

Defence Statement of
M. G. Desai. in
The Meerut Conspiracy Case.

In the Court of R. L. Yorke, Esqr., I. C. S., Addl. Sessions Judge, Meerut.

In the case of King-Emperor versus P. Spratt and others.

Examination of Motiram Gajanan Desai accused under section 342 of the Code of Criminal Procedure, 1898, made before me R. L. Yorke, Addl. Sessions Judge at Meerut on the 16th day of November 1931.

• My name is Motiram Gajanan Desai; my father's name is Gajanan Sadanand Desai; I am by caste of the Prabhu community; 35 years of age; by occupation Journalist; my home is at Bombay, Police-station.. district Bombay; I reside at 327 Thakurdwar, Bombay 2.

Q. You heard your statement in the Lower Court P. 2612 read out to you on 17-3-31. Is that statement correct?

A. Yes with a few misprints.

Q. The following evidence relates to your Foreign Connections:— P 1872 C, 2583, 2379 (1), 1254, 1260, 1281, 1256, 2417, 1676, 527 (1), 1174, and 1666. Have you anything to say about this evidence? (At accused's request I give him all his papers together.)

The remaining evidence against you falls into the following groups: Workers' and Peasants' Parties' Connections: P 1246, 526 (48), 1252, 416 (16) (= P 2155 P), Krantikari dated 4-2-29, P 1099, 1800, 1277, 1242, 1243 and 1244.

(Spark):—P 1986 and (1), 1262, 526 (3), 526 (4), 1251 (= 2006 P) P 2159P, P 2006P (1), 195, 670 and 1257

Articles etc:—P 863 (= 492), 1424, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1245, 1250, 1271, 1272, 1273, 1274, 1275, 1276, 1241, 1253, 1255, 1259, 146, 1476, 1818, 1277 A, 1247, 1248, 1258 and 1261.

A. I do not want to go over the ground that is covered by my statement in the Lower Court. After a few preliminary remarks I will chronologically deal with exhibits relating to my stay in England. I am a journalist by profession and an avowed and unrepentant Socialist by conviction. Within a fortnight of my arrest when I applied for bail I claimed that I was innocent of the charge preferred against me and invited the Prosecution to produce even a scrap of evidence to prove that I was in any way connected with any of the alleged conspiratorial organisations mentioned in the complaint. And after detaining me in jail for more than two years I claim the Prosecution have utterly failed to do so. The Prosecution do not allege that I was a member of the Workers' and Peasants' Party or the Communist Party or any other organisations mentioned as offending bodies. In the words of the Magistrate the only activity I am charged with is the editing of a Weekly paper, the 'Spark', a fact which I had admitted from the beginning.

But out of the 281 Prosecution witnesses, not one has either deposed or submitted any documentary evidence to show that this paper was started or financed or conducted by any of the alleged conspiratorial bodies or that there was any common intention or agreement between me and any of the co-accused in the dock or co-conspirators abroad, in pursuance of which this paper was launched or conducted. And the only positive evidence of my association with any of the co-accused given by Inspector M. N. Desai, P. W. 215, was to the effect that I was present at the Press table taking notes at the public meeting on Lenin Day (January 1929) organised by the W. P. P. Bombay. There is not a scrap of evidence to show that I knew any of the accused or they knew me except as a journalist knows the members of the public and is known to them. About the existence of most of the accused I was not even aware.

But a common agreement is sought to be inferred, firstly from the tone of the 'Spark', secondly the publication therein of articles contributed by a few of the accused, thirdly from the fact that some Communist or Communistic newspapers and periodicals were found in my office and lastly from some stray references in the letters of some of the accused mainly welcoming the appearance of my weekly—the only Socialist English paper in the country.

As regards the first—the tone and contents of the 'Spark'—I make bold to say that any competent journalist or anyone who has a first hand acquaintance with modern politics would not take longer than a day to go through the file of the 'Spark' and come to a final conclusion whether the 'Spark' was really a Socialist weekly, as its sub-title proclaims, or a Communist organ. It was open to the Prosecution to bring some such witness—a journalist, a publicist or a professor to give authoritative evidence on this point. It is no good for the Prosecution Counsel, who betrayed his lamentable ignorance of modern politics, especially the traditions and policy of Socialism while cross-examining Mr. Brailsford, to claim that the 'Spark', although avowedly a Socialist paper, was really engaged in preaching Communism. There is no such evidence on record, nor in the long and melancholy procession of Prosecution witnesses was there one who could speak with knowledge on the subject. It is a curious omission on the part of the Prosecution in a case of this character, involving different political doctrines, programmes and policies, influencing actions and events which are the subject-matter of this case. The only prosecution witness with intellectual attainments coupled with knowledge of history and economics was Mr. Fordham, I. C. S. I tried to elicit information from him on the question of Imperialism, as the anti-Imperialist character of the 'Spark' had been emphasised by the Prosecution, until I was prevented by your Honour from asking any further questions to this witness as you refused to consider him an "expert". The next best thing I could do was, the moment I heard that

Mr. H. N. Brailsford, a journalist and Socialist of International reputation had come to this country, to request your Honour to summon him as a Court Witness. And I put to him practically all the points and circumstances relating to the subject-matter of the 'Spark' and the conduct of the paper which either the Prosecution or the Magistrate had relied upon as betraying the Communist tone of the paper. His answers to my questions speak for themselves. It was open to the Prosecution to put to him any specific passage or article in the 'Spark' which in their view belied the declared Socialist character of the paper. But although they detained him for two days in the box they significantly refrained from applying this fair test. I will deal with the tone and contents of the 'Spark' in greater detail at a later stage

My stay in England.

Now to turn to the evidence relating to the period I was in England from September 1924 to October 1927. As evidence of association during my stay in England the Prosecution have put in a page from a note-book kept by Inspector S. Ghulam Murtaza of Bihar purporting to be a copy in his handwriting of a letter alleged to have been written by me to Mr. D. P. Sinha at Patna from London on 18-6-1925. (P1872C put in by P. W. 100) When I was shown these loose sheets of paper by the Magistrate at the time of my statement I said, "I doubt if the letter quoted is correctly copied." When P. W. 100 was giving evidence your Honour has of your own accord noted, "Witness is partially paralysed and changes from English to Urdu." Questioned by Mr. Nimbkar he said, "I retired from service on account of paralysis. I have been suffering from it for three years. My memory is defective." He retired sometime in 1926. We are left to guess what stage of dilapidation his memory and English had reached by 14-7-1925 when he is supposed to have copied my letter.

In the course of this copy he writes with reference to Mr. Sinha's public activities "Your lead in connecting the Indian Labour Party," then crosses out "connecting" and on the top of it writes something that looks like "launding". He wrongly spells the words "dramatis personae". Again he has wrongly spelt "Triestin Loyd & Co." In the very second sentence he has abbreviated the word received into "recd.". He has again wrongly spelt "assaram" in reference to Sabar-mati Ashram. At the end of the letter he has again wrongly spelt the word "Thakurdwara" in my address. In the Lower Court the Prosecution relied on this doubtful document to show my connection with the Labour Research Department—in the words of the Junior Crown Counsel "that well known poisonous Communist organisation, which sent Mr. Spratt to India." I have already denied I ever worked with them. But I have frankly said that I went there occasionally, just as I went to the British Museum or India Office Libraries and consulted them for statistical references. I did not know it was a Communist organisation.

Mr. Brailsford has already deposed that he was himself a subscriber to the L. R. D. in 1926 when he was the editor of the "New Leader". He further added "Mr. Sydney Webb was its founder....I visited its office and used its services for getting information.....It was chiefly supported by Trade Unions. It published much valuable information which is used by members of my party. When I was a subscriber I did not find it a Communist organisation." In the Lower Court, when the L. R. D. was cited as a conspiratorial body, Mr. Wilson, the editor of the "Pioneer" was quite surprised, and for his disconcerting comments in this connection, this very Prosecution instituted contempt of court proceedings and the poor man ultimately lost his job.

I do not care whether the L. R. D. was, is or is going to be a Communist body or whether there was some remote connection or spiritual affinity with the Communist Party. All I would like to know from the Prosecution is how, under the circumstances I have narrated, they expect a foreign journalist in London to know that the L. R. D. was in fact a Communist organisation, poisonous or otherwise. I am glad to know that the Magistrate has declined to attach any importance to this doubtful document P 1872 and upheld my explanation. "When he was in England he used to visit the L. R. D. But it is quite possible that his explanation on this point is correct, that he went there for purposes of reference."

Before we take leave of P 1872 I must say a few words with reference to another sentence in this document about which the Prosecution at a very late stage of the trial in this Court have made some passing comments—I mean the reference to Indian Lascars in London. It should be noted that no reference to this sentence was made by Mr. Langford James either in his Opening Address in the Lower Court or here; nor by the Junior Crown Counsel when summing up the case against me in the Lower Court, and in spite of the fact that the Magistrate questioned me exhaustively with reference to the evidence against me and even with regard to this very document he did not make the slightest reference to this sentence nor is there any reference to it in the Committal Order. This shows neither the Prosecution nor the Magistrate attached the slightest importance to this sentence. I do not know what value your Honour would attach to this rather belated brainwave of the Prosecution. But in order to avoid any possible misinterpretation of this sentence I would like to explain this point also. It is reasonable to suppose under the circumstances that it was only when the Prosecution realised the utter flimsiness of the evidence as to association during my stay in England, especially after my statement in the Lower Court supported by various documents which I have put in, that the Prosecution thought there was something in this stray sentence to get at me. And they are trying to support it with an article published in the "Bombay Chronicle" in 1925, P 2583, which also contains a reference to Indian Seamen in London.

It should be again noted that the letter P 2583 was put in when all the Prosecution witnesses, were over and the Prosecution evidence had practically closed. No explanation is forthcoming why this particular issue of the "Bombay Chronicle" was not put in in the Lower Court or why it was not put in in this Court through any of the Bombay Prosecution witnesses, for instance the Chief Reporter of the "Bombay Chronicle". Are we to believe that it was put in as an afterthought, especially when Mr. Brailsford's evidence had knocked the bottom out of the Prosecution evidence about association during my stay in England? In this connection it should be remembered that the Prosecution claim that this particular file of the "Bombay Chronicle" was in their possession for more than two years and therefore they requested the Court for permission to return the same retaining only a copy of the particular article. But if the Prosecution had made this insinuation in time about my having anything to do with the Indian Seamen's Union in London I could have easily disproved it, for this fact can be proved or disproved through an English witness. I could have disproved it for instance through the Scotland Yard witnesses who gave evidence on the subject. But significantly the Prosecution made this suggestion when these witnesses had left the country. The reference in P 1872 is as follows: "We have been trying to form a Trade Union centre in conjunction with people in Bombay and Calcutta for the Indian Lascars over here. There are at a time 1500 Indian Seamen in Britain. You might find some information on the subject in my article of 16/4." In my statement in the Lower Court I have already said that I am not connected with any Trade Union whatsoever. Ever since I left the University I have been a journalist and nothing but a journalist. And in all the mass of evidence before you, both Prosecution and Defence, except for the stray reference in this loose sheet of paper there is nothing to show or suggest that I was at any time engaged in other than a journalistic activity. Even in this document the context just before and after this sentence shows that I was actually interested in writing about my journalistic achievements in London. The passage immediately preceding runs thus after the already mentioned reference to L. R. D. "I have been contributing to one of the Labour papers. I wonder if you notice any of my articles in the "Bombay Chronicle"; they have been appearing recently under a different pseudonym, 'From an occasional correspondent'". Later I write about the references to Mr. Sinha's public activities that have appeared in the press. And again in the last para I write "The 'Voice' and the 'Chronicle' have financially been of late in very low water and have not been able to pay me adequately of late. The labour papers here that I have an access to, are very much in the same position as our National papers".

In view of these facts, I hope your Honour will have no hesitation in accepting my statement, that the particular sentence has not been

correctly copied by P. W. 100 ; what I did write was that "they have been trying to form a Trade Union centre etc." instead of "we have been trying to form a Trade Union centre etc."

Now to return to P 2583 an article published in the "Bombay Chronicle" in its issue of 16-4-25 received "from an occasional correspondent, London March 3". I wonder what significance the Prosecution attach to this article and what sort of explanation is expected from me. I straightaway admit that it is one of the many articles I sent to this paper. At the time of writing this one I was not yet appointed the official correspondent of the "Bombay Chronicle". That came later. At this time I was trying to get that job and was contributing to the paper from time to time. Hence the editor writes at the top of the article. "From an occasional correspondent".

The article speaks for itself and the three 'tops' given by the sub-editor of the "Chronicle" give an idea of the contents of the same, namely (1) Export of British Capital (2) Centre of gravity shifted (3) Indian Seamen in London. The first half of the article is taken up with a serious discussion of the relative futility of the boycott of the foreign goods in view of the free import of the foreign capital—a thing of common knowledge to socialists and students of economics but generally overlooked by a sentimental nationalist. This dissertation is in connection with the news published a few days earlier in the British Press and referred to in the article about the probable formation of a British Steel Trust mainly to operate in India. The latter half of the article gives a couple of news items of interest to India about events that happened in the preceding week or so. The first is a brief report of a public meeting of Indian Seamen in the East End of London, where speeches were made on the benefit of Trade Unionism. The second news item refers to the impending expulsion of the Paris Correspondent of the Calcutta "Forward" from France. I may incidentally mention here that both these news items had appeared in several London papers at the time.

D/17-11-31.

When Mr. Kemp, the Crown Counsel, put in this article he said that it contains a reference to Indian seamen. Certainly it does. And so long as Indian seamen have not been unfairly ousted from western waters there will continue to be occasional references to Indian seamen in the contributions of the London Correspondents of Indian papers, especially in view of the mendacious propaganda that is carried on from time to time against the Indian lascars.

I was fairly well known as an Indian journalist in the newspaper and Labour circles of London ; and individuals and associations used to send me notices and reports of public functions, especially those in some

way connected with India and the East. It was in this fashion I had received a report of this meeting of Indian seamen and I incorporated a summary of it in my article to the Bombay Chronicle, following it with a descriptive paragraph giving a rough idea of the sort of life Indian seamen and Indian pedlars lead in London.

I was personally never connected with any organisation of Indian seamen. But I went about London with my eyes and ears open and had picked up a certain amount of gossip—a part of which I retail in this article—about the East End of London especially what is known as the Poplar and Lime-house area. This squalid district of London with its mean streets and meaner houses, but because of the sharp social contrasts it presents, has acquired an air of mystery and has become a perennial source of romantic interest to tourists and writers of sensational fiction and scenarios, and in consequence the sights, the sounds and the smells of this unsavoury bit of old London have become almost world famous. Again from time to time a wave of race-hatred passes over Britain and a scare is raised against foreigners residing in England by publishing sensational stories about their lives and marriages with English girls etc. in the Press. A few responsible papers like the Manchester Guardian try to counteract this mischief by giving sober descriptions of the foreign colonies residing in England. Here are two cuttings from two British papers, the Evening Chronicle of Manchester and the Manchester Guardian, giving news and views on the subject similar to the one I have dealt with in my article in the Bombay Chronicle. The first is from the Evening Chronicle, Manchester and gives an idea of the propaganda done by some retired Anglo-Indians against India. "Propaganda fear. Emissaries from India in disguise. A Lancashire man who was a director and manager of a Blackburn Mill and later spent 13 years as weaving master of the Muir Mill, Cawnpore, in conversation with an Evening Chronicle reporter this afternoon suggested that there might be Indians in this country who, posing as pedlars, are emissaries of the Indian Swarajists, and who might be carrying on a legitimate, but no less insidious, campaign of propaganda, intended to arouse sympathy in Britain for India's claims to independence."

He is Mr. W. Coucill, of Leyland Avenue, Getley, who has an intimate knowledge of the Textile industry, both at home and in India.

"I am convinced," he said, "that the real object of the visit of some of these men is not to make a living by peddling—I do not see how they can—but to carry out a subtle work of propaganda to convert public opinion in Britain in favour of independence for India."

There is another paragraph in the same column of the same paper which runs as follows:—

"Secret of Indian cotton pedlars. Goods imported from France. A propaganda theory from our own representative. Bolton, Saturday."

"I was assured to-day by several of the Punjab Indians who are peddling cotton voile and artificial silk goods in Bolton that their wares were not made in India, but in France, whence they are despatched to England. 'How many friends of yours are here?' I ask the leader of the group of Indian pedlars to-day. 'Eleben', he answered. 'Some bin tree, forr yerr, two year een in England'. Mastering lingual difficulties with mutual success we gradually evolved some understanding after weary meaningless words had led to nothing'. 'Where do you get scarves, handkerchieves', I said, 'from India, your native land'. The leader shook his head and smiled again, perhaps at the impulsiveness of Englishmen. Smiling their way in. 'From boss in London', he said. 'Where is it made?' 'France', he answered. 'Boss in France sends it to boss in London, who sends it to you?' 'Yes'.

"I learnt further from the swarthy Indians that some of them have visited Scotland and Ireland peddling their goods. Their good nature and good temper is helping them to smile their way into the homes of English people, to whom they have little difficulty in selling their goods. To my mind these Indians who are innocent of any organised attempts to sell goods not made in Lancashire or Bolton, and unsuspectedly have incurred the anger of Bolton and Lancashire by their method of selling. A few minutes before I left the lodging house where they are staying, a parcel was delivered and as I passed it I noticed the label from a foreign firm."

"The second cutting is from the Manchester Guardian and gives its editorial on "Indian pedlars". It runs as follows:—

"A number of pedlars have arrived in Bolton, and have been selling artificial silk and voile goods of Indian manufacture from door to door. This has naturally annoyed those Bolton shopkeepers who sell similar goods, especially as the Indian pedlars undercut their prices. Already there is a talk of the Bolton Chamber of Trade taking up the matter. In fact, before we know where we are, we may have Bolton launching out on an economic boycott. Deplorable as this would be in some ways, it would at least serve to illustrate just what an economic boycott is and just what causes it. Lancashire in her present plight has every reason to resent the intrusion of foreign merchants carrying goods which she herself produces. In the same way Indian nationalists resent the sale of Lancashire goods in Bombay. Not having an effective Chamber of Trade, they stand outside shops where Lancashire goods are sold and point out to prospective purchasers the duty of patriotic Indians to buy Indian cloth, just as an indignant Bolton shopkeeper might follow one of these Indian pedlars and remonstrate with any Bolton citizen so little patriotic as to be tempted by his goods. Can Mr. Gandhi have spared time from watching St. George's to despatch

these Indian merchants on their way? Can he intend them to illustrate a principle that mere words have proved inadequate to explain? It is possible. He is a wily Mahatma fond of exposition by parable. Or it may be that India, in the first flush of her new nationhood is emulating the methods of our own great Empire. These inconsiderable pedlars, like the Elizabethan traders who after many perils and difficulties were able to buy and sell in India, to their own great enrichment, may be called by future historians merchant adventurers, founders of an Empire".

With regard to the second news item in the Bombay Chronicle article P 2583—the impending expulsion of Mr. Lohani, the Paris Correspondent of the Forward (Calcutta), I may mention that this news was featured among other papers in the Daily Herald of London; and I remember the paper had further published in this connection that Miss Ellen Wilkinson, M. P., a member of Mr. MacDonald's last Labour Government, went by aeroplane to Paris to participate in the meeting to protest against this violation of the right of asylum by the French Government. Thus it will be seen that in this article I have done no more than to give news and views about events that happened in the preceding week or two and which I thought would interest the Indian readers. And the editor of a nationalist paper like the Bombay Chronicle confirmed my view about the news value of these events by publishing my article. As London Correspondent of a serious nationalist paper, what else did the Prosecution expect me to write about? Did they expect me to try to retail the gossip of the well-known bar room of the Trocadero restaurant in Piccadilly where Anglo-Indian diehards are accustomed to forgather, or did they expect me to send across to India the daily dope manufactured in the lie-factories of Lords Beaverbrook and Rothermere (Beaver-Crook and Bothermere as they are called generally) about India, Ireland, Soviet Russia, the Labour Party, American rivalry and other pet aversions of these illustrious guides of British public opinion?

If the Prosecution are trying to build a theory, on the basis of this passing reference to Indian seamen in London in an article six years old that I must therefore be connected with Indian seamen or their Union in London which in their turn are alleged to be connected with the carrying of conspiratorial letters, which are exhibited in this case, is it not reasonable to demand why they are not able to place before the Court any less frivolous evidence on the point?

