, the reason for the slayer being cast into the Fire is plain but why the slain as well?" the Prophet replied, "Because he had intended to kill his companion." (B.M.T. &c.)

This statement of mine, gentlemen, is entirely

based on the Quaran and the Hades as you can now see for yourselves and Maulana Hussain Ahmad Saheb will after me prove it to you still further. More than this, you have got the correctness of it established in the Fatwa of the Ulema. But that has been turned from proof of our innocence into proof of our guilt.

THE FORM OF ENLISTMENT.

Gentlemen, I do not know whether a man is exempted or not in the Army from observing his caste usages. This Form includes merely a question about them ; and we do not know what happens to the intending recruit, who wishes to observe them. But this is not a caste usage. This is a case of going against religious law and if a man's military duty was to go against the religious law—if the Army Commander thought so, he should have asked this question. Let them ask every Hindu soldier—let them ask every Mahomedan soldier, and note what they say. Dante wrote in his *Inferno* and Milton quotes it in his *Paradise Lost* also, that this legend is inscribed over the gate of Hell. 'Whosoever enters here must leave all Hope behind'. So it should be written over the portals of the British Indian Army 'Whosoever enters this must leave all faith behind'. 'On famous occasion' the German Chancellor had said : 'Necessity knows no religious law, and those

who execrate this lawless doctrine are being punished as lawbreakers." What we want is that Government should be straightforward and honest about it. At present, people go to the army apparently with their eyes shut. We ask that they should go with their eyes open. If they join the Army, knowing very well that their religious law and its obligation on them will not be respected but would be sacrificed to the Moloch of military exigencies, and that, one Queen's proclamation and two King's proclamations will afford them no protection, nobody will then blame the Government. All the sin would be those people's who know all this and yet joined the Army. But what is it after all that Islamic law demands to-day? For what offence does it seek the Secular Law's protection? Nor for human sacrifice! I do not say—"Shoot your officers—kill them". No, on contrary, I demand that they be not guilty of the human sacrifice of their Muslim brothers—of fratricide. When you took them to fight the German on the outbreak of the war, I did not say—"Do not fight with them". I do not say, if there is disorder in Karachi and the Muslims are rioting, that Muslim soldiers should not go and stop that. "In this Form" (showing the Form of enlistment) all sorts of questions are asked. The form says—"the following 9 questions"; but there are really 14 and not 9 questions in all (Reads all the questions). I do not know what happens if he says he is unwilling to be vaccinated or even to be re-vaccinated—as some Hindus

may well do on account of the vaccine or lymph from the cow. I do not know what happens if he says he is unwilling to cross the black waters or give up a caste usage. The solemn declaration of the intending recruit only says that the answers are true and that he is willing to fulfil the engagements made without explaining what they are. But let us presume that he has expressed his willingness to be vaccinated and re-vaccinated and to go wherever ordered by land or sea and allow no caste usage to interfere with his military duty and that there are the engagements. The 15th question should have been : "Are you willing to do anything you are ordered and allow no religious commandment to interfere with your military duty? Are you willing to forego your religion?" Where is such a question in the Form? If the man says "Yes", then it is alright ; and if he refuses, you can chuck him out. But you don't ask him this question, you dare not do that—and yet you take him in and if he refuses to commit the most grievous sin, short of becoming a renegade and an infidel at heart as well as outwardly, you say he has failed in his military duty. But that is according to your own Form of enlistment, no parts of a soldier's duty as such. Therefore Sir, it is not a question of seducing from duty. As I have already said we are teaching him his first duty—that his first duty is to God and the second duty is to his country and his king. Gentlemen of the Jury, the proclamation came as you know after the greased cartridges affair and

the Mutiny, and it was to repudiate precisely this unlimited connotation of Military duty that it was issued in 1858. But what is tearing with one's teeth of greased cartridges or eating a whole pig compared to the sin of killing a Muslim? I have already stated in my statement in the Lower Court and I repeat it here that if a man is threatened with death unless he consents to take a pork he may not only take it but must and if he is killed on account of refusal to do so, he dies sinner. In like circumstances he may even declare that he is a *Kafer*, if he continues to be a believer at heart though it is preferable not to do so and if he is killed on account of refusal he dies a martyr. But in like circumstances he must not kill or dismember another Muslim but patiently submit to be killed instead. And you dare not ask a Mussalman to touch cartridges with pig's grease as part of military duty since your experience of 1857 and the Proclamation of 1858 and yet you call it part of military duty to kill Mussalmans which is far worse than eating pork and worse even than outward apostacy. The absence of such a question as I have suggested means that the Government understood what it would lead to. We consider it a part of our duty therefore to remind the Muslim soldier of his duty to God, to demand from a Mussalman that he must carry out his God's law. This is not seducing him from doing his duty in army and in any case he need not desert or fail in his duty, but appeal to Government through his superior Officers that such duty as is against his

religion, may not be required of him. There is, therefore, neither a likelihood nor intention of seducing a soldier from his duty as such.

SECTION 177.

Now comes Section 117. Against me this is the only other Section. (Reads) "Whoever abets the commission of offence, by the public generally or by any number or class of persons exceeding ten, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both."

But where is the *offence*? There was no criminal conspiracy, as I have explained, under Section 120 B. There was no attempt made by us or by a fellow conspirator under that Section and Section 131 as I have also explained.

The Court.—Mr. Mohamed Ali, you are charged that you at this meeting and other places you abetted ten or more persons to commit.

M. M. Ali.—It says "Whoever abets the commission of an offence by the public generally or ten or more persons etc." But what is the offence? The offence is to ask the Muslim soldier to do his duty to God, to bring the law of Islam home to him. But that is no offence. And there is no offence that I abet, the entire ground is taken away from under the feet of the Prosecution.

In the evidence you have it that there were two or three thousand people and two or three gentlemen on oath declared that there were only two thousand people and that they were mostly Mussalmans. I was the President there—at that meeting—and am in a better position to tell you how many people were there. When I returned to Bombay from Karachi, I said to Mahatma Gandhi, I was astonished to see that at least half of that big audience was composed of Hindus. But that shows that the Khilafat is a national question and not as exclusively Muslim question. The Marhatta gentleman who told you about the Gokok Resolution said that there were fifteen hundred people and the whole area of that Conference pandal was not more than that of this hall and its Verandah. The pandal where the Karachi All-India Khilafat Conference was held, it was not far from this place—that pandal was ten or fifteen times as longer as the hall and was absolutely packed, not less than ten thousand people were there. Therefore, it is not a question of instigating ten people but ten thousand people to do what we asked them to do in that Resolution. But we did not instigate them to commit any offence. Cook your hare by all means, but cut it, digest it. But my friends, (pointing to the public prosecutor and Mr. Ross Alston) they have not yet even scented their hare much less caught it. They have not proved that there was really any offence at all that we abetted. What was it that I told the people? To bring it home to them that they

must do their duty to God. (Reads from his copy of the Resolution but the Judge interrupted.) (To Court) I must read my copy because I must give you the exact words of the Resolution as it was read out, moved, seconded, supported and passed the *ipsissima verba*. (Reads in the original Urdu.)

Not my opinions or statements nor even the Karachi Conference's declarations, but the commandments of Islam in this behalf were to be brought home to the Muslim soldiers. Has it now become an offence even to declare that it is the duty of the Mussalmans to communicate the law of Islam itself to the Muslim soldiers? I said yesterday that the Government would not be able to find a single Mussalman who says that this is not the law of Islam. But suppose that they find such a man—suppose they create such a man, for we may even credit them with the function of the Creator when they demand obedience to their behests as against the Creator's commandments—they create such a man and make him a Moslem also, and he says that the law of Islam says that every word of command in the Army is God's own commandments—when the Commander says, shoot a Muslim—he should be instantly obeyed. What do we ask? We say, carry the religious law of Islam to the soldier—the Muslim soldier. I don't say, carry my interpretation of it. I say—carry the law of Islam on the subject to the Mussalmans in the army, is it an offence even to propagate law of Islam? Supposing the man is entirely against me. He says

—No, it is not a sin to kill a Mussalman—it is the bounden duty of a religious Muslim to kill a Muslim when the Commanding Officer orders it. I don't say to him—don't carry this to the soldiers but take the law that I lay down. I simply asked him even what the Islamic law says that he has got to carry to the Muslim soldiers. I know a gentleman who got a title and whose sons got several posts because he happened to hold certain very secular doctrines about the Muslims and particularly the Muslim soldier's duty to the temporal ruler for the time being. He used to engage Maulvie to go into the requirements and preach his doctrines of loyalty at all times and at any price. But it seems even that would be an offence under Section, 117 I. P. C. to declare that it is the duty of Mussalmans in general and the Ulema of Islam in particular to bring the law of Islam home to Muslim soldiers. Or, is it an offence only if I ask ten persons or more? If you ask two or three men, it does not matter. If you ask that ten, the moment you come to ten—that is ten complete, or you ask public generally, you will be hanged. At any rate, gentlemen, you must go by what I have said and what the shorthand C. I. D. man has taken down and what some pitiful Police liar has sought to put into my mouth.

(Moulana Mahomed Ali sent for Inspector Lakhti Hasnan's transcript of the Urdu Resolutions as read out by him at the Conference and found it tallied exactly with the copy he had from the Bombay Central

Khilafat office on the letter paper of the Reception Committee of the Karachi Conference, showing that it was made at the time of the Conference itself. But the translator of the Government had mistranslated into "these commandments" which would make Section 117 I. P. C. applicable if Section 505 was found to be applicable, whereas the actual words of this part of the Resolution did not refer to the declaration of Islamic law that military service was *haram* contained in the earlier part of the Resolution but to Islamic law generally).

Gentlemen of the Jury, I am not anxious to get off. I am not anxious for my defence I make no defence whatsoever, though I had to explain the Law of Islam to you and explain the bearing of that on the position we have taken up. I have not cross-examined witnesses nor produced evidence on my own side. But I want you, who are mostly my countrymen, though in co-operation with this Government, to consider this. You will find that in the history of the world many celebrated trials have taken place and many great people have been declared guilty of many offences. In English History itself even poor Joan of Arc was killed for a witch. But with what result? Her golden Statue stood before my hotel in France, and while I was there the Catholic Church, led by the Pope and the College of Cardinals, canonised her, and what did the successors of those who burnt her do? Why the British Army joined the French in honouring her memory and in placing

wreaths on her statue. I was present at such a scene. George Washington was a wicked rebel in the time of George III. What is the verdict of the British Government to-day? He is the greatest patriot.

I should like to address a remark or two, particularly to the solitary Englishman on the Jury. Englishmen are not bound to follow the majority of their countrymen, particularly in unrighteousness and injustice. Believe me throughout English History it has been the minority that was mostly in the right and at any rate it was the minority that began great and good movements. A great cause had never been started in the world's history by the majority. It was not Pilate that was crucified. It was Christ—God's peace and blessings be on him! Pilate was the Judge who pronounced the verdict against Christ! But who pronounces the verdict now and who will pronounce it hereafter? On the Last Day of the Day of Judgment, it is God that will pronounce the sentence on Pilate who did not know what was Truth and ask that famous or infamous question so cynically. But where is Pilate now? Whoever remembers him—the great crucifying judge—except for Christ's crucifixion? Now to millions of human being Christ is the Saviour. But who am I, a humble individual, to compare myself with Christ, who am not worthy even to take the dust of the feet of Christ? But as the Poet has said "Weakness never need be false-ness; Truth is Truth in each degree. Thurtel-

pealed by God to Nature whispered by my soul to me."

And in the thunder peals of British howitzers the still small voice of the humble man's soul has whispered into his ear this little bit of truth—God's eternal everlasting soul sustaining Truth—that he must not stand by and see Muslims being slaughtered by Muslims in spite of God's clear law but must preach against it and propagate God's Truth, unshaken by fear of man and untroubled by mundane consequences.

Gentlemen, take another case—the case of the martyrs of Karbala. The Prophet's grandson had only 72 men and Yazid's army had thousands and they killed him. He was then in a small minority. But for thirteen hundred years the mourning for that vile deed—the deed of the Government in power—has been going on. Every Muslim mourns for Hussain, Hussain the victim, and not for Yazid, the proud victor ; and many Muslim cities have a quarter just outside known as Karbala, while no trace of Yazid's grave can be found anywhere. So gentlemen, do not think of the consequence of your verdict to-day or to-morrow, but of its ultimate consequences here to human freedom and hereafter to another world, and you have got to judge for yourself. Ralli Brothers cannot judge for you, Forbes, Forbes and Campbell, who objected to a small white Gandhi cap, cannot judge for you, Mr. Lloyd George cannot judge for you. God on his Judgment Day will ask

Lloyd George about his soul, not about yours, and he may have much to answer for. God will ask you about your individual soul and none others. He won't ask Ralli Brothers or Forbes, Forbes and Campbell about it. And if, as a Hindu you believe only in punishment in this very world through the cycle of transmigration of souls, you must remember that, according to your belief, God's Judgment will be visited here and not hereafter and you be judged the moment your soul quits its abode in your body and seeks another. Whatever your creed, your *Karma* is your own and the final Judgment does not rest with you any more than with the Judge there but with God, the Lord of all the worlds.