This article is dated 3rd March 1925 and I stayed on in London until September 1927 and in the meanwhile was constantly writing to papers and friends in India; similarly since my return to India until the date of my arrest in 1929 I was writing to people in England. Moreover

the Prosecution on their own showing had been in the habit of tempering, photographing and pilfering letters—mine as well as other peoples'. In that case why have the Prosecution not put in a single letter, either in original or a photograph, from the mass of intercepted documents, that would show the slightest connection I could have with this Indian Seamen's Union in London? Nor, it will be remembered, did they care to ask a single question with reference to me of any of the Scotland Yard witnesses, particularly those that gave evidence about the Indian seamen and their Union in London. In the absence of any such evidence, this vague and belated insinuation on the part of the Prosecution cannot be treated seriously.

Yesterday when your Honour had finished dictating your questions to me and had given me the numbers of all the exhibits which you want me to explain, the learned Crown Counsel Mr. Kemp got up and suggested to you a fresh document which he threatens to use against me. I do not know if your Honour has finally included that exhibit namely P 2379 in your list of exhibits which you want me to explain. Anyway I feel that of all the surprises I have received in this case beginning with my surprising arrest, the greatest surprise is the news that this exhibit will be used against me.

This document, as P. W. 4 who gave evidence about it says, was seized as far back as 14th October 1925 and the Scotland Yard officials in England as well as the Prosecution in this case must have had full knowledge of its contents long before the trial started in your Court. This document was filed as a Prosecution exhibit in the lower court. And yet the Junior Crown Counsel who delivered the closing address on behalf of the Prosecution before the Magistrate began his statement in the case against me with the following sentence, "It is true that there is no evidence on the record that Desai is a member of the W. P. P. or C. P." (Underlinings are mine). The learned Magistrate in his Committal Order while dealing with my case says as follows, "But before he can be charged with conspiracy, some closer connection than some similarity of purpose has to be shown. Desai was not a member of the W. P. P. or of the C. P. I. and so proof of connection has to be shown otherwise." The late Mr. Langford James in his opening Address before this Court evidently accepted this position and made no reference to any evidence even remotely suggesting that I was a member at any time of any Communist Party in the world. After all this, would it not surprise any one to hear it suggested at this absurdly late stage of the trial that the reference to one Desai in this document P 2379 (1) is a reference to myself and that the initials "M. A." are a mistake for "M. G." even though there is not a particle of evidence to support this theory?

Your Honour, like Smith in England, Desai is a very common name throughout the Bombay Presidency. And several Desais would be found among Indians in England at any time. It is a surname used equally by Marahattas, Gujrathis, Parsis and Mohammedans; and Desais are spread over all classes of society beginning from Mr. B.J. Desai who is a leader of the Bar to which Mr. Kemp himself belongs and who commands a practice equal to that of any other lawyer in this country, down to an humble journalist like myself. In England I was often confused with Mr. Mahadeva Desai who works on the editorial staff of "Young India" and is now the Chief Private Secretary of Mahatma Gandhi, and who also shares the initial "M" with me. In the records of this case itself there are at least four Desais, three of whom besides the "Desai" of this exhibit (P 2379 (1)) have the letter "M" as their first initial. First of all there is myself; secondly, there is the C. I. D. Inspector M. N. Desai of Bombay (P. W. 215) and thirdly, the Desai who is referred to in P 7845 (letter from Bishop to Saklatwala) and whose full name, I understand is Mukund Desai and who, I hear, acted as a private secretary of Mr. Saklatwala during the last tour in India in the earlier part of 1927 when I was still in England. To this list may be added one Khande Rao Desai a textile worker of Bombay whose application form for being enrolled as a member of the W. P. P. Bombay is on the record of this case.

For a layman, like myself, therefore, the suggestion that "M. A. Desai" of P 2379 (1) is myself (M. G. Desai) appears as ridiculous as a suggestion that one J. W. Johnstone mentioned in the list of conspirators in this case is the same as the Right Honourable Mr. T. Johnstone who until a couple of months back was an important Cabinet Minister of Britain. It may as well be suggested that an ordinance should be immediately issued prohibiting the import into India of any one bearing the name Mr. Brown because two Browns—E. H. and H. R.—are also mentioned in the same list of conspirators abroad. An analysis of the results of the Bombay University Examinations of any year would reveal that there are at least fifty Desais and at least a dozen Desais with the initial letter "M" each time.

This exhibit P 2379 (1) leaves no room for inference. If Mr. Kemp's theory be correct, some enthusiastic fellow welcomes me as a member of the Communist Party on the 15th September 1925, that is to say about three weeks after Mr. Brailsford had recommended me to the editor of the Daily Herald *vide* D 580, and about three months before I was elected a member of the Parliamentary Labour Club of which the present Prime Minister Mr. Ramsay MacDonald is the President, *vide* the Secretary's letter intimating election, filed by me in the Lower Court during my statement! (D 728).

This exhibit P 2379 (1) directs the nine persons mentioned therein to transfer their party membership "to C. P. G. B. during their sojourn in Britain." It is in evidence here that the office of the C. P. G. B. was searched several times and more than one Scotland Yard witnesses to these searches have been examined as Prosecution witnesses in this case. They have not produced any document even to suggest that I was at any time, according to the direction contained in P 2379 (1), "transferred" on to the list of the C. P. G. B. members. The Scotland Yard witnesses who have deposed to their intimate knowledge of Communists in England—Indian or British—have not suggested even by inference that I had anything to do with any Communist Party or any Communist demonstration. In fact I feel confident that if in the course of the examination of P. W. 4 Mr. Renshaw of Scotland Yard my name had been put to him, just as three other names from the list of names contained in P 2379 (1) were actually put to him, namely Virmani, Nandi and Upadhaya, he would have looked at my face with surprise and would have certainly denied that he ever saw me anywhere near a Communist demonstration or a Communist Party Office, or even heard me mentioned in connection with men connected with the Communist Party. I would therefore leave this exhibit P 2379 (1), at that and trust that I would not be convicted for the mere coincidence of bearing the name Desai.

There is one more precious document the Prosecution have put in their futile attempt to prove my connection with the conspirators abroad. I mean the letter of introduction from the editor of the "Sunday Worker" to me. P 1254, you will observe, is a formal letter of introduction written on the office notepaper and there is nothing to show that the editor knew me in any other capacity than as an Indian journalist, nor does it at the same time indicate that I was regularly or irregularly working for the paper. I had several letters of a similar character from British editors and journalists and I have already put in a few as exhibits. This letter of introduction is dated 30th June 1926 and I returned to India in November 1927. This letter of introduction I had secured to facilitate my collecting news and securing interviews etc. in Labour circles in my capacity as a London Correspondent of the "Bombay Chronicle". In connection with the "Sunday Worker" also I may refer to the Sixty-first Annual Report of the Trade Union Congress 1929 referred to by the Prosecution and point to the passage which says that the "Sunday Worker" had appealed for funds over the signatures of prominent members of the General Council of T. U. C. and the Parliamentary Labour Party. Mr. Brailsford in his cross-examination by Mr. Kemp said, "The 'Sunday Worker' was edited by William Paul. Personally he was a Communist. It was not the official organ of the Communist Party. Its editorial policy was always that of a paper taking an independent Left Wing view. I did not in my answer to Mr. Sinha

intend to classify it as a Communist paper." For myself I could see that the "Sunday Worker" was a progressive Labour paper entirely free from any Imperialist prejudice against India, Egypt and other eastern countries. But I never knew that either the editor or the paper was in any way connected with the Communist Party. This letter of introduction is dated 30th June 1926 and I returned to India in November 1927. The very fact that since my return to India I have not sent a single piece of news or article to the "Sunday Worker" will incidentally show how slight and formal was my acquaintance with the paper even when in England.

D/18-11-31.

During my stay in England I received letters of introduction similar to P. 1254 and some showing ~~for~~ closer contact with different papers, from various British editors, journalists and publicists. I have already put in a few, copies of which I happened to have retained, as defence exhibits and some of them have been verified by Mr. Brailsford. Mr. Brailsford said in his evidence, "I recommended Desai to several papers, including the editors of the Manchester Guardian, the Daily News and the Daily Herald. I recommended him for employment on the staff of the first and the third of these. Desai told me he was acting as the London Correspondent of the Bombay Chronicle. The letter shown to me marked D 579 is one of those I received in reply to my request that the Daily News should give some work to Desai. Letter marked D 580 (only a portion surviving) is a letter written by me to Desai telling him I think that I had spoken to Hamilton Fyfe, editor of the Daily Herald." Since I was recently let out on bail, I could go down to Bombay in the holidays and have been able to recover from my old papers the torn portion of D 580, Mr. Brailsford's letter to me which I now beg to put in. The letter now reads as follows :—

"25th August 1925. Dear Mr. Desai—I have written warmly to Mr. Hamilton Fyfe to ask him if he could do anything to help you. I hope the result will be satisfactory. I am returning your document. I do not think you understand what the I.L.P. is aiming at, but perhaps some day we will have a talk about this.

Sincerely Yours,
(Sd.) H. N. Brailsford,
The editor."

Mr. Brailsford further said:—

"D 581 (1) & (2) are two letters issued by my assistant whose signature I identify in regard to contributions from Desai to the New

Leader. I am fairly familiar with the handwriting of Colonel Wedgwood and can say that the signature on D 582 is his. He was in the first Labour Ministry. The addressee Mr. Gillies is a permanent official of the Labour Party, in charge of its International side. Letter D 4 (E) is also in Colonel Wedgwood's handwriting. At the date of that letter Mr. George Lansbury was manager of the Daily Herald. I recognise the signature of Mr. Norman Ewer in the letter shown to me, D 583".

During my last visit to Bombay I have also been able to recover the envelope of D 4, a letter from Colonel Wedgwood to Mr. Lansbury. The letter was found in my search but the envelope was left behind by the Police, but which I would now like to put in. (Envelope tendered and marked D 4 (E)).

The writing on the envelope reads as follows :—

"To introduce Mr. M. G. Desai to George Lansbury, M.P., Bow".

The letter reads as follows :—

"7th March 1925. Dear George—This is to introduce Mr. M. G. Desai, a Labour man from India, who is journalistically inclined. He writes with knowledge and we happen to agree on the necessity of getting an L. P. started in India.

Your advice to him will be helpful.

Yours:

(Sd.) Joshia C. Wedgwood."

D 582 is addressed to Gillies Esqr., 33 Eccleston Square, S. W. I. to introduce Mr. M. G. Desai. The letter runs as follows :—

"7-3-25. Dear Gillies - Could you see Mr. Desai, the bearer of this note, and give him advice and news as to how we can help Labour in India. He is in with those who are trying to start an L. P. there.

Yours:

(Sd.) Joshia C. Wedgwood."

D 583 runs as follows :—

"The Daily Herald
Carmelite Street,
London, E. C. 4.
15-12-1925

To,

M. G. Desai,
14, Rutland Street,
N. W. I.

Dear Desai—I am terribly sorry that it was not possible to use your notes on Swarajists' indifference to labour, because, as you know, the strike ended on the very day that you gave them to me.

I hope that next time we shall have better luck.

Yours sincerely,
(Sd.) W. N. Ewer
Foreign Editor."

Mr. Brailsford further said:—

"I know Mr. Hubert Peet who is a member of the Society of Friends and was in 1925 conducting a press agency devoted to Eastern affairs. I also know a Mr. Phillips Price, now a member of Parliament. He was a correspondent of the Manchester Guardian in Russia and is the author of a book called "Reminiscences of the Russian Revolution."

During my statement in the Lower Court I put in the following two letters, one from Mr. Peet to the editor of the Daily News, London and another from Mr. D. P. Sinha to Mr. Phillips Price. The first runs as follows:—

"Far and Near Press Bureau,
Edinburgh House,
Eaton Gate, London,
S. W. I.
15th October 1924.

To,

Hugh Jones ESQUIRE,
The Daily News, Bouverie Street,
E. C. 4.

Dear Hugh Jones—This note is to introduce to you Mr. M. G. Desai, a student of Patrick Geddes, Bombay, who is now representing "The Voice of India" in this country. I have suggested to him that he might be able to write something acceptable to you on the Election from the point of view of an Indian visitor.

Yours sincerely,
(Sd.) Hubert Peet."

(Letter tendered and marked D 726).

The second letter is addressed on the envelope to Mr. Phillips Price.

'Sutgrove', Tuffley, Gloucester."

The letter runs as follows:—

"12 Upper Bedford Place,
Russel Square, London.
16th December 1924.

My dear Price—This letter is to introduce to you my friend M. G. Desai who is the representative of an Indian paper called "The Voice of India". He is very anxious to cultivate acquaintance with you. And I am sure you would like to see him.

Yours sincerely,
(Sd.) Devaki Prasad Sinha."

(Letter tendered and marked D 727).

With regard to his own relations with me Mr. Brailsford said "I know Desai accused. I first met him in London in 1925 probably. He brought me a letter from the Servants of India and a personal introduction from Professor Patrick Geddes. He was in frequent, fairly close touch with me while he was in England. He explained the purpose of his visit by saying that he wished to study the ideas and the working of the Socialist Party in Great Britain. He also wished to get experience in Labour journalism with a view to using it afterwards in India..... The letters marked D 577 and D 578 are the two letters referred to above which Desai brought to me as letters of introduction." Professor Geddes' letter runs as follows:—

D 577

"University of Bombay,
Department of Sociology & Civics,
Bombay 29th April 1924.

Mr. M. G. Desai, B.A., is an old student of this Department, who has devoted considerable time and thought to social studies since coming to us after taking his degree, and he is now continuing them in periods of active travel, recently to the Farther East, and now in similar journeys of no less ardent inquiry in as many countries as may be of the western world. From such active and studious wanderings I doubt not that he will bring home to India a wealth of experiences and of useful and practical suggestions also. So I can not but wish him good

speed, and confidently recommend him also to the friendly offices of kindred department, and teachers in universities and colleges, as also of social workers in the various cities and regions he will be visiting in course of this comprehensive scheme of studies.

(Sd.) Patrick Geddes,
Professor of Sociology and Civics,
University of Bombay."

This letter was submitted to the American Consulate in Bombay when I wanted a visa, as I wished at that time to proceed to America. The following are the remarks on this document of the American Consul T. E. Burke and it also bears a seal of the American Consulate, Bombay, India. His remarks run as follows:—

"American Consulate, Bombay,
(Inda).

July 10, 1924.

This document, submitted to this office by Moti Ram Gajanan Desai, who has applied here for a visa of his passport, is believed to be authentic.

(Sd.) T.E. Burke,
American Vice Consul."

Professor Patrick Geddes is in Scotland now. The letter from Servants of India Society runs as follows:—

D 578

"Servants of India Society's Home,
Sandhurst Road, Girgaum.
Bombay 27th March 1924

Mr. M. G. Desai, B. A. of the Bombay University has been known to me for the last four or five years. He is very enthusiastic and was associated with me in investigating some of the city problems. He is now thinking of proceeding to U.S.A. to add to his knowledge and experience. His recent visit to China and Japan will stand him in good stead and I wish him success in his tour especially undertaken with a view to studying sociological conditions.

(Sd.) C. S. Deole."

With regard to my contributions to the "New Leader" Mr. Brailsford said, "his contributions were passed by me personally. I found nothing in his contributions inconsistent with the ideals of my paper. 'The article on page 4 of the issue of the "New Leader" dated 22-1-26 D. 9 is one of the said articles.' In his cross-

examination by the Prosecution Mr. Brailsford said "He (Desai) asked me for introductions in Independent Labour Party circles which I gave him".

D 554

In my search was found a membership card of the South-west St. Pancras Labour Party issued in my name and dated January 1926 which I have already put in as Ex: D 554. I was staying in that Ward in London. It might be remembered in this connection that the resolution disaffiliating Communists from all Labour Party organisations was passed as far back as 1924 at the Annual Labour Party Conference held at Liverpool. Hence in 1926 no Communist would have been admitted or been allowed to continue membership of the local branch of the Labour Party.

In my statement in the Lower Court I have said that I was elected a member of the Parliamentary Labour Club and I put in a letter from the Secretary of the Club dated 16th March 1926. Unlike the 1917 Club, (Labour) Gerard Street, this club is an exclusive body mainly meant for the Labour M.Ps., and others are only admitted if very strongly recommended. The letter from the Parliamentary Labour Club runs as follows:—

(Letter tendered and marked D 728.)

" 11, Tufton Street,
Westminster, S.W.1.
22nd January 1926.

To,

Mr. M. G. Desai,
14 Rutland Street, N.W.1.

Dear Sir,

I have the pleasure to inform you that you have been elected a member of the Parliamentary Labour Club, and the Committee hope that you will make full use of the Club's facilities. The annual subscription is £1. 1s. od. which I shall be pleased to receive at your convenience.

Yours faithfully,
(Sd.) Lilian Dawson".

In the letter head is printed that the Rt. Hon'ble J. Ramsay MacDonald, M. P., is the President and among the members of the Executive are Mrs. J. R. Clynes, Mrs. Noel Buxton and Colonel Lestrangle Malone, and among the trustees are Rt. Hon'ble Arthur Henderson, M. P., and Mrs. Sydney Webb.

Among my old papers I have also been able to fish out the following handbill which reads as follows :—

“League of Nations Union,
Totteridge Branch.

An open meeting to discuss the Opium Traffic will be held on Friday February 27 at 8-30 p. m. in the Village Hall. Miss MacDonald of U. S. A. and Mr. M. G. Desai of India have been invited to present the points of view of their countries. after which the discussion will be thrown open to members and visitors. Admission free open to all.” (Handbill tendered and marked D 729 (2)). If the Court would call Mr. and Mrs. Smithson of Totteridge or take their evidence on commission they can give you important evidence about me for it was they who had invited me for the weekend and had asked me to deliver this lecture. Mr. Smithson is the head of the Firm of Messrs. Joseph Smithson Limited, 27 Cannon Street, London. They own textile mills in Halifax. Mr Smithson is also an important member of the Liberal Party and it was he who introduced me to the Henry George Club, which is predominantly Liberal in its composition This should explain the large number of books on Henry George’s theory in my library, many of which figure in my search list. Mr. Brailsford said in his evidence, “I know some of Henry George’s books. He was a Liberal individualist.” Liberals offer his theory about the taxation of land values as the best alternative to Socialism. Here is a letter of Mr. Smithson when he invited me to meet him at the National Liberal Club on a certain occasion when we two together had to see Colonel Wedgwood at the House of Commons. It reads as follows :—

(Letter tendered and marked D 729 (1))

“Joseph Smithson Ltd.,
SERVANTS OF INDIA SOCIETY’S 27 Cannon Street,
BRANCH LIBRARY London E. C. 4.
BOMBAY 4th March 1925.

Mr M. G. Desai,
Indian Students Hostel,
112, Gower Street,
W. C. 1.

Dear Mr. Desai,

You will see by the enclosed P. C. that Mr. Wedgwood can see us on Friday, but you will note that we have to be at the House of Commons at 3-30 p. m., so will you please meet me at the National Liberal Club at 3-15 instead of 3-45.

Yours Sincerely,
(Sd.) Pro: C. H. S.
D. M.”

D/19-11-31

Your Honour, I had never anticipated this Prosecution and the curious way it would try to attack me and as such I never kept a careful record of my correspondence while in England. But these few letters that I have been able to rescue from my old papers, are, I am sure, enough to expose the absurdity of the attempt on the part of the Prosecution to connect me with the British Communist Party on the strength of a formal letter of introduction from the editor of the Sunday Worker, a paper which, the Prosecution allege, was or is—I am not sure which—in some way or other connected with the British Communist Party.

Return to India.

The next document the Prosecution have put in against me is P 1476—the Customs officials' list of books and papers found with me on landing from the s. s. Aquilia on 28th November 1927. As most of these books and papers were returned to me in a few days, being found unobjectionable, and as many of them again figure in the list of books and papers seized at my place at the time of my arrest, I will deal later with both these search-lists together.

After my return to India I worked for a brief while on the Bombay Chronicle and then I went over to the Indian National Herald, another nationalist daily of Bombay, and worked on the latter paper as Assistant Editor until the end of the year 1928. By the end of 1928 I left the Herald because of its financial collapse. On this point the Senior Crown Counsel would probably be my best defence witness. He was then an acting Judge of the Bombay High Court and it was he who passed the order for liquidating the concern when the creditors of the paper pressed for winding up the concern, although the paper lingered on for some months more.

Since the time I landed in India in November 1927 till the January of 1929 when I started the Spark, the Prosecution do not even suggest that I participated in any of the activities of the W. P. P. or the C. P. I.; nor have they produced even the slightest evidence to show that I took any part in the Labour unrest in Bombay or outside. This in itself is significant because it was exactly in 1928 that the Labour troubles in Bombay reached their height and the W. P. P. also was most active. So many C.I.D. reporters and inspectors of the Intelligence Branch have come and given evidence in this Court but not one has suggested that I was even present at any of the strike meetings or the W. P. P. demonstrations. In this connection I may also point out that although such a large mass of correspondence files, minute-books, account-books, and the huge scribenda of the W. P. P. was found at different places, amongst others at their Bombay office, at their Calcutta

office and also a large deposit at Mr. Thengdi's place in Poona, there is not to be found anywhere any mention or remote suggestion that I should be approached or used to run a paper for the Party officially or unofficially. Nor is there any such reference in the cryptic or secret or open correspondence, whether inland or foreign, which seems to have been systematically intercepted. Nor was my arrival heralded, announced or commented upon in any letter or document. In other words, since my coming to India until I started my paper after more than a year I do not exist at all so far as this case and the alleged conspiracy are concerned.