Gentlemen, I have taken much of your time, far more than I had intended to take or would have taken were it not for being constantly interrupted and stopped. But as I said at the very outset, had it been a case of my individual defence or if all of us accused together only, I would not have argued at such length and with such persistence. I do not seek to avoid punishment ; for, the jail is the gateway to India's freedom. Had I sought to avoid punishment, I think I could have smashed the entire prosecution and proved my case according to the canons of this very law, the so-called law of the land. I could have cross-examined the witnesses and their evidence to shreds—I was really tempted to do that in the case of Colonel Gwyer with his enlistment forms and his "soldier's duty as such." I think I may say this

though I do not pretend to be a big lawyer like my friend the Public Prosecutor or his little assistant. Nevertheless, the case is so hopelessly weak that it could not keep us shut up in the jail for a day even if the ex-Lord Chief Justice of England himself, better known as Rufus Isaacs, K. C. had his Government's brief. But although a Non-co-operator and therefore, debarred by my duty, as such, to defend myself, I had to speak up when the Viceroy indulged in his hill top "obiterdicta" on a matter which he knew and admitted was subjudice. He said that this was no case of an attack on Islam or religious interference. What could be a more flagrant case of both? If tallest poppies are to be cut off for upholding Islam and its laws and you ask those who remain what is your opinion about the laws of Islam which only means "your turn next if you dare to tell the truth" and you cut off their heads too if they still dare. The result may well be that there will be none to stand up and oppose your will. And then you will say "we interfere not with your faith." If this is non-interference, you can enjoy the self-complacence induced by such boasts of toleration. But that is not all. We are asked to look at him—the tallest poppy of the Israelite garden in England—as upon a certificate of British toleration. But, gentlemen, I cannot imitate the ex-Lord Chief Justice of England and Viceroy of India. His law is a law unto him and my law is a law unto me. The example of his people, if I may say so without offence, is constantly

mentioned in the Quaran for the Muslim to avoid and take heed from. According to the Quaran, after Moses (on whom be God's peace and blessing) had brought the Israelites safely out of Egypt and they had been delivered from the tyranny of Pharoah, they were asked to march on to the Promised Land. But they said, 'it is ruled by giants, we shall never be able to enter it so long as they are there' and they said to Moses, 'Go thou and thy God and fight them ; we are the while sitting here'.

Well, gentlemen, that is not an example that I am asked to follow in the case of my Holy Land but to avoid, I can not take that law. It is ruled by powerful people. "They are giants, go thou and thy God and fight, we rest here". But I am not there to question the propriety of that example or that law. So far as I am concerned, the Quaran is my law. Giants are not Giants. I shall fight when my God demands it for me and shall not rest, nor ask Him to fight the giants himself. And if I am to be hanged for it—for waging war against the King, gentlemen, I will still say that this is my law and that it is right and even my carcass hanging from the gibbet will, I trust, say the same. Do not therefore think of saving me, gentlemen, from transportation for life. But if you have God and if you have a soul to save and if you have Faith you will decide according to your conscience. You are not to consider whether you are servants of a particular Company of the Greek firm Ralli Brothers—of Forbes,

Forbes and Campbell—of the Customs office—you are to think nothing of that, but only of this that you are slaves and servitors of God. Gentlemen, this is the one important matter. So judge according to your conscience—it is not to save me but to save yourself. When the Judge had said "I cannot allow this" and wanted to stop me. I said to him, "Then why not stop this farce and hang me outright?" Well, he smiled and replied that it was not only a matter between him and me but also between him and the public and I had replied that the public had already given their verdict both in this Hall and also in the streets where they crowd in their thousands and cheer us going and coming and the old women in spite of their Purdah come out—as my old mother has done since this trial and make signs to us indicating that they want to take off our troubles.

Well, gentlemen, my defence is before my God and my fellow countrymen. Here we are now at the bar of this Court as prisoners and accused persons. But when before the Judgment Seat of God, the Judge, the Jury, the accused, all the co-accused, the Public Prosecutor and his assistant, the King himself—everybody is assembled and God asks, "Whose is dominion to-day?" What will be your answer? You will say: "Thine is the Power, the Glory, Thine the Kingdom, Thine the Dominion." You say now "Thy Kingdom come." But, gentlemen, His Kingdom *has* come. God's Kingdom has

come. God's Kingdom is here even to-day. It is not the kingdom of King George but God's, and you must decide on that basis and I must act on that assumption. That is why I say I will follow the law of King George so long as he does not force me to go against the law of my God. I have no personal malice against him, I have none even against the Judge here, none against the Government. Not a single instance of that can be quoted from my public speeches. No, gentlemen, we must act from motives of public good, not of private malice. Once the Prophet's son-in-law, cousin and successor, Hazrat Ali was enraged against a Jew who had insulted Islam, and the God of Islam and the Faith of Islam and Ali and that very instant brought him down to the ground and had jumped on top of him. The Jew thought that he was going to be killed and in sheer desperation spat on Ali's face. You have seen, have you not a vessel full of milk on the fire and about to boil over and you have seen how it subsides the moment a little cold water is poured in. The Jew's spitting acted just in that manner and strangely enough the wrath of Ali subsided at once and he left the Jew and walked away. But the Jew was so astonished at this unexpected turn of events that he ran after Ali and caught hold of him and said "This is very strange. When I said word you forced me down and would have killed me, and when I spat on your face in desperation you leave me!" And Ali answered, "You insulted God,

and I could have killed you, but when you spat on me I got enraged on my own account and personal ill-will could not go well with public duty. I could be an executioner for the sake of God but not a murderer for Ali." Gentlemen, we too bear the revered name of Ali and I bear also the name of another even greater than Ali. I will not be a party to the killing of even a gnat for personal malice, but for the sake of my God I will kill all, I will not spare any one, I will slaughter my own brothers, my dear aged mother, wife, children and all for the sake of God, so help me God! (And as he said this his voice failed him, drops of tears rolled down his cheeks and he sat down completely overcome.)

STATEMENT OF MOULANA SAUKAT ALI

Gentlemen of the jury and the Judge, I am personally not capable of making a long speech. If you interrupt me in the middle of my argument I lose my points I am not so clever as my brother. If you interrupt him in the middle of his speech, if you ask him questions—he will never lose his argument—he seldom misses his points. I am positively certain if you will give me a patient hearing, I think you will have no complaints. If the trying Magistrate had just the little patience to hear me—to let me say my say in my own way he would not have had any complaint whatsoever. It is not my desire to waste your time or my own by inflicting a long speech upon you. I am also anxious to see the case finished. I am anxious to see my mother and fellow-workers go away without any further delay. There is so much work to be done ; and I begged of her and wished her to go away. But she said that she wants to go away either to us or without us, without further delay when the case was finished. So, I cannot afford to make an unnecessary waste of your time and mine by making a long speech. Besides, we have much work to do for the country.

Before I go further and say what I want to say,

I want clear to a few points. I am one of the Secretaries of the Calcutta Khilafat Committee and I have worked much for it, and if the Central Khilafat Committee have done anything—any work that has been done by this Committee—with the help of a large body of earnest workers, I have played an important part in it, I am very glad—I am thankful to the public prosecutor that he has acknowledged what have I done for it. And whatever I say now, will be taken as absolutely fair and truthful. I want to speak everything frankly—I want to speak out what is the real truth for your information and for the information of the Judge.

I just give you the information which the Prosecution failed to supply to you. Poor Maulvi Nisar Ahmad, who had just come from the Mathura Jail having been convicted under Section 124 and sentenced to six months even now a prisoner—came with us all the way from Gokak. While coming with us from Bombay, he got fever in the train. He also was with us when my brother and myself and Dr. Kitchlew were living at Kanya Pathshala that if further information I give to you, Poor Nisar Ahmad was laid up with fever. He was not a member of the Central Khilafat Committee. He took no part in the Subjects Committee. He was not elected to it. In the Conference meeting, he was called upon to speak as he is a great preacher. He spoke nothing outside the Quaran and the Hades. The people

were anxious to hear him. He said only a few words.

You have heard Maulana Husain Ahmad, Pir Gholam Mujaddid Sah, my brother and Dr. Kitchlew—they have told you that if a Muslim goes to a Muslim scholar to know what the law of Islam is, it is the bounden duty of him as a theologian to give him a fair and square answer. So Maulana Nisar Ahmed was asked to speak on the subject. The subject is very simple for a Moslem—he requires no time to think over it—it is not necessary at all. He was in fever and so he made a short speech. What the effect of this information will be on this case, I do not care—no true Mussalman would care to bother as to the result of speaking of what he regards as gospel truth. Another thing I want to say, and that is about Shri Sankaracharya. Our Karachi friends wanted him to come with us. So on an invitation from the Khilafat Committee, like Mrs. Sarojini Naidu he came with our party to attend the meeting. I here take the opportunity of gratefully acknowledging the sympathy and support of our Hindu brethren in our Khilafat cause. We have a very large number of Hindus who are helping as workers and even as office-bearers. There is not a single city in which we have no Khilafat Committees and where we have not a large number of Hindu workers with us. I have travelled all over India ; and I may tell you that in all places the Hindus are working with us for giving us assistance and in many places, where the Mussal-

mans are weak, they are working as members of the Committees and even as Presidents and Secretaries or as workers. So Shri Sankaracharya came to give his Hindu ecclesiastical support and sympathy with the Khilafat cause, and I may tell you again that Mahatma Gandhi our great Sirdar, our great Chieftain also comes and gives us his support. We carry our ordinary business ourselves, we draw up our Resolutions, we talk we quarrel we fight in our Subject Committees ; but as a rule we send for him only when we want him to make a speech often not on any Resolution. But these speeches are made only in a general way especially to prove his sympathy with the Khilafat cause. So too, Jagat Guruji came in and spoke. Whatever value you may attach to it, you may ; but it is God's truth which I consider as my duty to put before you.

As for myself, I am not going to make a speech in my defence except to tell you what I think and I ought to tell about our work clearly and frankly. After what you have heard from my brother and from that great theologian-gentlemen, that one speech that one statement which I would beg of you to consider and pay greatest respect and attention to—is that of Moulana Hussain Ahmad Saheb. You have heard Dr. Kitchlew and Shri Sankaracharya. I have nothing left in store for me (laughter). But I want to tell you this—which I hope—you will appreciate why we are doing all this. The Judge incidentally put a question to the Public Prosecutor when he was trying to prove

a conspiracy that—Did he not think that this Resolution passed at the Karachi Conference, was meant more for the Government so that they might realise the feelings of the Muslims? Now I may speak for myself and for Mahatma Gandhi having lived with him—we have practically lived as two brothers—I want to tell you and the Court so that you may understand that every effort by us by Mahatma Gandhi—by the Central Khilafat Committee and by all our workers and sympathisers—extremists and Moderates—every effort possible has been made to bring this home to this Government that it is a very serious question. For Government's sake, you must realise this. Believe me, gentlemen, that every possible effort was made to make this Government realise the gravity of the situation—we asked them—"satisfy the Muslim demand—rectify the Punjab wrongs and grant us Swaraj—the Mussalmans, the Hindus, every one will be perfectly willing to co-operate with you.

Colonel Wedgewood is a Christian—is an Englishman. He came over to India to study the question. I heard from my brother and friends in England that Colonel Wedgewood had helped the Khilafat cause in and outside Parliament. The Khilafat Committee in Bombay convened a public meeting to welcome him. Colonel Wedgewood was present there. We thanked him for his efforts. A resolution was put in, and I proposed that resolution I spoke in his presence. I told him frankly that my heart was burning against England; and it will continue to do so, as long as

Britain has not evacuated the sacred places of the Moslems, so long as the British Government has not satisfied the Khilafat wrongs, so long as they have not redressed the Punjab wrongs, so long as we do not get Swaraj. So long as these are not done, I count myself as an enemy of England. I hate everybody who is an enemy of my God, who is an enemy of my Faith and my country ; and all that lies in my power I shall do in getting my rights back. I told him also that any body—be he an Englishman—be he a jew—a Parsee agnostic or whosoever he may be anybody who comes forward and does something to help me in getting my rights back, who will help me in giving me satisfaction about the Khilafat, about the Punjab wrongs, and help me to win Swaraj, there is the hand of brotherhood and fellowship I offer. And Colonel Wedgewood jumped up and took it. I shook hands with him. And I spoke in Urdu and told the audience, there were 2500 of them,—“Do not blame me as I am shaking hands with him, it is because he helped us in our Khilafat work. He has come to study the Khilafat question. He has come all the way with an open mind to study the question, and he is going to do what he can and on behalf of the Muslims of Bombay, say for the matter of that, for the Muslims of the whole of India, I offer him my hand of brotherhood and fellowship.” And they all said—“Do it”. I say now, again, whosoever helps us, whosever helps us in giving satisfaction with regard to the undoing of our wrongs, whether he is the