The first piece of Prosecution evidence as to my alleged conspiratorial activity since my return to India is P 1261. It is a loose-leaf reporter's note-book, in which are to be found my brief jottings of speeches made by various speakers at the public meeting called by the W.P.P. to celebrate Lenin's Death Anniversary held at Jinnah Hall in Bombay on 21st January 1929. A report of this meeting appeared in the next issue of the Spark; and fuller reports of the meeting had appeared in the meanwhile in the daily papers of Bombay. In this connection I can do no better than quote what one of the chief Prosecution witnesses, Inspector M. N. Desai of the Bombay C.I.D., P.W. 215, said in his evidence: "I attended the Lenin Day meeting on 22nd January 1929 at which Usmani accused presided. I saw Desai accused there but I cannot say if he was reporting that meeting on behalf of the National Herald. He was seated among the reporters.....I saw reports of the Lenin Day meetings in other newspapers, such as the Times of India, the Bombay Chronicle, etc." Earlier he had said, "There was also a representative of the Bombay Chronicle. I used to read the National Herald regularly at that time. I knew a number of men on the staff. Desai accused was working there after his return from England. I saw him doing so "

Next we come to P 526 - the wire I sent to Mr. Spratt to send an article of thousand words for the Spark on Public Safety Bill. This was followed by P 1246 (same as P 526 (4)) a letter to the same effect. Both the wire and letter are perfectly straightforward communications that any editor would send to a gentleman from whom he wants a contribution on any particular subject. At this time I was anxious to secure an article on the Public Safety Bill from Mr. Spratt for it was openly stated in the newspaper columns and in the debates of the Legislative Assembly that he was likely to be the very first victim of this measure; and in fact I refer to this possibility in my letter and bid him 'au revoir' in that case. If he had actually been deported soon after I secured an article on the subject from him, it would have been what we journalists call a scoop from my paper. Hence the urgent wire. I understand that the Statesman and the Englishman of Calcutta tried to secure and did secure an interview and photo of Mr. Spratt when it was rumoured that he was

likely to be arrested very soon. This was several months before his actual arrest. I further hear that a representative of the Statesman, in order to secure that interview, went to the length of inviting him to dinner. I may add here, ^{that} whatever else Mr. Spratt is or is not, anyone will admit that he has a fine wrist for English prose and on certain subjects, not necessarily confined to Labour, whatever he may write is likely to be good copy.

To this wire and letter of mine Mr. Spratt replied in P 1251 forwarding an article on the Public Safety Bill which is not printed as it was found in my search, but the draft of this article found at Mr. Spratt's place at Calcutta has been printed as P 526 (40). In Mr. Spratt's letter to me also there is not the slightest sign to show that he was forwarding this article to a Party organ. In fact the tone of both these letters, mine as well as Mr. Spratt's, written almost in bourgeois style, suggest the contrary. Mr. Spratt gives me a free hand to cut his article if I like. I did not find the article too long for my paper, as he feared, but I have altered a few expressions. As I have already said in the Lower Court I published this article in the Spark for its topical interest and not because the views of the writer on the Public Safety Bill were identical with mine, but rather because the writer was vitally concerned in the subject, and as such what he had to say about it had great news value.

In his letter Mr. Spratt of his own accord incidentally suggested that I might send a copy of my paper by V. P. P. to some three gentlemen of his acquaintance in Bengal and to some three more I might send first a specimen number and later a V. P. P. I had never known these people nor heard about them; but any readers paying their subscription in advance are always welcomed from the point of view of any newspaper office.

The Magistrate in the Committal Order picks up the following words from this letter of Mr. Spratt: "Muzaffar will no doubt be writing to you re: sales here" and quietly drops out the immediately preceding sentence "I can think of no more addresses at the moment." The context before and after the statement about sales makes it quite clear that the reference is to the suggested V. P. Ps. Mr. Muzaffar Ahmad observes in his statement that he had himself suggested most of those names as he fancied that they might like to have the paper as there was no other English Socialist paper in the country. But he was not sure if all of them would accept V. P. Ps. if sent to them unless he had communicated with them; and later the Spark would have been informed more definitely with regard to the last four persons named in Mr. Spratt's letter.

The Magistrate on the imaginary basis of this sentence makes the sweeping generalisation "that they (members of the W.F.P.) help in its (Spark's) sales," without even stopping to make sure if any weekly

consignment of the copies of the paper were being sent to Mr. Muzaffar Ahmad or any other member of the W.P.P. for that matter. In fact not a single copy of the paper was sent to Mr. Muzaffar Ahmad and no member of the W. P. P. received a free copy of the paper and, as is obvious from other exhibits, one or two W.P.P. members outside Bombay, who wanted to get a copy of the Spark, found it a little difficult to get any copy of the paper.

And in consequence no dumps of the copies of the "Spark" were found in any of the searches except of the Spark Office. Hence to say that the members of the W. P. P. helped in the sale of the paper is an irresponsible statement. A single copy of a few issues of the paper was being sent for some time and that too not regularly to Mr. Spratt in ordinary courtesy in return for the article he had written for the paper in response to my invitation.

P 527 . 1) is a letter to C. P. Dutt from Philip (Spratt) dated 14th March 1929. In the course of it he writes, "You remind me of the question of sending press reports to the Sunday Worker and so on. I feel very guilty about this. I found soon after I came that I should have to get some sort of license from the Director General of Posts and Telegraphs in order to wire at press rates. Otherwise it is impossibly expensive of course and at that I simply dropped it. Subsequently Desai told me in Bombay that he intended to do something but I do not know if he did. I saw him for a few days in Calcutta, but forgot to raise the question. Muzaffar is writing to the Sunday Worker this week, asking them to apply to the D. G. at Delhi on his behalf. When he has got his license, if he gets it, perhaps we can do something."

The first time I met Mr. Philip Spratt in my life was in the editorial offices of the Bombay Chronicle some time in December 1927 when I was working on the paper. Mr. Spratt had come to give some material to the paper on some Labour subject and I was introduced to him by another member of the staff Mr. L. G. Khare. As I had recently returned from England, we three of us had a brief chat. In the course of the conversations I said "I was working in England as the London Correspondent of the Bombay Chronicle and I occasionally contributed to the Labour papers." Mr. Spratt inquired if I would continue writing to the Labour papers. If I remember rightly, I said "I wondered how much time I would get for that, working as I would be on a daily paper in Bombay; we are fairly busy here. But I may perhaps try to supplement my income by sending news from time to time to papers like the Daily Herald and the New Leader as I used to do in London." He suggested that "in that case I may also send news to the Sunday Worker." "The Sunday Worker people," he added, "were keen on getting fresh news

from India and would pay for it." As a matter of fact I never sent a single piece of news to the Sunday Worker. If I had, it would surely have been here in the Prosecution exhibits.

The next time I saw Mr. Spratt, was after more than a year in the grounds of the Indian National Congress during its annual session at Calcutta. I do not suppose he then referred to this subject of sending news at all. Twice I think we had a random talk on things in general including Congress oratory and Mr. Spratt's health, which looked rather bad at that time. The talk was entirely as between two acquaintances—a publicist and a journalist. I also made some passing comments on the references to socialism in either the Presidential Address at the Labour Federation or the National Congress and the different class composition of the two bodies. Mr. Spratt inquired if I had seriously studied socialist literature. "Not studied exactly" I said, "but in a journalist fashion I have read here and there. Why?" I asked. "I just wondered" he said "if you could write a pamphlet on class struggle". I replied "I did not feel particularly competent to do it; besides I hardly had any time."

Mr. Spratt was on one occasion distributing some literature connected with the recently held W. P. P. Conference. He gave me a copy of the Presidential speech P 1277 and some five or six copies of the printed resolutions passed at the W. P. P. Conference (P 1242, P 1243, P 1244) to pass on to my friends in the press enclosure in the Congress ~~M~~^Pandal.

I never wanted to write that pamphlet on class struggle; but when I myself wanted an article from him, some time later on the Public Safety Bill when I was running the Spark, in ordinary courtesy I had to refer to the point and repeat my excuse about lack of time as I did in P. 1249. Beyond these casual meetings with an interval of nearly a year between them and later my writing to Mr. Spratt to send an article for the Spark, neither of us had anything to do with each other.

Lower down in P 527 (1) Mr. Spratt writes "Have you seen Desai's 'Spark' by the way? He has done it quite well I think in the circumstances, but it was a hopeless proposition from the first. We have heard nothing of it now for three weeks, so it must have collapsed, I suppose, (I am wrong. As I write nos. 5 and 6 but not 4 are received)." If Mr. Spratt assumed that some one in England, who as he probably knew, was taking a close and continuous interest in Indian affairs from week to week, might possibly have come to know of the Spark, the only paper of its kind in the country, more than two months after its actual appearance, there is nothing particularly surprising. As a matter of fact, I did send copies of the Spark to several Labour papers in Britain.

Among the persons to whom Mr. Spratt had suggested I might send the V. P. Ps. is the name of Mr. G. C. Basak of Dacca. He accepted the V.P.P. I sent him. At the close of his letter dated 8th March 1929 to Mr. Muzaffar Ahmad (P 2159), Mr Basak observes "I am in regular receipt of the Spark. Some dailies are inquiring of it whether they can get ^{it} in exchange." This confirms Mr. Muzaffar's statement that it was he who had suggested that a V.P.P. should be sent to Mr. Basak. Evidently he had subsequently informed Mr. Basak about it.

On 13th March 1929 after receiving the Spark for a couple of months, Mr. Basak sent an article on "Imperialist lie" to my paper (P 1257) and in the covering letter he says that he had two more articles on "Economic development of Soviet Russia" and on "The Youth Movement" and if I had any use for them I might write to him. As the article he had already sent was not suitable for my paper, I did not write for any more nor even sent him a reply. This is another instance of the detached position of my paper and myself.

Let me next deal with P 1335 and P 480. In P 1335 dated 11th February 1929 Mr. Muzaffar Ahmad in a letter to Mr. Ghate draws attention to the following sentence in the report of the Lenin Day meeting in Bombay that appeared in the Spark, "Shaukat Usmani, the President graphically described the scenes of frenzied grief of the Russian people at the news of Lenin's death, to which he was an eye witness"; and he points out that at the time of Lenin's death Usmani was not in Russia but a prisoner in Peshawar District Jail, and suggests to Mr. Ghate to ask Mr. Shaukat Usmani to send in a contradiction to the paper. In P 480 Mr. Usmani informed Mr. Muzaffar Ahmad that he had sent in the contradiction to the paper and explains that the wrong impression was probably created by his too graphically describing the frenzy of the people in Moscow at the time of Lenin's death. I did not care to publish this contradiction of the report as I considered it too insignificant a detail. If the Spark had really been a party paper such an ignorance of Mr. Shaukat Usmani's antecedents would not in the first place have been betrayed in the report of the meeting; secondly, in that case Mr. Muzaffar Ahmad would have written directly to the paper; and thirdly, the paper would not have ignored the contradiction when it received it. That is probably why your Honour has not cared even to put these exhibits to me although they have been referred to in the Committal Order. But as I am anxious to explain all evidence against me I thought I might as well deal with these exhibits.

D/ 20-11-31.

So much for Bengal. Now for U. P. In the absence of any direct evidence ^{to} connecting the Spark with the W. P. P. the Magistrate

wrongly asserts that my paper "was anticipated and welcomed by other conspirators in Bombay, Bengal and U. P." and hints at the probability of some previous information being circulated among the members. We have seen the evidence about Bengal; before we examine the rest of the evidence it may be relevant to remember a few facts :—

(1) Socialism as a political school had very few exponents in India at the time I started my paper. Hence small as my paper was, it was the only Socialist newspaper throughout the length and breadth of the country.

(2) By my writings on Socialist subjects both in the British and Indian press my existence was not entirely unknown to workers in the field of Labour. As dealers in publicity, a certain amount of publicity comes to attach itself to us-newspaper people. If you deal in colours, for instance, your hands are apt to get coloured.

(3) The advertisement of the paper was appearing in the Bombay dailies a good many days before the first issue of the Spark was published.

(4) Even in a backward country like India, one may remember that there are such things as news agencies. When I filed the declaration for the paper before the Chief Presidency Magistrate Bombay (P 1986), the news was broadcast by the Free Press of India. The Free Press also telegraphed an extract from the editorial in the first issue of the Spark outlining the policy of the paper.

(5) The Spark when it made its appearance was noticed and reviewed in different sections of the Press. For the editorial comments of the Bombay Chronicle, the Indian National Herald and the Times of India, you may refer to the 2nd and 3rd numbers of the Spark.

Under these circumstances is it at all surprising that among others some members of the W. P. P. should also have come to know of my paper and that there should be incidental references to the Spark in the correspondence of some of the accused who were taking a keen interest and a prominent part in Labour activities? Now let us see the nature of these comments on the part of persons in U. P. In spite of the fact that letters were being systematically intercepted, the C. I. D. have not secured a single letter from M. G. Desai to any "conspirator" in U. P. or *vice versa*; nor is there any cross reference to any such letter. The reason for this is quite obvious. There was no such thing.

The Krantikari, a weekly paper in Hindi of Jhansi in U. P. in its issue of 4th February 1929, *i. e.* a week after the first issue of the "Spark" had already come out, publishes a belated piece of news that a Socialist weekly called the Spark *will* be soon coming out in Bombay and that Mr. M. G. Desai will edit the paper. This is how it runs:—

"Sammyawadi Patra niklega.

“Bambai se Shighrah hi ‘Chingari’ nam ka ek Saptahik Sammyawadi Patra niklega. Patra ka sampadan mistar M. G. Desai karenge.”

It will be seen that the Hindi word that is used for “Socialist” is ‘Sammyawadi’ which is correct. But according to the prosecution witness himself, the Hindi translator, there is no other different word available in Hindi for Communism. Taking advantage of this fact in the English translation of the Prosecution exhibit P 431 T the word “Sammyawadi” has been translated as Communist.

P 431 T runs as follows:—

“The Communist paper would be published.

“The Communist Weekly entitled the ‘Chingari’ will shortly be published from Bombay. It would be edited by Mr. M. G. Desai.”

Now the Prosecution naively asked for an explanation from me how a paper in Jhansi published that a “Communist” paper called the Spark would soon come out in Bombay. As a matter of fact it is the Prosecution who owe me an explanation for these slim tactics.

The next piece of evidence about my conspiratorial activity in U. P. is P 433. This is a register of the same paper Krantikari of Jhansi, and on the page devoted to the exchange list of the paper you find the name of the Spark amongst numerous other Indian journals including the Navjivan of Mahatma Gandhi, the Pratap of the late Mr. Ganesh Shanker Vidhyarthi, the Abhyudaya that belongs, I understand, to Pandit Malaviya’s school, the Aj, the Matwala and other papers. I feel flattered to learn that the Krantikari wanted a copy of the Spark in exchange just as some papers in Dacca also did, to which fact Mr. Gopal Basak refers in P 2159. But I do not know what explanation is at all called for in this connection. Are the Prosecution people really so ill informed as not to be aware of the general practice in newspaper offices to secure copies of other papers by exchanging their own? Just as doctors and, I believe, lawyers do not take fees from each other, we journalists generally do not buy papers but exchange them. If they had searched other newspaper offices they would have found the name of the Spark on the exchange list of several other papers, as our office used to receive so many papers free. One wonders how much elementary knowledge about the modern world one will have to impart to this anti-diluvian Prosecution before one finishes with this wonderful trial.

Next let us see the references to me or my paper in the correspondence of Mr. P. C. Joshi, a college student of Allahabad. His letters, apart from betraying his almost hectic enthusiasm about things in general, also show his extreme carelessness in writing; witness for

instance his habit of never dating his letters. In spite of the fact that there never has been any correspondence whatsoever between me and Mr. P. C. Joshi, still the Magistrate maintains that "he (Desai) was also known to P. C. Joshi, who wrote to Muzaffar Ahmad 'I also read Desai is to edit a weekly. Is it true? When is it to come out?' (P 2155), as if Desai needed no introduction to either side. This was on February 14th, 1929."

In answer I beg to point out that the objective world we live in does not consist of a series of bourgeois drawing rooms with their formal introductions and inane exchange of 'how-do-you-do's. People may come to know about a journalist without his knowing them at all. Thanks to the tremendous publicity given to this case, to-day a much wider circle of people, for instance, might have come to know about me without my ever having the pleasure of knowing them. From the way Mr. Joshi mentions my name and the way he inquires as to when the paper is to come out towards the close of this letter of his to Mr. Muzaffar Ahmad dated 14th February 1929, *i. e.* more than a fortnight after the paper had actually come out, it is clear that up to that date Mr. Joshi had not seen a single copy of any issue of the paper, nor had he received any correct information about the same. So great indeed was my conspiratorial connection with Mr. P. C. Joshi! He had evidently read somewhere in the press the news about the expected coming out of my paper—probably he had come across the news item in the columns of the *Krantikari* of 4th February (P 431 T) to which I have referred earlier. Curious to know more about the paper he writes to Mr. Muzaffar Ahmad; as the letter had nothing more to add, Mr. Muzaffar Ahmad does not even refer to the subject in his subsequent letters to Mr. P. C. Joshi. Mr. Joshi seems to have made a similar enquiry of someone he knew in Bombay namely Mr. S. V. Ghate. The latter informs him in a letter dated 15th March 1929 (P 1099) as follows:—

"I am telling the editor of the *Spark* to send you a copy of the first number. As far as I know it is being sent to the editor of the *Krantikari*, which is not sent to our Party any way". Mr. Joshi could have written directly to the *Spark* office for copies of the paper if he had been known to me or even knew the address of the *Spark* office. He did not even know that the *Krantikari* was already getting it in the usual course of things by way of exchange. In the meanwhile Mr. Joshi had obviously come across the second and third issues of the *Spark* and so he again writes to Mr. Ghate in P 1800 "I have not received the *Spark* no. 1, or any issue after No. 3."

If this correspondence of Mr. P.C. Joshi proves anything, it proves that the *Spark* was not only not a Party organ, but the Party was in no way concerned in its sales or distribution. Hence Mr. Muzaffar Ahmad

had nothing more to tell Mr. Joshi, and Mr. Ghate, the Secretary of the Party in Bombay, could not send him directly a copy of the paper but had to forward the request to the editor of the paper. If the Spark had been a Party organ, open or concealed, the Party members at least would have had no difficulty in getting copies of the paper regularly and Mr. Joshi himself would have regularly received copies of it. But actually even such a wide-awake member of the Party as Mr. P. C. Joshi was enquiring, nearly three weeks after the paper was actually out, if it was true that such a paper was going to come out; and he had not been receiving the paper regularly as late as the middle of March, *i.e.* nearly two months after the paper was actually out.

On 5th March, 1929, Mr. Joshi sends a post card to Mr. Gauri Shankar of Meerut (P 195) and in the postscript he writes "Bombay se saptahik 'Spark nikal raha hai tumhen mila? Party ka anuyayi hai." This has been translated in P 195 as "The Weekly Spark is being published from Bombay. Did you get it? It is an organ of the Party." The Prosecution witness, the Hindi translator P. W. 118 admitted in this Court that "Party ka anuyayi hai" has been wrongly rendered as "an organ of the Party." "It means it is a supporter or follower of the Party". This too is an unwarranted inference on the part of Mr. P. C. Joshi; and I can only ascribe it to Mr. Joshi's immature ideas at that stage and his inability to discriminate between one school of socialism and another. Anyway, in saying that the paper was a supporter of the Party, it is Mr. Joshi's own youthful fancy that has been at work. Not only had he received no information from me but even his correspondence with the members of his own Party does not contain anything that would support such an inference. On the contrary P 474, a letter from Mr. S. V. Ghate, Secretary of the W. P. P. Bombay to Mr. Muzaffar Ahmad dated 14th March 1929, P 2163P, a letter from Mr. Nimbkar, the General Secretary of the All-India W. P. P. to Mr. Muzaffar Ahmad and P 1098, a letter from Mr. Nimbkar to Mr. P. C. Joshi, the last two dated 15th March 1929, which give an idea of what the Party and Party members had been doing in Bombay since the Calcutta Conference in response to persistent demands for information on the part of Messrs. Muzaffar Ahmad and P. C. Joshi, do not contain even any remote references to the existence of the Spark. Mr. R. S. Nimbkar in P 2163 writes "Lenin Day was celebrated by the Bombay Party. You might have read a report in the press about it". He might have referred to the report of the meeting in the Spark if the Party had been any way interested in the paper, but he does not.

As there is no evidence of any one in the Punjab having been interested in the Spark let us return to Bombay.

P 2417 P is a letter from Mr. Bradley to Mr. Potter Wilson dated 2nd February 1929 and in the postscript he refers to the coming out of

the Spark and says he is enclosing a copy of the first issue of the paper. Mr. Bradley is the best person to explain this reference and he has done so on page 587 in his statement. Mr. Bradley never had anything to do with me or with my paper. Mr. Bradley sent an article on the "Jharia Trade Union Congress" to the Spark, just as he had sent similar articles on the same subject to, I believe, the Bombay Chronicle, the Forward of Calcutta and other papers. I also published this article in the Spark in order to provoke a discussion on the subject in the columns of my paper as a controversy was already going on in the press on the subject. My publishing his article does not mean that I agreed with what he wrote and the Magistrate's remark that "he (Bradley) obviously regarded it as a vehicle for conspiracy" is both far-fetched and absurd.

While summing up the case against me in the Lower Court, the Junior Prosecuting Counsel referring to P 1676 said, "It is a letter from Mr. M. N. Roy to Mr. Adhikari in which you will find Mr. Roy also getting interested in Mr. Desai's paper and he encloses an article for the Spark". The letter is dated 25th February and is signed by R, and the article is signed by Abdul Rahman. I do not know if R or Abdul Rahman means M. N. Roy. I never had any connection or communication with Mr. M. N. Roy directly or indirectly. I never sent him any copy of the Spark. If there was any correspondence at all between Mr. Adhikari and Mr. Roy, as the Prosecution allege, I was never aware of it. Beyond contributing a few articles to the Spark Mr. Adhikari had nothing whatsoever to do with me or my paper. I never knew Mr. Adhikari had anything to do either with the Communist Party of the W. P. P. This article by Abdul Rahman in P 1676 never reached me and the question of publishing it did not arise. If the Prosecution story about this letter is true, it seems Mr. Roy might have received a copy of the first issue of the Spark, perhaps sent by Mr. Adhikari or any one else. "In fact when he saw it", to quote the Committal Order, "Roy was rather disappointed." Roy inquires in this letter P 1676 "Is it the outcome of private initiative or it is officious?" and from the internal evidence of the contents of the paper, especially the fact that the paper was "branded as a socialist weekly" and "in the leading article the Daily Herald of London it cited as an unrealisable ideal", he comes to the correct conclusion that the paper had evidently nothing to do with the W. P. P. Referring to the sentence in the first editorial "It is almost utopian for instance to expect a socialist daily in Bombay like the Daily Herald in London", Mr. Roy writes "This sentence made me think that perhaps the Spark is the outcome of private initiative; for such a sentence would be impermissible in our organ even officious". By even "officious" he perhaps means even semi-official.

P 1174 is a half finished letter dated 15th March found on the typewriter in the Girmi Kamgar Union Office. I do not know if it was really

typed by Mr. Adhikari as the Prosecution allege or by any one else, nor do I know if the words "Dear friend" found at the top of this letter at all refer to Mr. M. N. Roy. Towards the end of this document you will find the following sentence, "Iskra is in other hands but we control it to a certain extent. If we could finance it we could get guaranteed control. (A word scratched out) of English material." The Prosecution suggest that the word Iskra here stands for Spark. Accepting for the sake of argument the Prosecution story about this document, one thing is clear from this document itself; the Spark was not in any way financed by the W. P. P. or C. P. It was "in other hands" that is obviously non-Party hands. As for the clause "to a certain extent we control it" I can most categorically say that it had not the remotest semblance of reality. According to the Prosecution the W. P. P. wanted to capture so many organisations. If the W. P. P. or Mr Adhikari or any one else had any designs on the Spark, I was not aware of any, and I would never have allowed my paper to be absorbed or controlled or influenced by any third party. My experience as a subordinate member on the editorial staff of the two nationalist dailies in Bombay had been sufficiently painful. The senior Crown Counsel Mr Kemp might remember that when the Indian National Herald went into bankruptcy, the subordinate members of the editorial staff were those who suffered most. When I had come to run a paper of my own it was least likely that I would let go my grip on the same.

But I wonder why the Prosecution persist in maintaining that the word Iskra in this letter refers to my paper, the Spark, especially when a paper called Iskra is specifically referred to in two documents, as definitely distinct from the Spark. I refer to P 526 (48) and to P 670. These seem to be jottings by Mr. Spratt and Bradley respectively. In the first, besides mentioning the Spark, Iskra is mentioned as an irregular news and propaganda sheet; similarly in the letter, P 670, besides the mention of Spark, Iskra is referred to as an English paper in Bengal. The exact words are as follows: "English - Iskra, Bengal". When the Prosecution have given such an elaborate importance to the word Iskra in P 1174, it is strange that they should have ignored the specific references to a distinct paper called Iskra in these two documents. Is it because it cuts across their pet theory that the word Iskra in P 1174 definitely refers to my paper, the Spark?

D/21-11-31.

I do not know why the Spark either should have been mentioned in these rough jottings. Messrs. Spratt and Bradley are the proper persons to explain them, if they at all remember what these stray jottings really mean. I can at best hazard a guess. It seems P 526 (48) were the provisional jottings made by Mr. Spratt when he wanted to send to Mr. Bradley a review of the general political situation in the country; giving him information of things in Bengal and making enquiries of

things in Bombay, and P 670 are the notes of Mr. Bradley when he received that report. The internal evidence of these two documents also shows that these related to a review of things in general and not of mere Communist activities.

P 1281 is a letter to Mr. Shah dated 15th March 1929 from one Mr. Khardikar in Berlin, towards the close of which he writes, "I do not know Mr. M. G. Desai's address. Will you please give him my address and ask him to write to me?" I am not sure who this Khardikar is. But perhaps he is one of the young men who came to see me in the Herald office, and, as I had recently returned from England, enquired as to the cost of living in England etc. and the different schools of journalism and the chances of an Indian making a living in England as a journalist. So far as I remember I discouraged him, pointing to the enormous unemployment in all professions in England including journalism, thanks to the policy of amalgamating different papers. I know nothing more about this gentleman and I was never in correspondence with him. Probably when he heard about the liquidation of the Herald he did not know where to write to me, as I did not give my home address to casual visitors.

P 1666 is a letter dated 27-3-29, *i. e.* seven days after my arrest, from the League against Imperialism to the editor of the Spark. It begins as follows:—

"Dear sir—Enclosed please find a copy of our latest Press Service no. 11 for your use and information. We call your attention to the appeal of the League against Imperialism entitled "Against British terror in India" which, please note, is being sent all over the world, and we shall appreciate it very much if you will be so kind as to give it as much publicity as possible, etc." I am sorry I was not in a position to oblige them even if I had wanted to. As one cannot have the pleasure of witnessing one's own funeral, similarly I could not stay behind in Bombay to publish reports in my paper about the world-wide condemnation of our own arrest, for the appeal entitled "Against British terror in India" deals mainly with our arrest. P 1424 are manuscript pages of a Hindi book entitled "Mahatma Lenin" by Dr. Vishwa Nath Mukherji. I never had the pleasure of knowing Dr. Vishwa Nath Mukherji of Gorakhpur (U. P.); nor in fact was I aware of his existence until I was brought to the District Jail, Meerut, and I have been learning Hindi since then. Even if these manuscript pages of a proposed Hindi book had come my way the contents would have been as unintelligible to me as the contents of a Chinese manuscript. I do not know what I have got to do with this exhibit.

Similarly P 863 is a copy of a Marathi illustrated magazine called "Chitramaya Jagat", meaning illustrated world. It was found in

Mr. D. R. Thengdi's search at Poona. I do not know what I have got to do with this exhibit either. I had never contributed nor subscribed to this magazine; nor had I come across this copy of the magazine. I do not know what the contents are. I returned to India in November 1927 by S. S. Aquileia. After more than ^athree years' stay in England as a journalist I had naturally with me a large quantity of books and periodicals on different subjects. Some of these were seized on mere suspicion by the Preventive officer of the Bombay Customs office, a list of which is put in by the Prosecution as P 1476. But most of these books were returned to me after some days. Many of them figure once again in the search of the Spark office carried out more than a year afterwards, exactly in the same way as the unexhibited books and periodicals from my search that have been returned to me are likely to be in my house if it were searched some time hence—which God forbid.

D 5 (C) is a letter from the Assistant Collector of Customs Preventive service, Bombay, to me. It reads as follows:—

“ New Customs House

28th December, 1927.

Sir,

In continuation of my letter R. O. C. no. 29, 1925, of the 15th instant I have the honour to request you to call over at this office during office hours on any working day when the literature etc., which does not come within the purview of section 19 of the Sea Customs Act will be handed over to you.”

It may be observed in this connection that the majority of the books and periodicals in my search-list made at the time of my arrest, some of which have been put in as either Prosecution or defence exhibits, bear the numbers that were given to them by the Customs people and the P.W. 220 recognised them as such. The unintelligible and arbitrary way in which these books and papers of mine were seized by the Preventive officer of the Customs is shown by his admission in his evidence. He said, “I exercised my own discretion in selecting the letters for detention. There was no particular reason except connection with some foreign gentleman for detaining the letter from H. N. Brailsford and no particular reason for detaining the others. It is more or less correct to say that I detained the book ‘Revolution by reason’ (by Sir Oswald Mosley, M.P. Exh: D 5), because revolution appeared from the name to be the subject. We do not have much time to study the books. ‘Songs for Socialists’ and the ‘Socialist Annual’ were taken because of the reference to Socialism.” But the cream of the joke lies with reference to the book named in the Customs list as “American Communism on conditions in Ireland”. I do not know what is meant by “American Communism” and what it has to do with conditions in Ireland; but the

book that was found with me was a copy of that well known report of the American *Commission* on conditions in Ireland after the war.

Now let me deal with the articles from my search-list that the Prosecution have put in as exhibits from P 1241 to P 1277. I have already given a general explanation about them in my statement in the Lower Court and do not desire to waste time by repeating it here. I am sure your Honour will take it into consideration. These books, periodicals and manuscripts roughly fall into three classes:—

(1) Things that I brought with me from England and many of which were seized by the customs and subsequently returned as innocent.

(2) Papers and periodicals that belong to the year 1928 when I was working as an Assistant Editor on the staff of the Indian National Herald, and most of the periodicals belong to this year. These were not sent to me but to the Herald. As I had recently returned from England, the Editor-in-Chief generally asked me to write the leading articles and notes on foreign subjects, and the foreign periodicals and papers received by the Herald were usually sent to my place.

(3) The documents that I myself came to receive as editor of the Spark.

P 1241 are pencil scribblings on a couple of loose and torn sheets of yellow paper, rescued from the waste-paper basket in my office. This exhibit has been given the premier place in the Prosecution exhibits from my search. Amongst other things it contains the following gems:—

“To begin with after war we find bgs of epid of peace treaties but hist is proof to us more capit talks of peace but is preparing for war..... Split up Runs....and excuse of lives in him of Imperialism Lower down S.R. is to British imperialism.....Coming Britis in S its direct anti thesis... .Before intern condition here was unemp working class dissention.....On eve of strike treacherous leaders all rushed down to Down Street in Tha nes gorvelled for peace.”.....

Later still “It was com ruin B and G to have another war to end wars.....France was poor control and Gn excl col in conflict..... Mayer fair Kelley Peace Pact why ack of and interest of world..... In this wonderful empire where Sino war gets has gn India is called brightest jewel.” The writing is not mine nor do the Prosecution suggest that it is ; nor do I know what exactly it all means. Probably they are the summary of some article in a magazine or the notes of some speech left inadvertently in my office by some reporter of the Bombay Chronicle or the Indian National Herald, members of the staff of which used to visit me in my office. Anyway, I have never used these notes nor noticed them either until they were elaborately printed as a Prosecution exhibit.

P 1242, 1243, 1244: I have already explained that Mr. Spratt gave these to me when he met me in the grounds of the Indian National Congress at Calcutta and he requested me to pass on these printed copies of the resolutions passed at the W. P. P Annual Conference to my friends in the press enclosure. I did nothing of the kind and hence these five or six copies remained with me in my attache case.

P 1245 is a booklet entitled "Manifesto of the Communist Party" by Karl Marx and Fredrick Engels. It is a book of historical value. It may be an unheard of curiosity to the Prosecution but no socialist in the world of whatever school would be unacquainted with it. It would be interesting to note what the present Premier Right Honourable Ramsay MacDonald has to say about Marx and his Communist Manifesto and his position in the Socialist Movement:--

"To-day, Marx is known over as wide a world as even Christ or Mohammed. He holds a position equal to any one of the few teachers who have founded religious movements. His writings largely unread, are held as inspired, and on differences of interpretation of *what he has said or written*, sects of the faithful are founded, and bitter internecine war is carried on. Books and treatises written upon him and his doctrines are legion, and are to be found in every language which commands a printing press. The validity of his economic theories is more than doubtful, his historical philosophy is in the same position. But, as with a great religious teacher, that in no way diminishes the homage paid to him, nor stamps out attempts to regard his word as the last thing that has been said. Such a position is not won except for some good reason, and we have not far to seek for the service which gained for Marx this extraordinary fame. He was the first to give the working classes a hope that by adopting a certain policy, they would attain to freedom; the policy which he put before them was one which enlivened their spirit, appealed to the intelligence and set the lines of their battle just in such a way as to inspire them with the greatest possible fighting zeal, both on account of the rich fruits of the victory that was to be gained and of the steely antagonism against the enemy which it put in their hearts. Marx called, in clear clarion tones, to battle, and made the soldiers feel that it was in an Armageddon that they fought.

"Marx began by brushing aside the utopian idealistic socialism of the French school which he found to be prevalent..... Marx brought the science and philosophy of his time to aid the working class struggle, to give it a meaning, a dialectic and armoury. In him intellect and revolutionary enthusiasm had a common lodgment, and they together lit fires destined to burn in the hearts of many generations..... This was done by no new gospel. The economic criticism of Marx contained no new discoveries; indeed, if plagiarism consisted in saying what has

been said by others, the unfounded accusation that Marx plagiarised on his English fore-runners would be true... His power of personality, his vitality, gave energy to movement, his intellectual achievements raised its self-confidence, his clear conception of methods gave it both form and direction, his philosophising gave it a relationship to history, and all these combined made the modern Socialist Movement a fighting, a hoping and a constructing power. Thus Marx became a personal embodiment of the working class revolt against Capitalism and its fight for Socialism."

About the Communist Manifesto, a copy of which has been put in as a Prosecution exhibit, P 1245, he writes as follows:—

"In the 'Communist Manifesto', written in 1847, we have really the whole gist of the Marxist doctrines and it is worth summarising as it is not at all well known now. It combines that masterly width of intellectual sweep and that thrilling and stirring appeal to the common mind which I regard as the secret of the power of Marx amongst working-class movements everywhere. No narrow nationalism ^{confines} ~~finds~~ its force; it is an exposition of laws that hold as good in Japan as in Great Britain, in *India* as in France, and in China as in America. It begins with a proud statement that 'every ruling class in Europe has sought to attach infamy to its opponents by calling them Communists.' Here the author adds an important footnote which runs as follows:—"It is necessary to warn readers that the Communist Movement of that time, which became known later on as the Social Democratic Movement, was a different thing from the Communist Movement of our day." I may point out here that I have quoted only one small passage from this Communist Manifesto in the Spark in its issue of 24th February 1929 and it relates to the above reference in the last sentence of Mr. Ramsay MacDonald, "It begins with a proud statement that every ruling class in Europe has sought to attach infamy to its opponents by calling them Communists." The passage quoted runs as follows:—"Where is the party in opposition that has not been decried as Communistic by its opponents in power? Where is the opposition that has not hurled back the branding reproach of Communism against the more advanced opposition parties." (Marx and Engels' Communist Manifesto, March 1848). This quotation I put in the Spark in view of the reckless statements and the indiscriminate attack on Socialists and Communists that were at that time being made in the Legislative Assembly while the Public Safety Bill was being discussed, especially by Government members and their supporters.

Later Mr. MacDonald sums up the teachings of Marx and defines his place in the Socialist Movement:—"When Marx changed men's conceptions of the movement of Socialism from being a revolt and protest against an evil within society to being an expression of the prolonged working of natural laws towards a fulfilment, he, in consequence,

changed the methods by which the working of the laws was to be aided and speeded up. Socialist activities had to concern themselves with society as a whole—with the complete group of relationships subject to Capitalism. ~~Just~~ ^{Thus} the Socialist Movement became part of the political movement of the working classes; the establishment of Socialism became the goal of working-class politics; political liberty ceased to be regarded as an end in itself, but became a means to economic liberty—or, to write more accurately (though in that cruder form of separation and subordination they were too commonly presented, and are now by the Communist Movement of to-day), political and economic liberties were seen to be organically connected, neither existing without the other. *Marx wrote in a revolutionary time in many respects not unlike our own, and so we find in his sentences the hope of violence alongside a trust in politics—thus both the constitutionalist and non-constitutionalist have been able to claim his sanction.*

“This was the work of Marx, and it so completely changed the conception, the policy, and the organised movement of socialism that it may be regarded as having brought forth a new movement altogether. Therefore I find Marx’s fame and position, not in his theories and explanations (all of which are subject to the limitations of the thought, knowledge and politics of his time, and to his own errors, and none of these will survive the reconsideration of future times) but as I have said, in the simple fact that he imparted to the working-class movement and to Socialism a greatness and a majesty in the evolution of human society, and gave it a method which sustained hopes for a prolonged conflict. That is why the fate of Marxian theory of value or of economic determinism will have no effect upon the ^{**}place he occupies amongst the leaders of mankind. That place is secured by something more abiding. His vision of things and his understanding of their meaning and tendency is in no way impaired by the explanations he gave of them, and it was his vision and understanding that he contributed to make a feebly vague aspiration into a virile and a definite movement. He saw the truth with power, and that remains alive when explanations of it fail and only gather the dust of beliefs that have been outlived. Marx was greater and more abiding than Marxism. This he himself saw when he is said to have exclaimed one day, deafened by the squabbles of the disciples and would-be disciples, ‘thank God I am no Marxist.’ It is not Marxism that survives but Marx.”

It would be relevant to point out in this connection what I said on this subject in my statement in the Lower Court: “There is a certain interest in Marxian theory displayed in the columns of the Spark. I do not pledge myself to every word or statement of Marx; but I consider that Marx was one of the great thinkers of the last century. His philosophy is not a monopoly of the Communists. Independent intellectuals like Mr. Lindsay, Master of Balliol, have written books about him

eulogising his work, and prominent men in the Second International like Kautsky and Hilferding swear by him just as fervently as any one else. Even the present Premier has paid him a glowing tribute in his 'Socialism, critical and constructive.' The above quotations are from the same book published in 1924. Thus it will be wrong to say that I am a Marxist if it means that I swear by every word and statement of Marx or either that I accept a Communist interpretation of Marxist theories.

D/23-11-31.

Before I return once again to the Prosecution exhibits from my search-list I may refer to P 146 which was not found in my search but which has been put to me and by oversight I yesterday forgot to refer to it.

P 146 is a list of addresses found at the offices of the Bengal Jute Workers' Association in which is the following :—

"M. G. Desai c/o Worker's and Peasants' Party, Dwarka Das Mansions, Bombay."

I do not know anything about this. I never gave such an address to anybody and I never had the need of giving such an address to anybody either. My permanent address for the last four generations has always been my ancestral home in Bombay which is next to Zaoba's Temple, 327 Thakurdwar, Bombay 2. That is the address I have given to the Court and that is the address in my passport. I do not know whose vagary I have to thank for this wrong address.

Your Honour might have heard the story about Mark Twain. Some fool had sent him a letter with the following address on the envelope :—

"Mark Twain Esquire, God knows where"; still the letter reached him. But I never received any letter sent to c/o W. P. P. Bombay. If I had it would surely have been here in the Prosecution exhibits.

Now to return again to the Prosecution exhibits put in from my search, P 1247 and P 1248 are manuscript articles giving Trade Union news about the Bombay Dock workers sent to the Spark. As I did not approve of them I did not use them.

P 1249 and P 1251 are my letters to Spratt and his reply forwarding his article on the Public Safety Bill. I have already dealt with these exhibits in another part of my statement.

P 1250 is a portion of a manuscript article by C.G. Shah reviewing Trotsky's Life of Lenin. The printed exhibit does not give an idea of the original, large portions of which have been crossed out and not

published. This will bear out what I said in my statement in the Lower Court that I made a free use of my editorial scissors when necessary.