Judge, whether he is the Public Prosecutor or the Jury or the Viceroy, whoever he may be, we all offer him our hand of fellowship and brotherhood. Every effort was made, every effort has been made and is being made by us to justify our cause and in getting our rights back. When we were in jail, there was no Khilafat Committee worth speaking. There was no organisation. There was no fund. Dr. Kitchlew was in jail, my brother was in jail. On the 28th December, 1919, from the Benares Jail we proceeded straight to the Congress at Amritsar. There was held a Khilafat Congress. I was asked to preside in that Conference. We did not think of a Revolution then, we did not think of a Republic, we did not think of rising in rebellion. I did not say that we are all rebels—I did not say that I acknowledge no king—that I owed no allegiance to him—that I did not say that I was a free man and India was my home and God alone my King—I did not say that we do not want your Police, your Army and your Navy—I did not say that I do not want the protection of your hands—then I counted myself as the subject of the King Emperor. At that Khilafat Conference, gentlemen, a Resolution was passed that a deputation does wait on the Viceroy to put everything before him—to put our case clearly and moderately. Another Resolution was that we must send a deputation to England to put our case before the King, the Parliament and the people of England. I as president was ordered to make arrangements. The Government of India readi-

ly assented to receive the deputation ; and on 19th of January, 1920 the pick of the Mussalmans,—the Ulema, the pick of the Hindus and Mahatma Gandhi was in the galary—we waited upon the Viceroy and put clearly our demand. The Viceroy made a speech. He had personal sympathy with us and he realised that the Moslem feeling was genuine. And he got the Deputation to England a passage in February next. My brother, Maulana Soleman Nadri, Mr. Syed Hossain and H. M. Hayat were members of the Deputation. The Deputation sailed and we waited for months and months to see what answer we get from my brother. We were eagerly waiting for cable from him. Meantime every possible effort was made to carry our message to our people—everything was put before the Viceroy to make him and the English people realise our grievances—that it is a matter of our religion—it is a matter of our conscience, there was no question of bluffing in this as has been hinted. We mean business now and we meant business then. We wanted that England should know what the Muslims felt about the Khilafat and once for all realise the strength of genuine Muslim feeling.

People ask—what has become of the Ali Brothers? I tell you,—we have our English friends. I was in Government service for seventeen years ; my brother was brought up in England, was for four years at Oxford. I was one of the best cricketers in my day. I was a strong swimmer an expert athlete.

I was socially popular—Mr. Ross Alston will be able to tell you that. I met him in Benares. I was then in Government service. I want to say all this to show that we are not by nature Revolutionary—that we are not born in a Revolutionary family. I have not gone mad—a mad dog has not bitten me (laughter). But things happened which have upset us. We were once very careless, we used to put on fine clothes, we were brought up in luxury. Those old days are gone. You have no idea how dressed and smart this brother of mine Mahamed Ali was—how he used to spend thousands of rupees on clothes only. But things are different now.

Well, the point is this. We did what we could in India. We made our appeals to England—to British Ministers, The Government of India sympathised with us, they wanted to show a generous spirit. The Government of India, the Governor of Bombay realised the feelings of the Muslims. The Governor of Bombay, I am told, said that my heart is in sympathy with the Muslims but it is not in our power, go to England. Therefore we sent over deputation. They went over a deputation. They went over everywhere. They interviewed Mr. Montagu—they interviewed the Prime Minister—they saw Members of Parliament, they addressed meetings in England—in the country in Scotland. But with no result. They went over to France. They knocked at every door—waited for some little consideration—some little ray of hope. We waited for a message. My

brother for days and months never sent a message. At last, a message came. We came to know that France was willing to make an honorable peace with Turkey and satisfy what the Muslims demanded—and that Italy had already made peace with Turkey and that it is our Government the British Government alone who was unwilling. When the war broke out, England promised—on 5th November 1914 Lord Hardinge made a definite pledge on behalf of he kind—and even the Czar of Russia was consulted—and they all agreed to this that all the Muslim sacred places would be immune from attack and molestation. I do not remember all the details. One clever brother in the family is more than sufficient (laughter). But all the same, what I am telling is absolute truth. Therefore, I am not keeping back anything. Because we are straight forward, we tell you in your face what we think. And God willing I still hope—hoping against hope—that things will not be bad—as bad as they are. Let us hope that.

We came to know that it is possible ;—we can get nothing from England. That's what our deputation told us. In the meantime, we were not idle. When we found that England's pledges carry no weight, we acted like old Cromwell, "Trust to God and keep your powder dry." We carried this message to every home in India ; we roused the Moslems, we roused our Hindu brothers to work—to do what lay in our power. When we found there was no hope, that this Government would pay no attention

to all our appeals—to all our memorials—to all our beggings, prayers and petitions—we decided, after a full consideration—after a great deal of heart-searching. And the great man whom I, a Mussalman, am proud to acknowledge as my Sirdar and Chief—Mahatma Gandhi—he who is not only a great man, a good man, a clever man, a shrewd *Bania* as he is, who thinks two hundred times before he says anything—he thought and thought over it, and at last told us that there was no chance whatsoever to make this Government realise the wrongs it has done or to repent for its actions—but to put difficulties in its way—in a peaceful way—that if they may come to hear us. And we started Non-violent Non-co-operation. We spread the message all over India. I have travelled many thousand miles—I have travelled all over India—I have been spreading this message to thousands and thousands of our fellow-countrymen and country women—working and carrying this message to every home—man, women and child. How many thousands of miles Mahatma Gandhi travelled—how many thousands of miles I have travelled—how many thousands of our people, Hindus and Mussalmans are working for the Khilafat and for Swaraj gentlemen, we know and the Government knows it well. We do not mind what the Anglo-Indian papers write about us—what our moderate brothers say about us. Our chief is the coolest man. The one man that never gets excited is Mahatma Gandhi. He is calm ; he is resourceful,

he is too careful, he knows what he does ; and he knows how to do a thing. And I may tell you, gentlemen, I will betray him I think he is in his heart of hearts still believes in England that she will yet apologise, yet repent when she realises our just cause, will appreciate the justice of our demand regarding the Khilafat and the Punjab and will give us what we want. I have studied him. He breathes in his heart of hearts that every Englishman and Englishwoman is not what the Anglo-Indian newspapers picture them to be. He still believes that the British Government will yet come round, that they will satisfy the Muslims, they will yet give satisfaction on the question of Khilafat and the Punjab and give us what is necessary. If so well and good, gentlemen, there is a well-known Persian Proverb "you call me a Haji and I call you a Haji—"*Man Aura Haji begoyam to mara Hajibego.*"

Gentlemen, I have told you that I want to be fair and square. I am a frank man and I know my brother also. I brought him up as a little boy at Aligarh ; I ate up his pocket money ; I thrashed him when he questioned about it ; I educated him ; I sent him to Oxford. I have followed him as a friend and I now follow him as a leader. There is one weakness in him that I tease him about. There are two—one is that he cannot forget the four years he had at Oxford. He had a certain affection for England and its people. And the second is by nature he is a believer in Constitutionalism. If there is one Consti-

tutional man in India it is Mahomed Ali and that's why he was so much worrying the Judge and the Jury. But circumstances are different. We are being forced—we are doing all this because we must. You know my faith. You have heard my brother ; you have Dr. Kitchlew ; you have heard Maulana Husain Ahmad Saheb. All of them have told you that we must work and induce others to work for a good cause. It is my Faith as a Muslim. It is a perfectly good thing for me to die for God and Truth ; and it is equally a good thing for me to kill for a good cause. I am not afraid of this.