P 1252 is a typed article describing the programme and policy of the Workers' and Peasants' Party sent to the Spark in the hope of publication. As it was purely propagandist in its contents and had no topical news interest, I could not possibly make room for it in my paper.

P 1253 is a typed article entitled "On the eve of the Congress" by M. G. Desai. It is a draft article based mainly on reports appearing in Calcutta papers, and tries to give an idea of the political atmosphere on the eve of the Indian National Congress. As I myself on a second thought did not like this article and as I could not verify all the facts I did not send it anywhere for publication. I went to Calcutta as a representative of the Indian National Herald to cover the annual Session of the Indian National Congress there. By the time I reached Calcutta the W. P. P. Conference was already over. The All-Parties Conference continued for some time later.

P 1254 is a letter of introduction from the editor of the Sunday Worker. I have already dealt with it while referring to my stay in England.

P 1255 and 1256:—These two articles came to the Spark office through the inland post. I remember this because it was shortly after a controversy had been raised in some of the well known papers over the authenticity of a certain letter from one M. N. Roy which was read out in the Legislative Assembly during the debates on the Public Safety Bill.

As a journalist, I had come across the name of M. N. Roy appearing in connection with Communist and anti-Communist news. For this reason my curiosity was roused and I noticed the postal stamp and seal which I found to be of the inland post and not foreign. That made me still more suspicious. Besides there was no covering letter and nothing to indicate who had sent them to me. One article was signed "M. N. Roy." When I read the contents of these two articles I found them utterly unsuitable for my use; since my paper was not intended to publish such propagandist or suspicious documents, I unhesitatingly decided to reject them; and as such they were lying among the rejected material on one of the shelves of the Spark office.

P 1257 and 1257 E are an envelope and a letter forwarding an article from Mr Gopal Basak of Dacca. I have already dealt with them while referring to Mr. Basak in another part of the statement.

P 1258 are well-known extracts from the late Dr. Sun Yat Sen's writings which are often quoted in magazine articles giving the sketch

of his life. Only the first extract—the last letter he dictated from his death-bed—was printed in the Spark on the occasion of the anniversary of his death. Just as in the case of Mahatma Gandhi or Kemal or Zaghlul-Pashas, all Asiatics take a profound interest in the utterances and activities of the late Dr. Sun Yat Sen of China. During the trouble in China in 1925-26 the Chinese nationalists were running a Press Service in London to supply information to newspapers and journalists. These extracts are from one of these news bulletins.

P 1259 is the manuscript of Mr. Bradley's article on the Jharia Congress. Similar articles purporting to come from Mr. Bradley on the same subject were appearing in other Indian papers. It will be seen from the manuscript that I have cut out portions from the original and pasted the rest together before sending it to the press.

P 1260 is a copy of the report of the first Conference of the British Section of the League against Imperialism held in London on July 7, 1928. Incidentally, it can be seen from the contents that at this period at least well-known non-Communists had taken part in this Conference. Mr. Alex Gossip, General Secretary of the National Amalgamated Furnishing Trades Association, was in the Chair.

In the report the Chairman "Alex Gossip" regretted that the Chairman, J. Maxton, was unable to be present at the first public meeting of the British Section of the League. He considered that nobody had a right to call themselves Socialists and at the same time to believe in Imperialism—particularly the variety known as British Imperialism, which, in opposition to all ethical ideas, stood for the oppression of those weaker than themselves. He welcomed the Conference as helping to dispel the effects of the very misleading history accounts given to children at school. "The late Mr. A. J. Cook moved a resolution No. 1 on "World Imperialism and War" :—

"This Conference declares that world Imperialism is a constant menace to world peace and that the increasing control of the capitalist States by the trusts and monopolies, whose interests are served by Imperialist policy, seriously hampers the industrial and political freedom of the workers, in the 'advanced' as well as in the oppressed countries.

"This Conference, therefore, declares that a struggle against world Imperialism, in preparation for which the workers of the exploiting countries must ally themselves with the workers and peasants of the oppressed peoples, must be carried to a successful issue before world peace can be secured".

In the course of his speech Mr Cook said, "It is the business of all bona-fide workers to fight against the fake patriotism of our masters and to stand openly and unashamedly on the platform of 'class

against class'. Take the situation which faces us in this, the basic industry of Britain. See our pits closing down, our men and women being rapidly starved, and a progressively contracting market for our coal.

"They made us the victims of a process of mutual assassination by imposing longer hours and lower wages, in order that, the coal-owners said, Britain could win new markets for coal by selling at much lower prices abroad.

"It has all been in vain, for in every coal-producing country the same arguments have been used, whilst in colonial countries—particularly in India and China—the forces of the British State have been ruthlessly used to maintain a condition of slavery and repression, as the means to reduce the cost of production in those countries."

The resolution on India and the Simon Commission was moved by Mr Srinivasa Iyengar, "who had been especially appointed to represent the Indian National Congress." Mr. Iyengar said that he had experienced his first real pleasure since he had been in England in attending the meeting of the League; until then his feeling had been a feeling of despair. But the League was taking hold of a real idealism, and concentrating attention on the welfare of the masses and not on the governing classes."

"In England he found that Parliament was not the ruler of the people; the Government is in the daily press which gives no expression at all to idealism, but only to an unblushing exploitation of the world, including millions of their countrymen in these islands. War was brought about by Imperialist rivalry. Exploitation begets exploitation. But for the experiment which was being made that day by the League we should be faced with all the problems which have had to be faced for the last two generations here." The Indian National Congress had had the pleasure of affiliating to the League during Mr. Iyengar's chairmanship. The League against Imperialism should be made one of the strongest organisations in this country. The League must be made a supreme organisation. He had found the British political movement polygamous, one man might be a member of the I. L. P., another a member of the Labour Party, a man may belong to the Liberal Party, he may also be a Conservative. A movement so parcelled out cannot be fruitful, an allegiance so divided cannot possibly lead to a strong policy in international affairs. "If you are not careful", said Mr. Iyengar, "by the time you have gained power your party will have merged into something else and you will not know what principles it stands for. You must not put your faith in Parliament. We do not possess the least faith in legislatures."

Mr. Iyengar had visited South Wales and found that the conditions there, having regard to the different standard of necessities, are

equally as bad as in India..... He looked forward to the League against Imperialism establishing "a new friendship between the common people of all the countries of the world. It must be made a live institution so that it might remove the blight of Imperialism which disfigures British culture. Complete independence was India's goal."

The resolution on India and the Simon Commission runs as follows:—

"This Conference of working-class organisations in London declares its complete opposition to the Imperialist policy of the Baldwin Government towards India. It voices its full solidarity with the Indian people in their rejection of the farce of the Simon Commission, which it recognises as an attempt of British Imperialism to fasten the shackles of exploitation still more firmly on India and it condemns the participation in the Commission by the Labour Party, which thereby makes common cause with the Imperialists. This Conference pledges its support for the struggle of the Indian people against Imperialist oppression, expressed in the Indian demand for complete national independence and for the election of a representative Constituent Assembly to decide the political future of India."

The Secretary then read a letter from Mr. Mardy Jones, M. P., who was prevented from attending the Conference and from moving the resolution on British Imperialism.

Mr. A Fenner Brockway, Political Secretary of the I. L. P. and editor of the New Leader, then moved the following resolution on "British Imperialism" :—

"This Conference representing over 100,000 London organised workers, sends its sincere greetings to the oppressed peoples of India, Egypt, South Africa, West and East Africa, Burma, the West Indies and other countries exploited by British Imperialism under the Union Jack. It also sends its greetings to the peoples of China, Persia, Afghanistan, Arabia, Abyssinia and other independent countries whose national liberty and economic freedom are seriously threatened by the British Empire."

"We express our belief that the workers in the colonial countries while cooperating with all classes who are prepared to fight for national liberty, will have to take the lead in that struggle.

"This Conference declares that colonial exploitation provides the British capitalist class with its easiest and most abundant source of profits, and thus constitutes its chief reserve of strength in its struggle with the British workers. It declares further, that the sweated labour which the capitalists command in countries such as India, Egypt and China, is proving an ever-increasing menace to British textile workers, miners, metal workers, etc.

“Therefore we undertake to secure the maximum possible support in the British working-class movement for the struggle of colonial workers, confident that British workers will understand the need for a class alliance with every people fighting our common enemy, the British capitalist class.”

Mr. Brockway regretted having to take the place of Maxton, but assured the audience that “the Chairman of the I. L. P. who was also Chairman of the League against Imperialism stood whole-heartedly for the League. In the Maxton-Cook rallying call they had concentrated on the industrial position at home, but just as they demanded a bolder attitude by the Labour Party in home affairs, so they demanded that the attitude of the Labour Party should be bolder in its opposition to Imperialism.”.....Mr. Brockway further said “India today is an example of the effects of the capitalists using the labour of the colonial countries to cut the wages of the workers in this country. Modern capitalism with its most effective equipment is being entrenched in these Eastern countries. The working-class of those countries should also start with the latest ideas of organisation and strategy, and with those modern conceptions there should be no reason why the working-class of the East should not advance much more rapidly and without the long struggle that took place in the West.”

This copy of the report of the First Conference of the League against Imperialism was received by the Indian National Herald in 1928 when I was working on its staff. I am not responsible for the contents and I have not used them anywhere.

P 1261 is a loose leaf notebook in which there are brief jottings of the speeches made at the Lenin Day Meeting in Bombay. I wrote out a report of the meeting in the Spark at the end of the week partly with the help of these notes but mainly depending on the fuller reports of the meeting which had appeared in the Bombay dailies in the meanwhile.

P 1262 are issues of the Spark. The Police brought only five copies of each issue as specimen copies but a large number of copies of each issue were left behind in the Spark Office.

P 1263 are four copies of Kranti of different dates but all issued in February and March 1929. They were sent to the Spark Office with a view that a copy of the Spark would be sent to that paper in exchange.

P 1264 are several issues of the American monthly “The New Masses” published in 1926 and 1927 when I was in England. I had brought them with me and the Customs people passed these on to me and they remained with me.

P 1265, P 1266, P 1267, P 1268, P 1270, P 1274 are issues of different papers and periodicals, all belonging to the year 1928 when I was working on the staff of the Herald. These periodicals were never sent to me, and if they had been there would surely have been Prosecution evidence for the same. Most of them came irregularly to the Indian National Herald, as, I understand, they come to most of the Indian papers. And some had been sent for review.

P 1246 was also sent to the Indian National Herald.

P 1269 are 12 issues of the "Labour Monthly". Three belong to 1925, 2 to 1926 and 1 to 1927. These had been brought by me from England. There are five issues belonging to 1928, which came irregularly to the Office of the Indian National Herald. The "Labour Monthly" publishes articles on International Labour problems from contributors from different countries. Hence many of the articles often contain valuable information on Labour matters although I had often to differ from the conclusions. I have been a regular subscriber to the "New Leader" for the last many years. I was never a subscriber to the "Labour Monthly". Sometimes I bought some stray issues of this magazine which is sold at most bookstalls in London.

P 1271 is a booklet on "Imperialism" by Emile Burns. It is numbered 19 in the syllabus series, giving an outline course for students' classes and study circles by the L. R. D. In the syllabus series on page 2 of this booklet you will find No. 1. "The British Labour Movement" by G. D. H. Cole. No. 4 again on "English Economic History" is also by the same author. Similarly No. 8 on "Unemployment" and No. 10 on "Trade Union Problems and Policy" are also by G. D. H. Cole while Maurice Dobb has written No. 16, a booklet on "Money and Prices." No. 13 on "Economic Geography" is by J. F. Horrabin. No. 15 in the series on Public Finance is by Hugh Dalton, who was Under-Secretary of State for Foreign Affairs in the last Labour Government. No. 7 on "Periods of Working-class History" is by R. W. Postgate. No. 9, "An outline of Local Government" is by Elderman John Scurr, who was a Labour Member of Parliament for several years before his death. I hope it is not necessary for me to describe the position of Mr. G. D. H. Cole and Mr. Maurice Dobb in the British academic world. Is it really necessary for any student of Socialism to justify his intellectual curiosity as to what British authors themselves of different schools of thought have to say on the subject of Imperialism? In my search were also found the following books on the same and similar subjects which I have put in as Defence exhibits. They are as follows:—
D 537 "Labour Party and Empire" by Dr. Haden Guest, who was once a Labour M. P. but subsequently went over to the Liberal Party. On the cover it is printed as follows:—"Socialism and Imperialism are

opposed, yet a Labour Government is faced with the fact of the Empire. What is to be its policy?"

Another is D 553 "Socialism and the Empire"—Report of the I.L.P. Empire Policy Committee, submitted to the Annual Conference of the Party in 1926. Similarly D 544 "India today"—is a report on conditions in India, an outline of policy by the I. L. P. Indian Advisory Committee.

P 1272 "What to read?" "A guide for worker students", published by the Plebs League. I do not know why the Prosecution have put in this exhibit. This booklet gives guidance for reading on the following subjects: - Economics, History, Geography, Modern Problems, Psychology, Biology, a course in exact science, Philosophy, (Introductory, modern, philosophy, Kant, Hegel, Deitzgen, English Literature and a note on periodical literature. On the question of Money and Finance it recommends the "Meaning of Money" by Hartley Withers among others, also the "World Monetary Problems" by Gustav Cassels; on History it recommends "The Outline of History" by H G Wells, also Sir J. G. Frazer's "The Golden Bough", also the Cambridge "Ancient History of Babylonia" by C. H. W. Jones, "Crete, the forerunner of Greece" by Hawes, J. B Bury's "History of Greece", A. F. Pollard's "Factors of Modern History" and so on.

It might be remembered in this connection what Mr. Brailsford said about the Plebs League. "I know a publication called the Plebs of which *P 1276* are samples. It is a Socialist, not a Communist publication. Its leading conductors are Mr. Horrabin, M. P. and Miss Ellen Wilkinson, M. P., Junior Member of the Labour Government. It is Marxist but not Communist. Marxism is the theoretical basis of the whole of the Continental Parties of the Second International Movement".

P 1273: "The Mass Strike" by Rosa Luxemburg. At the time of the General Strike and before and after, such books were prominently displayed in most bookshops in London. I have got other books on similar subjects found in my search which I have put in as Defence exhibits. They are D 533, "Behind the scenes of the Great Strike", by Mr Hamilton Fyfe, editor of the Daily Herald, London, and also D 547 "Workers' history of the Great Strike" by Miss Ellen Wilkinson, written from material supplied by Plebs Correspondents in all parts of the country by R. W. Postgate, Ellen Wilkinson M. P. and J. F. Horrabin and it was published by the Plebs League. I have lived in England through the momentous days of the General Strike and I could not but be impressed by the great solidarity of the British working-classes extending from the one end of the country to the other; nor could I but be impressed by the tremendous spirit of self-sacrifice shown by the masses of the British workers, for the sake of an ideal—people whom

some of our Nationalists prefer to consider as materialists. To stand by the miners in their difficulties, old railway workers and transport workers about to draw their pensions gave up their jobs at the call of their leaders. Living in England in those days, through all the inconveniences and uncertainties, I could not but be interested in what was happening and wanting to know more on the subject. P 1277 are several issues of the Plebs. One of them is the 20th Birthday number. The Plebs is described as the organ of the National Council of Labour colleges. In the first editorial of this Birthday number is quoted an extract from the first number of the Plebs 20 years back "To the organised Labour Movement we appeal for support on a question that lies at the very bottom of working-class organisation. We could not trust our economic safety to the good intentions of the possessing class. We do not rely upon the politics of our employers for measures of progressive legislation. We establish our own economic fortifications, we have our own political weapons, we control our own literary despatches. Why then should we not as independently manage our educational affairs? Even as we have a platform of our own and a press of our own, let us have educational institutions of our own."

D/26-11-31.

In the same issue in the article entitled "Two pages of Labour College history" Mr. J. Reynolds writes, "The early pioneer work of developing Marxian thought in this country was carried on by the old S. D. F. led by Morris, Hyndman, Backs, Quelchs and others. But the S. D. F. attitude towards Trade Union Movement considerably limited the progress of this movement. The S. L. P. took up the work and carried it further, with success. But it had become apparent in the first decade of the century that a development and extension of working-class education was required. The first attempt to constitute an organisation, the specialised function of which would be to provide the trade unions and Labour Parties with men trained in the science of social relations was made by two institutions established at the beginning of the century—the Workers' Educational Association and Ruskin College Some of the more far-seeing bourgeois elements saw in Ruskin College and the Workers' Educational Association the possibility of reconciling Capital and wage Labour. But economic development was at work intensifying the actual struggle between the exploiting and ^{the} exploited classes and asserting the irreconcilable antagonism. These had two consequences; first to strengthen the interest of the bourgeoisie in the activities of Ruskin College and the W. E. A. and therefore to accentuate the influence of bourgeois culture in both; second to develop among an ever-growing section of young workmen a hostility to those institutions. In 1906-7 there was set on foot among the students of

Ruskin College a movement to make Ruskin College definitely Labour in its teaching and in its constitution and control..... Disorganised activity on the part of the students merely intensified the determination of the reactionary elements to persevere in reaction. The crisis came to a head in 1909, when the principal of the Ruskin College, the late Dennis Hird, was forced to resign because he was suspected of favouring this reformation movement. The students went on strike in April of that year. It now became clear that the original objective of the newly formed Plebs League was impossible. In August of the same year the Central Labour College, now the Labour College, was founded in Oxford and was moved to its present premises in London in 1911. The struggle to build up the Labour College for an independent proletarian culture is a severe one. Trade Unions had to be won over to the new idea in face of the opposition of many of their leaders, who favoured the "broad" education of Ruskin College as against the "narrow Marxism" of the Labour College. But the pioneers of the Labour College had an irresistible ally in the economic evolution, which proclaimed in fact the antagonism which the "broad and impartial" education sought to conceal. The latter might try to eradicate the idea of a class struggle. It could not eliminate the struggle in practice. And now the struggle was carried over into the theoretical field, and the science of society, which alone is founded on the fact of class antagonism—Marxism—became the fulcrum of the Labour College.

"The nature and intensity of the struggle to build up the college can readily be imagined, since, within the whole province of social theory, no theoretical system has been so fiercely and frequently assailed as that of Marxism. But every advance in capitalist development reinforces our conviction of the scientific soundness of Marxism and on the other hand, increases the intensity of the attack upon it. With the passing of the years, the conscience of capitalism grows more uneasy and it calls out even more desperately for its Knight-errants to go forward and slay the Marxian dragon. They fare about as well in their heroic adventures as did the knights of Cervantes! The British bourgeoisie, under the guise of giving a "broad and impartial education" to the workers is now promoting anti-Marxian propaganda. Well may these anti-Marxians advocate a "broad" education, since it is a breadth *i. e.* due to a lack of depth!.....Not only is there a need for the maintenance and extension of education among the working class in this country but there is also an ever-growing need for International co-ordination among the proletarian cultural institutions throughout the world. When the workers of each country know more about the history of the workers in the other countries, they will recognise the oneness of their oppressors and the oneness of their salvation; and then all the more speedily will they translate this knowledge into oneness of action before which the ancient house of oppression must crumble into dust and cease from troubling the toilers of the world."

P 1275 is a copy of the Communist Bookshop Catalogue. It will be seen that it does not only advertise Communist publications, in fact the overwhelming majority of the publications advertised are non-Communist. Witness the following for instance:—

“The Great Illusion” and “the Press and Organisation of Society” by Norman Angel; “English Constitution” by Walter Bagehot; the “Theory of International Trade” by C. P. Bastable; “the Mercy of Allah” and “the French Revolution” by Hilaire Belloc; “Shelly, Godwin and Circle” by H. N. Brailsford; “Past and Present” by Thomas Carlyle; “Towards Democracy” by Edward Carpenter; “Crime and Punishment” by F. Dostoievsky; “Decline and Fall of the Roman Empire” by Gibbon; “Sex” by Patrick Geddes; “The Doll’s House” by Ibsen; “Unto this Last” by John Ruskin; “Virgin Soil” by Turgeniev.

This catalogue came to my address in London among the unsolicited literature. I never bought any book from that Bookshop. In London I was a member of the Times Book Club and I used to buy books and general literature from there; I have also a permanent balance with the I. L. P. Publication Department and I order books on Labour and Socialism from there.

Thus it will be seen that nothing was found with me when I landed and nothing was found at the Spark office either when I was arrested more than a year later, that would not be ordinarily found with any newspaper man, especially one who is a Socialist and is running a Socialist paper. The Police officer who arrested me and carried out the search of my place has admitted in his evidence that he seized only such things as he considered would be relevant to this case according to the detailed instructions given to him. The rest of my books and papers he left behind. Ordinarily, it would not be fair to judge the general character of the entire contents of my library from such a carefully selected and isolated material. But in spite of this, it is significant that out of some 161 items in my search the Prosecution have thought it fit to put in only 31 items as Prosecution exhibits. And out of these again only the few irregular issues of some Communist or Communistic periodicals would alone deserve the name of Communist literature in my possession. It is remarkable that not a single authoritative book on Communism by a Communist author was found with me. The only book on Communism found in my possession was one written by a non-Communist or, as the Communists would prefer to say, by an anti-Communist namely “Communism” by Professor Harold Lasky, published by the Home University Library (item No. 93 in my search-list), and the Prosecution naturally have not even thought it worth while to put it forward as an exhibit. As against this the ^{remainder of} books in my search-list P 1240 on Socialist subjects by

Socialists is overwhelming, beginning with item no. 1 in my search-list namely, "The Intelligent woman's guide to Socialism and Capitalism" by Mr. G. Bernard Shaw, and Rt. Hon'ble Ramsay MacDonald's "Socialism—critical and constructive" (item no. 70) to the Socialist Annual D 5 (a) and Songs for Socialists D 5 (b) published by the I. L. P. and the Fabian Society respectively and "Labour and Housing in Bombay" by Professor Burnett Hurst. I have put in a few more books from my search-list as defence exhibits as further samples of different schools of political thought. Your Honour may refer to D 5 (a) and D 5 (b) and from D 533 and D 553. Apart from my pre-occupation with Socialism, even the search-list P 1240 itself would show my interest for instance in Liberalism, although the Police were not likely to bring along many books on Liberalism from my library. Witness D 534 "The land and the Nation—the rural report of the Liberal Land Committee 1923-25" and the three books by Henry George "The Crime and Poverty" D 545, "Scotland and Scotsmen", D 546 and "Land and People" D 549. This will illustrate my intellectual curiosity to know what the critics of Socialism—not only those on its Left (Communists) but also those on the Right (Liberals)—had to say about Socialism. I must admit I was never interested in what the Tories thought or wrote about Socialism. Their possessive and predatory propensities are only too manifest but I have never believed that they have either the heart to feel for the sufferings of the poor or the intellectual capacity to offer any rational remedies for the social disease.

For the benefit of the Prosecution I may point out what Mr. M.N. Roy, whom they evidently consider an expert on many things, has to say about Henry George in P 2344, an article on "Socialism and the Nationalisation of land" forwarded to the editor of "Forward", Calcutta, in September 1928. In this article he writes: "The Land Tenancy Reform Association founded by J.S. Mill in 1870 claimed 'the unearned income of the land and ^{the} produce thereof' for society as a whole. It proposed that the State should take control of the land." (J.S. Mill, Programme of the Land Tenure Reform Association).

Nevertheless, practically all the liberal theorists, politicians and social reformists of the epoch joined the Association. This again proves that abolition of feudal (or any other form of unproductive) land-ownership is far from Socialism, being a measure advantageous to capitalist development. As a matter of fact all from J. S. Mill to Henry George and Alfred Russel Wallace who advocated land reform (in various ways, namely nationalisation of the land tax, single tax, nationalisation of the land etc.) were either tacitly or expressly opposed to Socialism. Even the American, Henry George, who in his book "Progress and Poverty" presented a complete scheme of land reform supported by a synthesis of Bentham's philosophy of "Natural

right", Ricardo's and Mill's theories of rent and Dove's proposal for the nationalisation of rent, disassociated himself clearly from Socialism. The actual application of the remedy of the "single tax" prescribed by Henry George for the "old country" would be nationalisation of the land, although he did not make such a radical proposition, yet he opposed Socialism as something "incompatible with personal freedom". The doctrine of personal freedom, "individualism," is the corollary to the capitalist economic theory of competition. A believer in the capitalist doctrine of competition, Henry George demanded the abolition of the monopoly in the form of land ownership. The hypocritical verbiage about the sufferings of the working-class, contained in the book of Henry George, was meant to deceive the working-class and the incipient socialists. Henry George's quackery of single tax considerably retarded the clarification of socialist thought in England, because most of the incipient socialists of that time fell under the influence of his propaganda. The British Socialist Movement was not liberated from the harmful influence of Henry George until the followers of Karl Marx, headed by H. M. Hyndman, exposed the capitalist character of his remedy."

Mr. Bernard Shaw writes in the "Intelligent woman's guide" as follows: "Between Karl Marx and the Webbs came Henry George with his "Progress and poverty", which converted many to land nationalisation. It was the work of a man who had seen that the conversion of an American village to a city of millionaires was also the conversion of a place where people could live and let live in tolerable comfort to an inferno of seething poverty and misery. Tolstoy was one of his notable converts. George's omission to consider what the state should do with the national rent after it had taken it into the public treasury stopped him on the threshold of Socialism; but most of the young men, whom he had led up to it, went through like myself into the Fabian Society and other socialist bodies. "Progress and poverty" is still Ricardian in theory, indeed it is on its abstract side a repetition of De Quincey's logic of political economy. But whereas De Quincey, as a true blue British Tory, a century ago accepted the capitalist unequal distribution of income, and the consequent division of society into rich gentry and poor proletarians, as a most natural and desirable arrangement, George, as an equally true blue American republican was revolted by it."

As the Magistrate in his Committal Order refers to the anti-war propaganda in the Spark and stigmatises it as a bogey which runs through all Communist literature, it will be interesting to note the attitude taken by the British Labour Party at its 26th Annual Conference held at Margate in 1926, a report of which was found in my search and has been put in as D 538. On page 256 is printed the resolution that was passed by the Conference on war resistance and world peace. The resolution runs as follows:—"This Conference simultaneously with its advocacy

of Labour's peace policy, calls upon the workers to make clear to their Governments that they will meet any threat of war, so-called defensive or offensive, by organising general resistance, including the refusal to bear arms, to produce armaments, or to render any material assistance. It urges that steps should be taken, at the earliest suitable moment, by the World Conference of the Socialists, Trade Union and Cooperative Internationals to prepare concerted action on these lines."

The resolution was moved by Mr. Fenner Brockway of the Independent Labour Party and was seconded by Mr. Arthur Ponsonby M. P. who was Under-Secretary of State for foreign affairs in Mr. MacDonald's first Labour Ministry. In the course of his speech Mr. Brockway observes "Labour alone could save the world from the disaster of another great war, and it would be a race between the constructive capacity of Labour and the destructive capacity of Capitalism They must face the fact that in this race between constructive Socialism and destructive Capitalism, destructive Capitalism might win and they might be faced with a danger of a new war before they had removed that danger from the world by adoption of the Labour Party's policy. They therefore ask that Labour should accompany its constructive policy by declaring that should Capitalism force a war upon the world, Labour would resist it to the utmost limit on the industrial as well on the political field. What was required however was that this idea should be organised, that preparations should be made through the I. F. T. U., through the L. S. I. and through the Cooperative International so that they would not again be placed in the position they were placed in 1914, when, on the Sunday before the war was declared, they were speaking of war resistance, but by the middle of the week their arguments had been shattered and resistance made impossible. Mr. Arthur Ponsonby while seconding the resolution said, "He was proud to be able to do so before that important meeting. It might seem to some people an academic resolution, because for the moment there happened to be no war clouds on the horizon, but the worst moment to discuss a measure of that sort was when there was a war cloud. They had to do it when their heads were cool and when they could understand what war meant, and remember the lessons it had taught that generation. He would venture to say that it was the most important resolution that they had on their agenda during the week. Because unless they could make the world safe, unless they could remove the menace of war, all their hopes, their ideals, their programmes were bound to be frustrated. The authorities, the capitalists, those that had kept the world under bondage so long, had got the man with a bugle at their side, and they knew that if the great Labour Movement marched forward and ^{would} capture the majority of the country, a blast from that bugle would break up their ranks and scatter their forces, and their opponents would not hesitate to make the man blow the bugle if they thought it was necessary to break the movement; that if the Conference passed the resolution, the authorities would know that a very

large section of the population, come what might, were going to resist the next war, and by that means they would withdraw the war card from diplomacy, and they would find that Foreign Secretaries when they came together would be very chary about using it, and they would get international disputes settled by civilised means. Therefore by passing the resolution they would be taking a great step forward in tearing the curse of war from the world." On page 326 again are published the manifestoes issued by the Executive Committee of the Labour and Socialist International 1926, amongst which is one against militarism, against Imperialism and against war. On page 85 of the same report is given the Parliamentary Labour Party's resolution moved in the House of Commons about the prosecution of certain Communists in England which runs as follows: "That the action of the Government in initiating the prosecution of certain members of the Communist Party is a violation of the traditional British rights of freedom of speech and publication of opinion." The Government's action was stigmatised as a political crime inspired by political motives.

On page 10 of the same report is given the Labour Party's programme on the formation of the League of Youths, "The development of Young Peoples' sections within the Party has made steady progress during the past year, the total now numbering 206. It is suggested however that more attention to this phase of work might be displayed by many of our local parties. Our political opponents are not idle in this respect, and there are many organisations seeking to influence the young and to mould their opinions upon lines antagonistic to the objects and aims of the Labour Party. A keener interest in this desirable attempt to associate our young people with the life of the Party will bring added strength to our ranks which would stand us in good stead in future years." This would explain and justify the interest taken by the Spark in the Youth Leagues Movement in India by publishing two contributions on the subject to provoke a further controversy.

D/27-11-31.

On page 11 of the Socialist Annual D 5 (a) information about the "New Leader" is given as follows:—

"The weekly organ of the I. L. P. is the 'New Leader', edited by H. N. Brailsford. It seeks to combine a fighting Socialist policy with a statement of our constructive case. . . . It has a great reputation both nationally and internationally and has been described by continental Socialists as 'the best Socialist Weekly in the world.'"

I shall later be able to point out that similar articles as have appeared in the Spark have also been appearing in the New Leader.

D 553 is "Socialism and the Empire", a report to the I. L. P. Empire Party committee submitted to the annual Conference of the Party in 1926. It opens with the following remarks:—

"The policy which Socialism would adopt in relation to the Empire problems involves a complete break with many past traditions. To quote the I. L. P. constitution "Socialism is an International Movement. It recognises that the interests of the workers throughout the world, of whatever race, colour or creed are one; and that war, Imperialism and the exploitation of native races are mainly caused by the greed of competing capitalist groups." "It seeks to prevent these evils by the establishment of a world organisation of free peoples, cooperating in the production and distribution of the world's goods." "Our immediate proposals must be in line with those principles and their soundness will be measured by the success with which they tend to bring about the ideal of an International Socialist Commonwealth. The object of a Socialist policy for the Empire, in short, is to create the political and economic machinery that will enable such a transformation to be brought about." On page 6 while referring to the dominions it says, "Since the war, the tendency towards independence has been very marked." The following developments are indicative of the enhanced status of the dominions:

(1) They are independent voting members of the League of Nations.

(2) They separately signed the peace treaties, which were separately ratified by their Parliaments.

(3) They claim the right to be consulted on questions of foreign policy and decline to be committed without their own consent. General Smuts has claimed the right to secede if they so desire and Mr. Bonar Law has admitted that a moral right of secession was undeniable.

(4) They have been granted the right to separate representation at the capitals of foreign powers.

(5) They have the right separately to negotiate treaties with foreign powers.

This was established by the precedent of the Canadian representative counter-signing the Halibut Treaty between Canada and the U. S. A., instead of the British ambassador, as on previous occasions.

D 543 is "The Labour Year Book" for 1926, issued by the General Council of the Trades Union Congress and the National Executive of the Labour Party.

On page 6 of this Year Book is given the resolution on "Against Imperialism" passed at the Scarborough Session of the British Trade Union Congress in 1925. It runs as follows:—

"This Trades Union Congress believes that the domination of non-British peoples by the British Government is a form of capitalist exploitation having for its object the securing for British capitalists:

"(1) of cheap sources of raw materials,

"(2) the right to exploit cheap and unorganised labour and use the competition of that labour to degrade the workers' standard in Great Britain.

"It declares its complete opposition to Imperialism, and resolves—
(1) to support the workers in all parts of the British Empire to organise Trade Unions and political parties in order to further their interests and
(2) to support the right of all peoples in British Empire to self-determination, including the right to choose complete separation from the Empire."

On page 4 Mr. A. B. Swales in his Presidential address at the same Congress "dealing with International Trade Union affairs urged the necessity of closer relations with Russia, of promoting the organisation of the Indian workers, and supporting the Chinese people in their struggle against capitalist Imperialism."

On page 10 of this Year Book is given the resolution "Disaffiliating Communists from the British Labour Party" which was passed at its annual Conference held at Liverpool in 1925. It runs as follows:—

(1) That the application of the Communist Party for affiliation be refused.

(2) That no member of the Communist Party shall be eligible for endorsement as a Labour candidate for Parliament or for any local authority.

(3) That no member of the Communist Party shall be eligible to become a member of any individual section of any affiliated Labour Party, or be entitled to remain a member".

On page 37 is given information about the Parliamentary Labour Club with reference to which I have already put in a defence exhibit.

D 544 is "India to-day", a report on conditions in India and outline of Policy by the I.L.P. Indian Advisory Committee.

On page 4 is given the resolution passed by the I.L.P. Conference in 1925 which towards its close runs as follows:—

"The I.L.P. is further of opinion that the needs of the workers of India demand more urgent and sympathetic consideration than is given to them at present. It therefore draws attention to the immediate necessity of improving the lot of the Indian workers and looks forward to the time when India, self-governed, shall establish her own Cooperative

Commonwealth on Socialist lines. It assures the workers of India of its solidarity with them in their needs and demands." This might be remembered when I said in the Lower Court in my statement, "I am in favour of a Cooperative Commonwealth on the lines of Brailsford, Maxton, Fenner Brockway and others."

D 540 "The Socialist and Labour Movement in Japan" by an American sociologist and the "Irish Labour Movement" by W.P. Rayan (item no. 63 in search) will give an idea of my interest in the Socialist Movement in other countries besides England.

The Spark.

I have already said that on my return from England I joined the Bombay Chronicle, but soon went over to the Indian National Herald. There was a keen and mutually destructive competition between the two papers. The Indian National Herald financially got into low waters early in 1928. About August 1928 the High Court of Bombay passed orders to liquidate the concern when a suit was filed by the creditors of the paper, amongst whom were some old employees of the concern. But thanks to the extremely slow pace of work at the Government Receiver's office, the Herald continued some sort of existence even after I left it in January 1929; in fact it was finally closed some time after our arrest.

A couple of months after I had joined the Herald by the end of 1927, I was beginning to feel I had made a mistake in leaving the Bombay Chronicle. But I could not go back to the old paper, as my place was already taken by another. Then I was wondering if I could start something of my own in case the Herald actually went down and to use my knowledge of Socialism. I used to discuss with my colleagues on the Herald and other journalist friends how far it could be feasible to run a small independent weekly in Bombay; among others I remember to have had discussions on this subject with Mr. Pothan Joseph, now editor of the Indian Daily Mail, Bombay; Mr. L. G. Khare, Assistant Editor of the Bombay Chronicle; Mr. Khadilkar, the editor of the Nawakal and owner of the Dattatraya Printing Press, and Mr. L. K. Prabhu, another assistant editor of the Herald. I was hesitating because of my inexperience. I had never before assumed the responsibility of editing a paper myself. Mr. Khare of the Bombay Chronicle had some previous experience of running an independent weekly called the "Indian Nationalist". He advised me to start a very small paper in the beginning which I could run at a loss for some time, if necessary; and if the response from the public was adequate, then I should increase the size of the paper. It was during my talks with Mr. Khare that we hit upon the name "Spark" as a simple and striking title for the paper. He also impressed upon me the prospects of a paper with Socialist views which would have the advantage of cutting out competition with other already existing nationalist papers and which had quite a

fair prospect of being popular with the increasingly large number of educated persons both inside the Congress and outside who were taking an increasing interest in the Socialist Movement. At one time I had an idea of starting the Spark jointly with my friend Mr. Prabhu, my colleague on the Herald. Mr. Khadiikar had also an idea of starting a monthly magazine at his own expense and putting me in editorial charge. But for various reasons that project fell through.

By January 1929, I decided it was not worth while to stay on the Herald; but as Mr. Prabhu wanted to stay on the paper, I decided to plunge ahead alone. Before I actually left the Herald or formally announced the advent of my paper to the general public I used to talk frequently to my other journalist friends in Bombay about it with a view to take their advice and also to secure their cooperation. I also at that stage inquired of different presses in Bombay in order to ascertain the minimum cost of bringing out the Spark. Ultimately it was Mr. Khadiikar who came to my help and offered to print my paper at considerably reduced rate; and Mr. Sadanand, the Manager of the Free Press of India, offered to encourage me by giving his Saturday's news service to me at a concession rate.

It was on account of the help and encouragement that I received from these friends that I finally made up my mind to start the Spark and Mr. Sadanand through his news agency the Free Press broadcast the news that I would be bringing out a socialist weekly called the Spark in Bombay. He subsequently also wired if I remember rightly an extract from the first editorial outlining the policy of the paper.

When I decided to give the simple name Spark to my paper, I never dreamt that such a terrible hullabaloo would be made about the same. At the time when I gave that name, I had in anything the Bombay news boys in mind and I wanted to give them a simple word to shout at street corners, which they could not easily twist out of shape. Once I was connected with a nationalist daily in Bombay called "The Voice of India". And would you believe it? The boys used to shout "The Vice of India". Your Honour, there are a few words that are dear to journalists all the world over like the chronicle, courier, news, post, herald, times, star, spark, torch, search-light, standard etc. Even Mr. Brailsford considered Spark an attractive name for a paper. When I chose that name I for one did not know that the word "Spark" when translated into Russian meant "iskra" and Iskra was the name of one of the numerous papers with which Lenin in his chequered career seems to have been connected. If I had called my paper the Torch or Searchlight I am afraid the Prosecution would have translated the words into French and solemnly informed us that there was a paper of that name run by the Paris Communards of 1870. It is difficult, your Honour, to discover a word that can be guaranteed to be fool proof.

According to Mr. Derojinsky P. W. 182, Pravda and Izvestia, the two well known Bolshevik papers, mean nothing more than "truth" and "news" respectively. And "Truth" also happens to be the name of a well known Conservative weekly paper in Britain. According to the same Russian witness, "workers' cause" in his language meant "rabocheyadelo", "new life" meant "novyazih", "watchman" meant "dornik", "Dawn" meant "zaria" etc. And these Russian equivalents happen to be the names of some of the many papers with which Lenin and Trotsky and other Bolsheviks seemed to have been connected as can be seen from the recently published "Trotsky's Autobiography" and other books. If by chance I had given any of these names to my paper, the Prosecution would have with equal avidity fastened on this coincidence as a valuable piece of evidence to prove that mine was also a Bolshevik paper. No wonder that when they are armed with such evidence, the Prosecution have been afraid to face a jury trial in a High Court.

Mr. Brailsford in his evidence rightly said that "a socialist journalist might call his paper Spark without reference to Iskra. He might hit on the name by entire accident. He also knew of a Russian paper called "Vperiod" meaning "Forward" with which by the way Lenin was also connected (Vide "Trotsky's Life"). And there is also a socialist paper of that name in Glasgow to which Mr. Ramsay MacDonald was a constant contributor." At this stage in Mr. Brailsford's examination, I would remind the Court that the Prosecution Counsel inquired of my counsel the point in asking these questions. He was told that we wanted to expose the frivolous nature of this contention. To this Mr. Kemp replied "if that had not been sufficiently done already". On this assurance my counsel Mr. Sinha dropped the point. I was therefore surprised to find Mr. Kemp's returning to the charge on this very point in his cross-examination of Mr Brailsford. Mr. Brailsford further said that when Lenin was connected with Iskra as one of the five members of the editorial board in 1903 (when I (Desai) had not even learnt the English alphabets), the Iskra was a Social Democrat Menshevik paper and not a Bolshevik Communist paper at all. If I had lived in London in 1903 I might perhaps, like Mr. Brailsford, have come to know some of these facts. But living as I did in London from 1924 to 1927 I affirm I did not know when I started the paper that Lenin was at any time connected with a paper called the Iskra which in its turn meant Spark.

"A socialist weekly" was the sub-title of my paper and in each issue it was prominently printed. In the very first editorial I mentioned the Daily Herald of London as an unrealisable ideal in the following words :—"It is almost utopian for instance to expect a socialist daily in Bombay like the Daily Herald in London", and then I went on to say that it should not be impossible to have a weekly socialist paper. I pointed out in my statement in the Lower Court that the London Daily Herald was first run by Mr. Lansbury as a weekly paper. When the Spark came out, it was reviewed in different papers in different ways.