But we have thought over the whole thing. We still give the Government every chance possible. Mahatma Gandhi and we all of us in the Congress Special Session in Calcutta in September, 1920 said that within one year we would get Swaraj and that we would start Non-violent Non-co-operation. The Congress took up our Khilafat programme and adopted it. This period expired on the 30th September, 1921. But on account of the Congress decision we have extended it till 31st December 1921, and in the period to make every possible effect that lies in our power to bring this Government to realise its duty, to carry out the promise made, and to give us every satisfaction. You may think that we are showing discourtesy to you—that we mean any insult to your person. No, personally I am as humble as anything. If you wish I may make an honest and sporting offer to you. To-day, if any personal humiliation you may

require from us—from me—from my brother or from Mahatma Gandhi—if you ask us without any show of force—without any threat—if you want us to crawl for you—if you want me to crawl on my belly—though I am so heavy, I will do so. I will write poetry on the ground with my nose and whitewash my face and body. I will do all gladly and cheerfully only on this promise that you will give me satisfaction as regards my demands. Today, believe me, when I go to say my prayers five times a day—and turn my face towards Kaaba (Mecca)—not always but sometimes when God's light is on me—my heart tells me "You coward, your Kible (Kaaba) is not yours. It is in the hands of men who are not going to give it back to you. The custodian appointed can not afford even to keep it clean or light it. You ought to be ashamed of yourself." Yes : this is true. The Law of the Quaran says that no Non-Muslim should have any control whatever over any part of our sacred places in the Jazirat-Ul-Arab. Take it from me what I am saying I am speaking from facts. I am perfectly willing, if you satisfy me on those points, to whatever you like. You may hang me—you may transport me for life—I will not object—I am perfectly willing to go on my knees—if you (Judge) will only throw away the file ; run and go to Simla to-morrow and tell the Viceroy there that we are not blackguards—that you are convinced of our sincerity and that you can not convict us under any Section of the Penal Code for our adherence to Islamic Law and

tell him to satisfy our just demand. After all, what are we guilty of? We do not want any body's home—we do not want any part of England—we do not want any bod's property—I do not want that this Judge should be hanged and I should go and take his place (laughter). No, I want to hurt nobody. I only say—"Give me back my own; you have no interest in that, it is a land of sand—it does not produce anything. There is nothing in this country. It is a most uninviting country—the climate is hot and no European can stand that. On that barren country my Prophet and His companions walked bare-footed. If I had health and strength, I would like to kneel at every step and kiss every inch of that sacred ground,—perchance I may kiss one particle of sand that had touched my Prophet's feet. To-day I am non-violent. We have an army of workers. If I am in jail, my mother is working. My mother is in jail, his wife is working, though she is not as brilliant as my brother—she is working. Thousands of women have come out, throwing away their veil. Many thousands of new workers have come out—they are all praying for us. I say, when I came to this hall, that old and young women prayed for us and pointed with their heads inwards Heaven. Each one of them will tell you that God is with us—children, boys, old and young—they are all with us. I have travelled from Karachi to Assam—I have travelled all over India—and I may tell you, gentlemen, I have seen the same everywhere—the feelings are very strong.

Gentlemen, you have heard a great deal about Malabar. People say that the speech my brother made in July in Karachi:—

The Court.—I will not allow you to speak on the Moplahs.

M. S. Ali.—I am not going to talk on the Moplahs. You will appreciate what I say. My brother never went to Malabar. Mohatma Gandhi and myself went there. We reached there at 12 o'clock. We were carried in a procession—then we went to a public meeting we came back to Madras. I saw that it was our weak point. We had no workers there and what there were hampered. Wherever we are strong—wherever our workers have reached—thank God—the peace of India is kept and orders of the Jamiat-ul-Ulma—the orders of the Khilafat Committee—the orders of the Congress and the orders of the Mahatma Gandhi have been carried out.

Gentlemen, you know how this Anglo-Indian Press have been flouting the religious demands and others are ridiculed. They say all sorts of things about us ; and I may tell you frankly that some young men were exasperated at this constant slanders against us in the Anglo-Indian Press. These young men—their blood was boiling—came to us and asked us "what are we going to do." They said—"We cannot remain non-violent non-co-operators always." I said 'No' to them. I tell you my reasons. Where a question of killing comes in, I will go and kill

myself. But we cannot have two things together. We cannot have peace and war both. We can only have one policy. The order has gone out that we are to carry out non-violent non-co-operation. You cannot have two things together—either you will have peace or you will have war—*i.e.*, Revolution. And up to 31st December we shall have peace. Every order of our Sirdar Mahatma Gandhi the great Chief in this campaign we have got to carry out. I may tell you, gentlemen, the danger is there, the feeling is there. It is the feeling everywhere—in my heart—in all the accused's heart—in every Muslim's heart—in every Hindu's heart—in every Indian man's and woman's heart ; and the two Hindus and Mussalmans are combined : the women have thrown off their veil and have taken up the Nation's work. The feeling is working—it has reached Afghanistan, Persia, Arabia, Turkestan, Khiva, Bokhara and Russian Muslims and to numerous other people—to the Muslims all the world over. As a Secretary of Central Khilafat Committee I get many informations. It is my business to find what the Muslim world is doing. And I am very glad to tell you that it has reached practically every house in India—to every Muslim in the world. I am not saying all this as a threat. This is a fact which you will have to realise. We went to the Viceroy and gave him a warning. My brother went to England and spoke clearly to the Secretary of State. We said that we are agreed to make peace. Dr. Ansari, Mr. Chotani and other

people, went to England. Mr. Chotani has only just returned. They did their best. We had to tell the Government and I tell it again—through you—and through this court—I want this message should go to the higher authorities that we are perfectly willing—we are anxious—to make peace but let the Khilafat be satisfied to satisfaction of Islamic laws, not of any individual Shaukat Ali or Mahomed Ali or Kitchlew. Let the Punjab wrongs be righted. And I want you to carry this to the authorities at Simla or elsewhere. Let there be a conference of thirty men—men who have understanding—whom India trusts—reliable men—God-fearing men who have got truth in them and who in their daily life followed no other law—who will see what the whole Muslim demand is. And if such men (Ulema) give a Fatwa saying that England is going to satisfy your demands and now you can co-operate with them I shall be very glad to go and shake hands with every English officer and be a subject to the King again. This is honest truth. But suppose this is not done you may say what you will, do it at once. Well I shudder to think. I cannot forget—I, who was most friendly with the English people among whom I count some of my intimate friends—I who was educated by Englishmen. Next to my mother I owe everything to Englishmen I cannot forget this. When I wish to fight against Englishmen the figure of my revered Professor Theodore Beck comes to my mind I know what he is to me. This is honest truth. I wish that