I published some of these notices in the second and the fourth issues of the Spark. The Times of India greeted its appearance with half a column of mischievous, inaccurate and malicious abuse. I published this criticism and printed along-side it in the next column how this very paper, the voice of Anglo-Indians on the Bombay side, had greeted Mr. Keir Hardy, the father of British Socialism and founder of the I. L. P. and New Leader, when he had landed in Bombay in October 1907. This in itself is significant and illustrates the bent of my mind and throws light on the policy of the paper. When my paper was attacked by the Times of India, why should I have gone nearly a quarter of a century back through the musty files of the paper to show how this very paper had abused the leader of British Socialism when he appeared in Bombay. The Times of India was almost daily indulging in abuse of Communism and Communist leaders like Lenin, Trotsky and Stalin and a more recent parallel could have been easily found. It is in the fourth issue of the Spark dated 24th February 1929 on the last page that I print these two paragraphs from the Times of India side by side. I have printed them as follows :—“Leopard may change his spots but D-d old lady of Boribunder will not give up her billingsgate.” The contrasting paragraphs are headed as follows :—

(1) “How she greeted Keir Hardy, the father of British Socialism”.

(2) “How she greets Spark the new socialist weekly”. The first paragraph runs as follows :—

“Does it occur to this man of the people (Hardy) uncultured, illiterate, with at the best a stunted and perverted imagination, does it not occur to him, and the astuter ones who are making him their cat's paw, that his enterprise is not only radically mischievous but overwhelmingly ridiculous? The appeal was from the masses to masses, the slogan of gutter to gutter, cementing all the forces of inferiority, inefficiency, and serfdom, against all that is best and sanest and strongest in life. It is the voiced concentration of hatred, the hatred which the sick and feeble and the bad, by a strange law of antagonism, cannot help cherishing against the healthy, the great, and the good. On the one hand the aristocracy, the rule of the best, on the other democracy, the rule of the mob, that “belluacenticeps” representing again the inexorable law of nature what for the time being is the worst”. (Times of India 26-10-1907).

That is how the Times of India had described Mr. Keir Hardy's arrival in Bombay during the Bengal Partition days.

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By printing side by side with this outburst of indignation against Mr. Keir Hardy and the Socialist Movement, the abuse that the Times

of India had levelled against the Spark, I wanted to show how in spite of the intervening years there was not the slightest change in the attitude of the Times of India towards the Socialist Movement. And it seems to a large extent the present Prosecution also have nearly the same outlook towards the Socialist Movement. Witness their anxiety to refer to workers as coolies. Of course in these days it seems safer to drop the word socialism for it is slightly inconvenient to attack Socialism by name with a Socialist Premier in office.

For printing the Spark I had made arrangements with Mr. K. P. Khadilkar. Mr. Khadilkar is perhaps the oldest journalist on the Bombay side. For years and years he was the leader writer of the late Lokamanya Tilak's paper, the Kesari. Since Mr. Tilak's death Mr. Khadilkar came over to Bombay and for some years was editing a Marathi daily called the Lokamanya. For the last decade and more he has been editing the premier Marathi daily in Bombay, the Nawakal. He is also the owner of the Dattatraya Printing Works, Girgaum, Bombay. He is perhaps the most important disciple of Mahatma Gandhi in the city of Bombay.

From the outset I had explained to Mr. Khadilkar that my paper was purely an individual enterprise and although it would maintain a Socialist outlook it was entirely unconnected with any of the existing political parties or groups. And Mr. Khadilkar accepted my credit because he had known me as a professional journalist working on nationalist papers in Bombay and also because he personally knew the status of my family. It was further made clear to Mr. Khadilkar that while the paper would be going through his press, no one should be allowed to have any access to the manuscripts, the proofs, the blocks, the galleys or the printed copies of the paper, in short, no one should be allowed to have anything to do with the paper except myself and Mr. Dhairwayan of the Bombay Chronicle who used to assist me in seeing the paper through the press; and no suggestion about additions, alterations, or subtractions in the copy should be accepted unless it bore my own signature. And these provisions and safeguards were strictly carried out by the press people.

In the first issue of the Spark I published a brief editorial notice to the readers to the following effect:—

“We are coming out a fortnight earlier than we intended and are giving a full page publicity to the candidates of the Workers' and Peasants' Party as they seem to have been let down at the last moment by the Local Congress organization on a flimsy pretext. From 10th February the Spark will appear regularly every Sunday—Ed. Spark.”

This note which by its nature had to be very succinct and was written hurriedly late at night at the last minute contains two distinct statements. The object of the first statement is to make it

clear that since we are publishing our first number in advance of the due date no odium should be attached to the paper for not publishing the second issue on the following Sunday. The second statement relates to the publication of the Municipal Election Manifesto of the Workers' and Peasants' Party, at the same time specifying the reasons for doing so in the following words :

“ As they seem to have been let down at the last moment by the local Congress organisation on a flimsy pretext.” We believed it would be obvious from this that we published their Election Manifesto not because we were in agreement with the policy and programme of the W. P. P. but because it was represented to us, and we believed it, that these worker candidates had been suddenly deprived of the facilities for publicity which would have been available to them if they had stood as Congress candidates. Under the circumstances we thought it fair to give them a chance of publishing their viewpoint as the Indian National Herald, the Nawakal, the Hindustan and Praja Mitra and other Bombay dailies had done. It may be remembered in this connection what Mr. M. N. Desai, Inspector of the Special Branch Bombay (P. W. 215) said in his cross-examination. He said, “ I think I saw similar election manifestoes to that on page 5 of the issue of the Indian National Herald dated 25th January 1929 in the Bombay Chronicle also.” I may also point out that the Nawakal not only published the election manifestoes of the Workers' and Peasants' Party's candidates for the Municipal election but also editorially supported them even some time before the Spark actually came out. I shall put in the relevant issue of the paper when the proper defence witnesses come along. The publication of the W. P. P. Municipal Election Manifesto in the Spark was an expression of sympathy, not with their principles and policy, but rather with their plight brought about by a clique in the local Congress organisation, mainly representing vested interests in the city. It was represented to us that they were not allowed at the last moment to stand as Congress candidates because they were at the same time members of another political body-the Workers' and Peasants' Party. This we considered curious because the Congress never insists on its members giving up the membership of communal political organisations, for instance. Besides if this were the view of the Local Congress Committee it need not have adopted them as candidates from the beginning, instead of springing a surprise on them at the last moment.

My arrangements with Mr. Khadilkar for printing the paper were on a monthly basis and we had agreed to bring out the paper from February of 1929 onwards. I had similar arrangements with the Free Press and with the distributors also. In the meanwhile Mr. R. S. Nimbkar, the Secretary of the B. P. C. C. and Secretary of the All-India Workers' and Peasants' Party approached Mr. Khadilkar, as I

understand he had approached several other editors and explained to him the plight of these candidates. Mr. Khadilkar promised to give what support he could through the columns of his own paper and incidentally mentioned that a Socialist paper was soon to be printed at his press, and promised to speak to the editor on the subject. Mr. Khadilkar when he spoke to me also emphasised the advantage of bringing out my paper before the Municipal elections rather than after, from the point of publicity for the paper. As I had always greatly valued the advice of Mr. Khadilkar in such matters because of his life-long experience of journalism, I readily accepted the suggestion. But there was a difficulty about our previous monthly agreement to bring out the paper from February onwards and the elections were on 29th January. We then mutually agreed to bring out the first number on Sunday, 27th January and to cut out the next issue in February. When the first issue was nearly composed and was about to be sent to the machine in the early hours of 27th January, Mr. Khadilkar inquired if I had put in a notice in the paper adequately explaining why the next issue would not come out before a fortnight. I then hurriedly scrawled a few lines that appear in the first issue of the Spark. The phrasing may not be as happy as it might have been. But it would be absurd to read into it the far-fetched meaning that the Prosecution are seeking to do.

In this connection I may point out that while the Nawakal and other papers even editorially supported the candidature of these members of the W.P.P., the Spark only published their Election Manifesto. The Nawakal for instance praised their fearless and militant leadership of the Textile strike, not only at the risk of going to jail but even at the risk of their life, in spite of the false charges and assaults inspired against them by the local capitalists and advised the voters to vote for them. When the Spark did devote an editorial to the subject of Municipal elections, after the elections were over, in its second issue the Spark did not confine its comments to the defeat of these workers' representatives but also deplored the defeat of the nationalists at the polls. The following is an extract from its editorial :—

“Lessons of defeat” in the second issue of 10th February. “People get the Government they deserve. After having voted to the corporation a majority of incompetent Johnnies and reactionary watch dogs, the citizens of Bombay have to thank themselves if they find themselves badly served in Municipal matters during the next three years. Vested interests and communalism have won all along the line. Not only have all the Labour candidates being routed but the nationalists also have fared badly. They have secured in the new Corporation only 12 seats against about 18 in the old. While the only Mohammadan to stand as a Congress candidate, Barrister Vali was defeated, rabid communalists, both Hindu and Moslem have been successful. Take the Girgaum Ward

which prides itself on being intellectual and progressive. Here people had the choice if they had wanted to vote for a very moderate Labour candidate Bakhale. Not only was he not successful but even if he had secured all the votes that went to Pendse, the Labour extremist, he would not have passed the winning post. Let it further be pointed out to the shame of Girgaum, that while the plutocratic Sabawala and the obscure Sanzagiri were successful, Mrs. Avantika Bai, the only lady candidate, was almost at the bottom of the poll. Perhaps the only redeeming feature of the election was the well deserved defeat of Vaidya, Tairsee and Dumasia”.

Policy of the Spark.

Before I proceed to an examination of the contents of the Spark, let me say a word about its policy. I have already said in my statement in the Lower Court, “My paper was in English and was meant for the intelligentsia. From week to week it dealt with events and activities from a broad Socialist standpoint”.

It is no good merely saying in reply that this is not true. The burden of proof rests with the Prosecution to point out that the Spark really preached Communism and not Socialism.

I feel that in interpreting the policy of the Spark, the Prosecution have done a great injustice to me. I had expected that before branding a paper as a Communist journal they would endeavour to find out the distinguishing marks which are stamped on all Communist literature which differentiate them from the Socialist. Now there are a few things common both to Socialism and Communism, both being working-class movements. For the matter of that, there are a few things common to Socialism, Communism and even Liberalism; for instance their common opposition to feudalism and all it stands for. So it would not do to point out merely such common grounds of agreement. The Prosecution must point out the apostasy of the Spark from the Socialist faith. I have again and again challenged the Prosecution to point out a single passage in the Spark where I have advocated any violent overthrow of the State, or have preached the necessity of the Dictatorship of the Proletariat or condemned democratic institutions in order to acquire political power or where I supported any characteristic feature of Communism which differentiates it from Socialism. As a matter of fact I have not even advocated confiscation of property without compensation which some extreme socialists may favour.

The Magistrate was evidently conscious of the necessity of discovering some such thing in the contents of the Spark and hence he points to Mr. Mirajkar's articles P 1247 and P 1248 and says that the latter especially has some similarity to the G. K. U. leaflet P 967. He evidently refers to the following passage in P 1248 which runs as follows:—“The extremists whose union to-day has the largest membership

are trying to take it forward. The constructive programme that is to be attained within the next couple of months in the matter of organisation and defence from the attacks of the employers and the Government Committee which is sitting and recording evidence at the present movement is as follows:—

1,00,000 membership of the Union ;

2,00,000 rupees to be collected as strike fund in case it is forced upon the workers ;

1,000 trained volunteers ;

100 speakers from among the workers themselves.

“This programme they (the extremist leaders) are determined to carry out and create a mass force, they think, the time has come to hurl upon the faces of the exploiting employers in the mill industry.

The textile worker of Bombay is no longer a dumb man; he is a conscious unit of the working-class. He clearly sees how the employing class has drunk his blood, how he and his family is starved by the master class which possess^s the power of exploitation, he thoroughly knows how he who produces wealth is deprived of it. He therefore means war upon the exploiters *viz.* the millowners.”

And the G.K.U. leaflet P 967 is also referred to in the affidavit that the Prosecution filed before the High Court at Allahabad at the time of our bail applications as evidence of the preaching of violence. S. 7 of this affidavit runs as follows:— “That a Marathi leaflet P 967 was issued by the G.K.U. after the end of the Bombay Mill strikes in October, 1928, over^{the} signatures of the accused Dange, Mirajkar, Bradley, Alwe, Joglekar, Kasse (and two others not concerned herein)”. Para 3 of this leaflet (translated) contains the following passage:—

“5,000 men of the Red Army, 1,000 lecturers and 2,00,000 of the strike fund must now be organised.”

Evidently the Magistrate relied on this alleged evidence and there is no other when he says in the Committal Order that “at the very least Desai was actuated by the desire to rouse the working-classes forcibly to take the Government of the country into their own hands.”

Apart from the absurdity of starting a paper in English, a language foreign to the workers—to rouse them to do anything—to buy a copy of my paper, for instance, let alone taking the Government forcibly into their hands—it is unfortunate for this theory that it is entirely based on premises that have no existence in the objective world. Not only was I not concerned in any way with that G. K. U. leaflet P 967 but I never had any knowledge of it either; nor is it suggested that I had. Secondly I never published the articles of Mr. Mirajkar P 1247 and P 1248, the latter of which is alleged to have some similarity with the G. K. U. leaflet P 967. To quote the Committal Order “In an unpublished article

on the Dock Workers' Union he clearly supports Mirajkar; and in another on the textile workers he hails with joy the efforts of 'the extremist leaders' to create a mass force on the lines laid down in the G. K. U. leaflet such as (P 967, issued by Dange and others of the accused)".

Here I must admit I am beaten. Your Honour, I was ^{not} born in Kent or Cornwall to speak or write unimpeachable English and I frankly confess I cannot understand the sense of this passage if it has any. When we poor editors wish "clearly to support" anybody or anything, or when we "hail with joy" anybody or anything, we generally publish the contributed article prominently with an editorial note to that effect. But what cannot enter our poor editorial brains is how by refusing to publish a report sent in from outside, one can clearly support any body, left alone hail with joy.

When we filed our bail applications before the Allahabad High Court, the Prosecution filed the above mentioned affidavit as required by the High Court in order to indicate evidence of advocacy of violence against the accused severally and individually. The first five sections run as follows :—

(1) That there is no evidence on the record showing that any of the accused herein committed any overt act of violence.

(2) That with ~~a~~ reference to the question whether any of the accused had made preparations for the commission of acts of violence, it is in fact the case for the Prosecution—and there is considerable evidence in support thereof—that the accused intended and hoped to fulfil the aims of the conspiracy with which they stand charged by means of *the violent overthrow of the Government by law established and the complete destruction of ^{the} whole State apparatus.*

(3) That it is further the case for the Prosecution—and there is again considerable evidence in support—that the Communist Party of India, Workers' and Peasants' Parties and certain other bodies were organised and maintained in pursuance of the said conspiracy with the object of training and preparing the members thereof for *violent revolutionary action*—that the trade union movement was regarded as one of the most important of the possible weapons in the struggle for power and *for the establishment of the proposed Dictatorship of the Proletariat*, and that the members of the said conspiracy in fact engaged in trade union work, and encouraged others to engage therein, with the sole or primary object of mobilising the workers for the class struggle and leading them ultimately into open conflict with the said forces.

(4) That having regard to the facts in paragraphs 2 and 3 herein above stated, and to the whole theory and teaching on which the Leninist doctrines affected by the accused were founded, it is submitted

that all the accused clearly contemplated and made preparations for the commission of acts of violence.

(5) That apart from the above general considerations applicable to all the accused, there is certain evidence, herein below more particularly set out, affecting individual accused on the point of preaching the use of force or disseminating literature advocating the same."

After this the affidavit goes on specifying evidence against each accused giving extracts from his speeches and writings on the subject of preaching the use of force etc. It is significant that the Prosecution could not find a single passage in the Spark to put in this affidavit. In fact I have not been mentioned anywhere at all. Towards the end of the affidavit the Spark is just mentioned and the reference given is to P 1251. (Mr. Spratt's letter forwarding his article on the Public Safety Bill). Thus it shows that the Prosecution had no specific evidence on this point to place before the High Court.

I put to Mr. Brailsford when he was in the box as a court witness practically all the features of the contents of the Spark and all the circumstances connected with the conduct of the paper on which the Prosecution and the Magistrate had relied upon as betraying the "Communist character" of the paper. I put to him amongst others questions on the following points.

(1) Whether he published any contributions from Communists in his New Leader?

(2) Whether he reviewed Communist books like "Lenin by Trotsky" and "Reminiscences" of Clara Zetkin?

(3) Whether Socialists carry on anti-war propaganda?

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(4) What is the attitude of Socialists on the question of class struggle?

(5) Whether Socialists had participated in agitation against the execution of Sacco and Vanzetti?

(6) Whether the article entitled "Is Russia collapsing?" by Zelda K. Coates published in the Spark of 10th March 1929 was the same as it appeared in the New Leader?

(7) What is the attitude of British Socialists towards Capitalism and Imperialism?

(8) Whether Marxism was a monopoly of the Communists?

(9) Whether he accepted the description of Imperialism ^{as Capitalism} in its operations abroad?

His answers should leave no doubt on these points. For instance on the question of Sacco and Vanzetti he said "My party like others carried on agitation against the execution of Sacco and Vanzetti. I wrote an article myself in the New Leader on the subject." In his cross-examination by Mr. Kemp he said, "I think that in my Article on Sacco and Vanzetti I put forward the view that ^{that} miscarriage of justice was an expression of the fear of the employing classes of the agitation which was going on among the workers and that the incident was an evidence of the actual antagonism between the classes under the present system of society."

D/30-11-31.

The news that I published on the Sacco Vanzetti question in the 5th No. of Spark runs as follows:—

"New York, March 1.

Complete vindication of the innocence of Sacco and Vanzetti is made to-day by the publication by the committee of distinguished lawyers of the evidence which shows conclusively that Sacco's defence plea of alibi was perfectly true. It will be remembered that Sacco pleaded that on the day on which he was supposed to have committed murder at Baintry he was actually at Boston. Sacco was supported by two Italians who corroborated Sacco and testified that the date of murder was the same date on which Sacco was present at a dinner given to the Italian journalist.

"Mr. Lowell, member of the Advisory Committee, which was appointed investigated into the evidence and reported that the two Italian witnesses testified falsely because the dinner to the Italian journalists was given one month before the date of murder. Later Mr. Lowell came to know that he was misled and apologised for his error but the evidence which went to support the plea of alibi went unreported There is a considerable feeling as the result of the disclosures. Free Press Beam service" This news was published under the heading "Sacco and Vanzetti vindicated. Bourgeois justice another word for bourgeois revenge."

But I have never been able to understand what the present Prosecution have to do with the execution of Sacco and Vanzetti; why they go out of their way to defend the misdeeds of the American Government? And this particular instance of a glaring miscarriage of justice has not been condemned by Communists and Socialists alone but by all decent-minded men throughout the civilised world. I remember that a few days before the actual execution of these two champions of freedom took place, even the London Times came out with a scathing indictment of the whole business in its chief editorial and published on the central page a letter of protest signed by many important British authors and

intellectuals. I have first referred to the news about Sacco and Vanzetti published in the Spark, because I consider it the most irrelevant thing to bring against me. Anybody who has read Mr. Upton Sinclair's book 'Boston' which is a thorough exposure of this ugly incident ^{in the} judicial history of America will be convinced that the execution of Sacco and Vanzetti was not an act of justice but an act of revenge on the part of judge Thayer and the American authorities.

When I was giving my statement in the Lower Court, the Magistrate asked me, "Does not your description of the Spark's object in the 1st Number 'as anti-Imperialist, etc.' imply that you were aiming at depriving the King of his sovereignty in India?" My answer was, "The two things are not the same. By 'Imperialism' I mean 'capitalism in its operations abroad'. I am criticising the domination of the economic life of my country by foreign capital. It has nothing to do with the question of sovereignty." Yet in his Committal Order the Magistrate writes, "Nor can I accept the explanation that Imperialism has no reference to the suzerainty of the King Emperor, but only means "capitalism in its operations abroad." Hence I put to Mr. Brailsford this description of Imperialism and his answer was, "I have come across the expression of opinion that 'Imperialism is capitalism in its operations abroad' and myself considered it apt." He further said, "The independent Labour Party is the declared adversary of every form of Imperialism and capitalism. Its policy is to put an end to every form of exploitation of the colonies."

As the anti-war propaganda in the Spark (refer to the quotation entitled British workers and war danger in the second issue of the Spark) had been characterised as a bogey that runs through all Communist literature, I next questioned Mr. Brailsford on this point and his answer was as follows:—

"The Independent Labour Party carried on vigorous propaganda against the last war and is doing the same against any new war. Prominent among those who did so were Keir Hardy and Ramsay MacDonald and Phillip Snowden."

Emphasis has been laid on the fact that the Spark was anti-capitalist and anti-Zamindar (refer to first editorial) thus showing the class character of the paper. On this point Mr. Brailsford said, "The Independent Labour Party also carries on propaganda among the British workers to establish a Socialist Government to bring about a Socialist state of Society. The Second International has always used and still uses the slogan, "Workers of the World Unite" which dates from 1848 (Date of the Communist Manifesto). In the literature of that International phrases like Class Solidarity and Class consciousness are frequently used. They are both advocated by the Trade Unionists and in fact are the whole foundation of the Trade Union movement."