we should as soon as possible get our quarrels settled without any further unpleasantness. My true feeling is this—that as India is my country—it is the country of every one—Hindus, Muslims, Sikhs, Jains, Christians and Jews who has made it his home and even of every Englishman or woman who has made it his or her home and is ready to serve and love my country and I hope nobody will be tormented here, when I have my Swaraj on account of his conscience. Whosoever is true to India, whosoever will serve her will find his place here, and the laws of the country will protect him. That is why I am anxious that India should not become another Ireland or Egypt. We are 33 crores here ; we can very well look to our coasts ; we can very well guard our frontiers. Look at the hugeness of its coast, at its land frontiers. There is a corridor from Constantinople right up to Saharanpur where the majority are Mahomedans—all through Muslim countries—Afghanistan, Persia, Arabia, Bokhara, Khiva, Russian Muslims. We know there 40 crores of Muslims in the world ; and our brother Hindus—22 crores of Hindus have thrown in their lot with us. And is it worth while to fight 62 crores ? We fully realise our strength. I can assure you that this is not bluff. We know our strength. Our chief, our great Sirdar, Mahatma Gandhi will prove to be one of the greatest generals if he could believe in violence. I have also the blood of a soldier in me (laughter). And the battle will be fought in India. If we kill a few

English men here, many Karachi houses, my relatives' tombs, Muslim tombs, Muslim houses, Hindu houses, many Muslims and Hindus will be killed and destroyed. But I know my strength from what is happening in Malabar. In spite of all the resources and powerful military strength, the Government cannot subdue the handful of Moplahs. I can draw my strength from every district in India. Malabar is a small district—there are a few Mahomedans—they are fighting and fighting for two months. Every district in India is stronger than Malabar

The Muslim in every district in the Punjab, the United Provinces and Bengal are stronger people ; they have more brains ; they are more educated. What would be the effect if the whole country was like Malabar? But I want to avoid all this because it is not by bloodshed that we want to satisfy our demand—it is not bloodshed that we want. We have made every possible effort to make the Government realise the situation—we have given them time to think up to 31st December. We were working hard, day and night. But our object was that we wanted the Government to think. "Why was all this done"—I asked Mr. Ross Alston—he knows me from my boyhood, I told him—"look at me—I who had a large number of English friends—I who was a Government servant for 17 years in the Superior Grade of the Opium Dept. in which there are very few Indians, I am still on the pension list, though I do not draw the pension. I have friends among

Englishmen, there are many Englishmen and English women who will be sorry that I have taken this attitude. But today I know none but God. I am not bitten by a mad dog—I am not insane ; I am perfectly in my senses when I make this speech. But what is it that has made me this? How is it that we have come to this pass? I know I am making an incoherent speech ; but it is my heart that is speaking—I am opening out my heart before you. But how is it that we have come to this pass?—we who were *Khosamudis* (flatterers) of this Government. What has happened to us? How is it we who were so much against the Hindus and the Congress are so much forward than even Hindus in general? I asked Mr. Ross Alston this question when I met him today. He said that an English Officer only last night asked him the same question about my brother. Well I am perfectly willing to make peace with anybody, to make friends with the Hindus, with the Christians, with any man, whatever nationality he may belong to and so long as he do not mean any harm to my country or to my religion, I am perfectly willing to do so. Gentlemen, looking at my big size, I look terrible—I look like an awful ruffian, you would not like to meet me in a dark lane at 12 at night. Looking at my heavy body you will not judge me, I pray. I was a great swimmer. I was a good boxer, I was one of the best bats (cricketers) in India ; for nine months in the year I used to be in camp walking a happy careless fellow. And yet

to-day, I make as a confession that my religion demands, my country demands all I have—I am obliged to throw away my personal feelings—I have thrown in my lot for my God and for my country ; and I am now in the service of God.

Somebody said something about my home in Moradabad. The Public Prosecutor asked Mr. Lakhte Hussain, who said that I had a house and lived there. I think he did not tell a lie intentionally. But I may tell you at once that we have no house there. As I cannot go to Rampur, so whenever my mother wants to see me or I want to see her, I go to my cousin, who has got a house at Moradabad and she comes there and meets us.

People say that there is no want of toleration in this country ; but I should like to tell you why I and my brother are not allowed to go home at Rampur. During the time of the Mutiny my father saved the lives of many Englishmen and Englishwomen. He was then the right hand man of the Nawab of Rampur and he had received a big *Jaigir* as reward for his loyal services. My father got a share out of it, and so did we though we have sold all our share in the *Jaigir*, when we were interned in the Betul Jail, to defray our expenses. Thank God that we have done with it and nothing is left. And I may tell you that we have never been unfaithful to the Prince—we have never been traitors. This is my family tradition. The Nawab of Rampur personally has the greatest affection for me. He respects us. But one day

when we came back to our home after our release after we had dined with him His Highness said—"A few days ago Sir Harcourt Butler sent for my Chief Secretary and he said that "Mahomed Ali and Shaukat Ali give us a lot of trouble ; do ask them to give up what really meant the Khilafat cause." And he said—"You have to give up this work or go out of Rampur". I said—Sir Harcourt Butler himself can do it—there are plenty of Regulations—they sent us under Regulation 3 of 1818 to jail—well he can do it even now but why should you? we have done no political work in Rampur—we have only come to our home for rest and comfort. Why should your Highness do this dirty work for him?" He said—"I cannot help it. You must choose either to give up the work or go out of Rampur". And that is why I rented a house at Moradabad as a sort of Rest-house. We have not rented a house there that we may send out those writings from there. I do not want to prove it. You may take it from me if you like. That kind of work is not our style.

But I think when our Central Khilafat Committee, the Jamiat-ul-Ulema and all other people decided and ordered us to actively carry out this Non-co-operation propaganda and when thousands of workers are actively carrying on this propaganda, God willing, it will reach tens of thousands of Subedars, thousands and thousands of soldiers—it will reach every Muslim soldier—it will

reach every Hindu soldier—there will be tens of thousands of workers working everywhere—in every village—in every town—there would be thousands of females working ; you cannot wrap up these soldiers in cotton wool—you cannot shut these soldiers up in a glass case only, for they have got to go to their homes—they have got their relatives and friends—we shall approach every sepoy—we shall approach him in every possible way—his mother will speak to him—his wife will speak to him—our ladies have thrown off their veil—my mother will go to them—my brother's wife will go to them—my daughters will go to them—our women will go to them and give them the message of God. Even if we are punished, they will do it. How can you stop that? But still, even now up to 31st December, there is every chance of a reconciliation. If there is no reconciliation—settlement before 31st December then you will see—you (pointing the Judge) will not be there where you are now—the power what is in your hands we will snatch it—God willing, we will do it. We have strength enough, we have the power of self-sacrifice. We have the power of suffering. We have got the power of organisations and brains. Our country is powerful—it is strong and it can work after itself. Whatever you decide personally it is nothing to me. I am ready for everything. I am told there is a man-of-war sent from Colombo to take us somewhere. Well, I shall be very happy in jail—I am still gaining in

weight, my brother is also improving. So it is not a question of any thing personal to me or to him.

One thing more and I shall have done. After all, you would like to know why this prosecution has been started. I would like to tell you and the whole world—(interrupted by the Court).

Maulana Shaukat Ali, continuing, said—there is a vast difference between Mahatma Gandhi and myself. He belongs to the party of God's good people, I belong to God's *badmashes*; Mahatma Gandhi, Maulana Hussain Ahmad and Maulana Abdul Bari are God's good subjects, and I and the large number of Hindus and Mahomedans—we are God's *badmashes*. Thank God we belong to God. But we trust Mahatma Gandhi and he trusts us. The Mussalmans and the Hindus have now united and every possible effort has been made and is being made to part us. If you read the pro-Government newspapers you will find somebody says, Mahatma Gandhi is a saint, that he is a good man but that his meeting with these ferocious people, the wicked Maulanas Shaukat Ali and Mahomed Ali, who are in touch with the Afghans and in the pay of the Turks and that Mahatma Gandhi is nothing but so much of clay in their hands. Other says Shaukat Ali and Mahomed Ali are very simple and straightforward, it is the wily Bania of Ahmedabad, it is to ruin them and the Mussalmans.

It was said that the Ali brothers had apologised he who won over these Mussalmans and he is going

to Government. When Mahatmaji and myself met at Allahabad in May last, we heard that Pundit Madan Mohan Malaviya was the peace-maker. He sent a message that the Viceroy would like to see Mahatma Gandhi and Mahatma Gandhi went to see him at Simla. He went because you know he is always willing to step forward because he does not want bloodshed and we too, do not want bloodshed so long as there is hope of success by means of Non-violent Non-co-operation. So he went to Simla and had six interviews, lasting sixteen hours, with the Viceroy, and Mahatma Gandhi sent us a wire to me and my brother to meet him at Khandwa. I was busy ; so my brother went and met him. Mahatma Gandhi said that there is an impression outside among friends and others that you (Mahomed and Shaukat Ali) mean violence though you make a declaration to the world that you stand for non-violence. And he told all about the talk he had with the Viceroy. Mahatma Gandhi wanted us to make a statement to the people of India. He was very earnest about it. He said that he wanted us to go to jail but only on a clear issue and he himself wanted to do the same. So I and my brother issued a statement that we do not mean violence while talking of non-violence.

You know, gentlemen, day and night for days and months, I have been working for the success of non-violent non-co-operation. And thanks be to God, tremendous changes are going to take place. India is marching with hundred banged boots on, with

thousands and thousands of new recruits consecrated to the cause of the country and religion. India to-day is something new, and to-morrow she will be a newer thing altogether. There was one disease that Indians suffered from. Thanks to the efforts of Mahatma Gandhi, they have shaken that off. We, Indians, were deemed as cowards. God be thanked, nobody can say that now. The history of India is being shaped in a new fashion. So we obeyed Mahatma Gandhi's order and sent that message to the Press. Gentlemen, I may tell you if we meant it for the Government of India the Government of India ought to have been chivalrous enough to make peace with us. They would have said—'Well, when even the Ali brothers have put in the statement it is easy for us to sit on a round table conference.' But this was not to be done. We were ridiculed, Mahatma Gandhi was ridiculed and the whole host of the Anglo Indian Press came upon us. And I am sorry our co-workers in jail were told that we had apologised to Government. Well, I could see there was no change of heart in Government, even in the Viceroy. We were told he was a very suave and persuasive man. He and his Government wanted to discredit us in the eyes of the Muslims. They wanted to discredit us in the eyes of the Hindus—they wanted to discredit us in the eyes of the world and we were said to be as the *Leader* said, 'Ali Brothers were as bad as a door nail'.

However, I am very glad indeed—I am very

happy indeed—that this time the issue is very clear. I want your decision—I want the decision of the Judge—whatever it may be, thank God, that before this our message could not reach the army as we might have wished, but by this prosecution it has reached every one of them—it has reached every home—every Mussalman—every Hindu—every Indian—man and woman. New workers are coming out and I am not afraid that there will be any dearth of them. Gentlemen, I leave everything to God. Personally, I do not care.—jail or no jail. I want to tell you that all the gifts God has given me,—every power, every little thing that I can do, and all that lies in my power—I will do for my God and for my country so long as this Government to which you belong—so long as this Government to which this Court belongs—does not do justice to Khilafat, does not satisfy us, give us back the power of Khilafat, does not satisfy us about the Punjab wrong, and does not give us Swaraj—all that lies in my power I will do, and, God willing, we will uproot you altogether. To-day I am a Non-violent Non-co-operator; to-morrow if, God forbid, Mahatma Gandhi fails, if the country fails, I shall do whatever lies in my power. Thank God, we have got the courage, we have got the strength, we have learned the value of suffering and sacrifice and we will do whatever our great chief Mahatma Gandhi will ask us to do. God willing we will face all danger, face death with eyes front. (Here the Maulana was returning when

friends reminded him about some verses, he turned back and said.) Gentlemen, I want to say one thing more. Thousands of speeches I have made, attended hundreds of meetings but when I am pleased and when the feeling comes in me and there is nothing to do I sing though I am not a singer. In jail now when I am locked up in my cell I recite the following four verses :

("We will follow neither the greatest lover Kais nor Ferhad.....we will invent a newer kind of madness of our own.)

("They give their lives on your tyranny, they die on your cruelty. It is really these careless failed lovers who in truth do something great.)

("The cruelty and tyranny practised on the lover and in love is no cruelty. If there was no cruelty in love, there would be no pleasure in love, and lastly though I hope there will be no need for it.)

("The sky—stars—enemy of lovers—has not really come in contact with one having fire in his heart. Well ; don't call me Dagh (great poet's name) if I don't burn the whole into ashes.)

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