In his cross-examination by Mr. Kemp on this point he was still more emphatic. He said, "The Second International recognises the existence of the class struggle or existing class antagonisms. It emphasises that existence and insists upon the class struggle, of which the purpose is to make an end of class, by the abolition of capitalism."

Probably the word "overthrow" of capitalism and even more in exact words are used even by leading Socialists of the Second International, but I think a wrong impression is created by suggesting a catastrophic end." While answering Mr. Dange he said, "The I.L.P. is not opposed to class war."

As considerable fuss was made over the fact that some Marxist literature was found with me like the issues of the Plebs etc. and also the fact that, to quote the Committal Order, "a regular feature of the paper is a column entitled 'Marxism for every man'"; I questioned Mr. Brailsford on this point and he said, "Marxism is the theoretical basis of the whole of the continental parties of the Second International Movement." And when cross-examined by Mr. Kemp he said, "In my statement about the continental parties and Marxism I was referring more to the materialist conception of history and the economic analysis of the capitalist system. I was also referring to Marxist methods. A Marxist aim means the transference of power from the present ruling class to the workers."

On the question of Communist and Left Wing periodicals he said, "As a Socialist journalist I have to acquaint myself with Communist conservative liberal views and to that end I study their literature. In the course of my duties I frequently receive and read and even subscribe to papers such as The Communist International, the Labour Monthly and the Sunday Worker. The New Leader in my time received unsolicited communications, pamphlets etc. from Communist sources in large numbers."

On the question of publishing articles sent in by outsiders he said, "As an editor I very frequently invited contributions from persons other than those belonging to my Party."

On the question of reviewing books written by Communists he said, "I have also reviewed in the New Leader books by well known Communists, including "Lenin" by Trotsky and "Reminiscences of Lenin" by Clara Zetkin and almost every important book by Communists." This question was asked because exaggerated importance had been given to the fact that reviews of these two books appeared in the third and fourth numbers of the Spark. He also identified the article in the sixth number of the Spark "Is Russia collapsing?" by Zelda K. Coates as the one which had appeared in the New Leader.

While answering Mr. Dange he said, "The Second International in a recent conference passed a resolution advocating Self-Government for colonies by degrees. I do not think it is opposed to what is generally called Complete Independence. That resolution is not applicable to India, which is not to be regarded as a backward colony. The Independent Labour Party would concede the right of India to independence if she should demand it, but would lay before her certain reasons in the hope of persuading her not to make that demand."

Now let us see the contents of the Spark.

(1) First, editorials in the seven issues of the Spark. From these it will be seen that the paper dealt from week to week from a Socialist standpoint with the subjects which were most prominent in the public mind at that time, for instance, the Nehru Report of the All-Parties Conference, the Bombay Municipal Elections, the Bombay Communal Riots, the Public Safety Bill, the Trades Disputes Bill, the Bombay Provincial Budget and the Indian Imperial Budget and lastly Mahatma Gandhi's arrest after the Calcutta bonfire of foreign cloths in March 1929.

(2) The news columns are mostly taken up by the news supplied by the Free Press of India and the paper's own reports of happenings in the city.

(3) There are cuttings from English papers—like the Daily Herald and the Daily News, London; for instance the news about Colonel Lawrence that appears in the first and the fifth issue of the paper is from the Daily Herald and the Daily News respectively.

(4) One column from the second issue onwards is devoted to giving an elementary idea of Marxian philosophy under the heading "Marxism for every man".

(5) One column was generally devoted to humorous comments on some of the pompous platitudes of the week.

(6) So far as the publication of outside contributions was concerned, my rule was this. Any article which was an exposition of capitalist or Communist theories or mere propaganda on behalf of the capitalists or Communists, was at once rejected. From those articles which contained a discussion of current topics from the workers' point of view some were accepted for publication, as I was anxious to present to my readers all available news and different views on the topical subjects of the day, besides my own views which were expressed in the editorial articles, in order to provoke discussion. But I always insisted on publishing the name of the writer prominently at the top of such articles so that the views expressed in these articles might never be mistaken for the views of the editor or the paper.

When I wanted to identify myself with views expressed in the outside contributions, I would have done so by writing an editorial note to that effect.

(7) The reports and news about Trade Unions etc. sent from outside. From the 4th issue of the paper I used to print such news together in one column under the heading "Workers' World". Pt. Jawahar Lal's appeal for help on behalf of the Bauria Jute workers was printed in the second number but not under this column of the Workers' world. I decided to set apart a column for such Trade Union news from the fourth issue onwards.

(10) Poems and quotations that were put in at the last minute to fill out space in a column otherwise left empty; I had often to cut out part of the copy from the proofs and at the last minute the space had to be filled up somehow. These quotations and poems I used to pick out from any book or periodical or any of my old jotting books, that I could at the moment lay my hands on.

To return to the first item—editorials—it will be seen that I have devoted one editorial to each of the topical subjects mentioned above, except the communal riots to which I have devoted three editorials namely "Bombay's Blood Bath" in the second number; "A Week of Blood and Terror" in the third number; and "Roots of Hindu-Muslim antagonism" in the fifth number. This was quite natural as during those days the communal riots in Bombay had upset the whole life of the city and the public mind was most preoccupied with them.

The first article was written right in the midst of the riots, the second towards the end of the riots and the last was written reviewing the entire situation.

All the three articles make a fervent appeal for peace and unity, I tried to expose canards deliberately started to inflame passions on both sides by communalists and Anglo-Indian papers and to trace the pseudo religious trouble to its sordid economic roots and blame the leaders of both the communities for their selfishness and whole-heartedly supported the efforts of those who were endeavouring to bring about peace.

What else was a responsible journalist expected to do? To follow the contemptible lead of the Times of India and the Evening News and Khilafat and the Mahasabha papers and try to add fuel to the fire? Can the Prosecution point to a single passage in these articles where I have tried to increase scare or inflame the passions of one community against another? The whole trend of these articles is exactly in the other direction. Hence I am surprised that exception should have been taken to these articles also. The Magistrate in the Committal Order writes, "In the second issue the chief article 'Bombay's Blood Bath' was devoted to showing that the Bombay riots

were not caused by Moscow, and that the G.K.U. had done its best to stop them." The relevant passage in this article runs as follows:—
"The lie factories of London's Fleet Street are already in full blast describing in purple language the chaos in Bombay and drawing with glee the moral about India's unfitness for self-government. The London Times goes to the fantastic length of connecting the disturbances in Colombo with the riots in Bombay and proclaiming that this is a rehearsal of the General Strike with the aid and approval of Moscow. One would like to know what Labour leader out of Bedlam would care to create deliberately discord between the masses of Hindu and Muslim workers as a preparation for a united front against capitalists."

Now, your Honour, is this a defence of Moscow or an exposure of the mendacity of the London Times, that high priest of British journalism? Any one could see that there could not be any conceivable connection between the Tramway Strike in Colombo and the communal riots in Bombay.

In those days of disturbances in Bombay it was extremely difficult to secure reliable news from different quarters of the city. Still with the material available in the Spark Office, in the preceding several paragraphs, I tried to refute point by point several canards spread in the city by mischiefmongers, chief amongst whom were the Anglo-Indian papers, beginning with the kidnapping of children and desecration of mosques and temples and false reports about the closing of the mills.

It is a well known fact that G. K. Union leaders successfully prevailed upon the workers to go to work in the mills and not to loiter about in the streets and join the riots. And if I am not mistaken no less a man than Mr. Hotson, the Home Member of the Bombay Government, has given them a certificate in this respect in his evidence before the Bombay Riots Inquiry Committee. The burden of my article "Bombay's Blood Bath" written while the riots were still on is contained in the following paragraph:—"At the time of writing now the trouble is mainly concentrated in Hindu and Muslim middle-class areas. If these people are wise they would profit by the example of the workers. Instead of falling prey to promptings of agents provocateurs and the suggestions of communalists, they would rally behind the non-communal organisations like the Youth League. The military at the best can patrol the big squares and thoroughfares, but if peace is to be established in the network of byelanes, in this jungle of bricks and mortar, it shall be with the help of non-communal national volunteers."

The following telegrams sent out from Bombay by the Free Press of India will throw light on the situation and also the part played

by the mischief makers and the newspaper controversy that was at that time going on. On the 5th February the Free Press wired an extract from the Evening News of India "Clearly it is a war on the small Pathan community by the millhands and oil workers numbering several thousands who have been led to believe that without Pathans industrial strikes in Bombay would have succeeded beyond measure."

"Mr Shaukat Ali in an interview to the Times of India has expressed definitely his intention of organising Mohamedans for self-defence."

On the 6th of February the Free Press wired as follows:—

"An appeal over signatures of prominent Hindu and Muslim leaders runs as follows: 'We also hereby appeal to the press in the city not to make the situation worse by exciting and hasty comments and trust they will assist in restoring peace.'"

On the 7th February the Free Press wires as follows:—

"Leaflets are being distributed over signatures of Labour leaders, Hindu Sabha leaders and Muslim leaders etc. jointly and also separately asking people to cease fratricidal warfare. Editorially commenting the Times of India considers Authorities have been tried and found wanting as they had ample warnings of the possibility of the ugly developments, urges unofficial committee to fix the responsibility and to investigate the causes of the disturbances. In the meanwhile controversy continues in the press as to the causes of the disturbances. One view is said to be that Labour leaders instigated the disturbances in order to avenge themselves on Pathans, while Labour leaders contend it is the handiwork of Government and capitalists. National Herald points out that it is neither conspiracy by Labour leaders nor communal and that chain of events clearly establishes that they are neither."

On the 8th of February the Free Press wired "Indian Merchants Chamber Meeting when joint manifesto was issued signed by the leaders of Hindu and Muslim communities. Leaders of all communities deprecate the attempt to impart communal or Communist character to the troubles which are largely due it is said to unruly elements which had been roused by unfortunate incidents that followed the kidnapping scare."

On the 9th of February the Free Press wired "The Times of India this morning in the course of its report about the riots made following statement: "From all accounts the Peace Committee that was appointed as a result of the meeting of communal leaders convened by the President of the Corporation on Thursday was to a great extent the innocent cause of tragic events.'" Publicity Bureau of the Committee

in the course of a communique issued this afternoon says "That the blame to a large extent has to be laid at the door of the Authorities who have failed to carry out the reasonable and practical suggestions put forward by the Central Executive Committee appointed at a public meeting convened by the President of the Corporation and refers to the statements of the Times of India in the following terms: 'It is a wicked and mischievous suggestion to make that the Peace Committee was in any way responsible for the riots that took place later on in the evening'. The Times of India through the columns of the Evening News this evening admits the statement made against the Committee and explains it as one of the many conflicting reports received at an early hour in the morning and regrets that anything should have appeared in its columns reflecting adversely on the work of the Committee which the paper says has done and is still doing very noble work at great inconvenience and possible danger to themselves."

On the 11th February the Free Press of India wired as follows:—
"The Indian Daily Mail authoritatively contradicts the mischievous and unsifted rumour given currency to by Times of India this morning stating that respectable Gujrati women were seen picking fancy articles from the looted Bori merchants' shops in Bhuleshwar."

To some extent in the first editorial and to a greater extent in my article on Dominion Status I discussed the economic implications of the Nehru Report. Just as Muslims condemned the report because according to them it did not provide sufficient safeguards for the interests of their community, similarly from the point of view of the toiling masses, I criticised the Nehru Report because while on the one hand providing unnecessary and ^{permanent} ~~prominent~~ guarantees to foreign and indigenous vested interests, it did not provide adequate safeguards for the toiling masses against continued and intensifying exploitation. To quote a passage from the article entitled "Dominion Status": "What the starving masses of India want is not a paper constitution, whatever name you give, but concrete freedom—freedom from hunger and cold, from ignorance and degradation". I further point out that "To be exact what the Nehru Report asks for is not even full fledged Dominion Status, but something half-way towards it "

D/1-12-31

To condemn Dominion Status, especially the sort that is adumbrated in the Nehru Report, does not "amount" to severance of British connection. It might be noted in this connection that in this article I have not condemned Dominion Status, as it obtains in Canada and Australia, where owing to various factors, I believe, it on the whole works out in the interests of the broad masses of the people.

In fact what I have always looked forward to is not an alliance of the British upper class with the Indian upper class, which may result in

the exploitation of the toiling masses in both the countries, but an alliance between the masses of the people in Britain with the masses of India. Witness in this connection the picture I published in the second issue of the Spark of the lacerated back of a British miner working in a 16 inch seam in a Lanarkshire mine, with the following lines underneath.

"This British lad is nearer to us than Burdwans and Agha Khans in our common fight against Imperialism": And I have already explained what I mean by Imperialism.

Hardly any explanation is necessary for the appearance in my paper of the two editorials on the Public Safety Bill and the Trades Disputes Bill in the second and the third issues of the paper respectively. No Socialist paper could have justified its existence if it had not condemned such out and out anti-working-class legislation.

In my editorials on the Provincial and Imperial Budgets I have criticised the enormous expenditure on the Police and the Military and such grandiose projects like the Back Bay Reclamation or the Sukkur Barrage Scheme, Sind, while starving the nation-building departments like Education and Health and putting an unbearable burden on the peasantry.

My editorial in the 7th number of the paper on Mahatma Gandhi entitled, "a blessing and a curse" consists partly of praise of Mahatma Gandhi and partly of criticism of his Utopian and reactionary gospel of Charkha and Khaddar for ameliorating the condition of the masses.

So much for the editorials; now for the news. In this connection I may point out that besides the Lenin Day meeting another public meeting held in the city of Bombay during the same week was also reported in the same issue of the Spark; I refer to the one on page 2 of the issue under the heading "Bombay's support to Amanullah's fight against mad *Mullahs*." Similarly a whole page of the third issue is devoted to a report of the Police Court proceedings in the trial of the nationalist editor, Mr. K. P. Khadilkar.

As for the report of the Lenin Day meeting, I have already pointed out it was held on 22nd January 1929, and a report of it appears in the Spark of the following Sunday, i. e. 27th January. But in the meanwhile fuller reports of the meeting had appeared in most of the Bombay dailies.

P. W. 215 Inspector M. N. Desai of the Special Branch Bombay said in his evidence, "I saw reports of the Lenin Day meeting in other newspapers such as the Times of India, the Bombay Chronicle etc." The report in the National Herald of 23rd January 1929 was headed "Bombay celebrates anniversary of the saviour of workers." The Bombay Chronicle gave a fuller report under the following heading, "Lenin is

dead, not Leninism—prepare for 'workers' world' says Bradley—Communists not allied to Bengal terrorists"; and the cross headings for the different sections of the report in the Chronicle were as follows:—

"Lenin dead not Leninism—died for freedom of Masses—Workers must not repeat the mistake of last war—Workers' Paradise—nailing lies to counter," and the Chronicle report begins as follows:—

"The 5th Anniversary of the death of Lenin, the father of Soviet Russia, was quite fittingly celebrated in Bombay at a public meeting under the auspices of the Workers' and Peasants' Party on Monday at the Peoples' Jinnah Hall, Girgaum. The meeting was well attended and Comrade Shaukat Usmani of Cawnpore Conspiracy Case presided;" and the Chronicle report ends as follows:—

"Mr. Gangadhar Moreshwar Adhikari who has recently returned from Germany after a six years' stay in that country then addressed the meeting, after which the proceedings came to a close."

As for the cuttings from the English papers, I may point out that besides those from the Daily Herald and the Daily News, London, there are a few more from the Observer and the London Times. News appearing under the heading, "Debunking Kellogg Peace Pact," on page 8 of No. 1 is bodily taken from the Observer just received. Similarly the news on page 2 of No. 2, appearing under the heading, "German week in Moscow", the news appearing on page 5 of No. 3 under the heading "Britain angling for Russian Trade" and the next one "China renews war on foreign concessions" are all taken from either the Observer or the London Times received by mail that week.

It is a common practice with colonial papers to lift news from British papers, sometimes with and sometimes without acknowledgment. Rightly or wrongly, the copy right in news especially is not considered to continue after more than a fortnight.

With regard to quotations, I may point out that what the Prosecution consider as a quotation from Mr. Saklatwala (page 1, No. 6) is not exactly a quotation but a news item sent by the Free Press Beam service giving the opinion of Mr. Saklatwala on the arrest of Mahatma Gandhi at Calcutta a few days earlier. It is only by mistake that the words 'Free Press Beam service' do not appear at the end of the news. But I can easily prove this through the relevant defence witness.

The quotation from M. N. Roy on page 8 of the 7th issue was taken from one of my old jotting books. It runs as follows:—

"Although somewhat unique in its idiosyncrasies and fanaticism, the Gandhi cult is not an innovation. Divested of the rebellious spirit and the shrewd politician in him, Tilak would resemble Gandhi in so far as religious beliefs and spiritual prejudices are concerned. But for his

versatility in modern thought and characteristic looseness of conviction, Bipin Chandra Pal would perchance join the Mahatma in the passionate denunciation of everything that adds to the material comfort of man. Had he been more of a monomaniac than a profound thinker with metaphysical pre-occupations, Arabinda Ghose would subscribe to Gandhi's philosophy, which pretends to command a rushing tide, "thus far shalt thou go and no farther." In the contemporary epoch outside India, Tolstoy has been the apostle of what Gandhi professes. In fact the latter is an avowed disciple of the former. Gandhism is nothing but petty bourgeois humanitarianism hopelessly bewildered in the clashes of the staggering forces of human progress. The crocodile tears of this humanitarianism are shed ostensibly for the undeniable sufferings of the majority in capitalist society, but they are really caused by grief over the end of the old order, already destroyed or about to be so. It pines for that ancient golden age when the majority were kept in blissful ignorance in order that a few could roll in idle luxury, undisturbed by the revolt of the discontented; the spiritual culture of which was based on the barbarism of the people at large; the simplicity of which was the sign of its backwardness. This longing glance backwards is due, in some cases, to the consummate intrigues of the forces of reaction and in others, to involuntary subordination to the influence of the same agency. Its tendency towards a sort of religious or Utopian Socialism proves that Gandhism, as well as its source Tolstoyism, belongs to the latter category. Or in other words the services rendered by it to reaction are involuntary." M. N. Roy in "India in Transition".

This quotation was published under the heading "Gandhism—a Reactionary Gospel". Where is there any Communism, Leninism or Stalinism in all this business? The views expressed therein might well be subscribed to by even a progressive capitalist writer. In fact Sir Harisingh Gour, Sir Sankaran Nair, Mr. George Joseph and host of other writers have criticised Gandhian philosophy in almost the same strain.

The quotation from Palme Dutt which is put in to fill out the column on page 5 of the 3rd issue runs as follows:—

"For Socialism, war is the inevitable product of capitalism; and therefore the fight against war is inseparably united with the fight against capitalism—with the working class struggle."

This quotation I had taken from one of the issues of the Labour Monthly. From the different references I have already given illustrating the attitude of prominent Socialists with regard to anti-war propaganda, it will be seen that there is nothing in this quotation that is contrary to the viewpoint of the Socialists on this question. I have nowhere given a quotation from a Communist writer that preaches Leninism or Communism or the violent overthrow of the State etc. The other quotations and

poems are mostly taken from the G. B. S. calendar (which I have already put in as a defence exhibit) giving quotations from the writings of Bernard Shaw and Upton Sinclair's "Cry for justice"—an anthology of quotations on social questions from ancient writers up to the modern.

As outside contributions, I have published in different numbers the following articles among others.

(1) One by Mr. Philip Spratt on the Public Safety Bill.

(2) One by Mr. B. F. Bradley on the Jharia Congress.

(3) Three by G. Adhikari on "What Germany thinks of India", "Trades Disputes Bill" and lastly a rejoinder to the article on Youth League by Mr. Y. J. Mehrally, the Secretary of All-India Youth Congress, which had appeared in the previous number.

(4) One article by Mr. Lester Hutchinson on the significance of Anglo-French alliance and a review of Pandit Jawaharlal Nehru's book on Soviet Russia.

I had seen Mr. Spratt being dubbed as a Communist especially in the Anglo-Indian Press but I never knew that he was a member of any Communist Party in the world. Mr. Bradley's articles had often been appearing in different Indian papers and the designation given after his name was generally the same as he had sent to the Spark when he sent in his article on the Jharia Congress, namely that he was the Vice-President of the Indian Railwaymen's Federation and was connected with the Amalgamated Union of Engineers, Great Britain. I had of course heard different irresponsible stories about him, including the one that he was an agent of Lancashire capitalists.

All that I knew about Mr. Adhikari was what I had heard when he was introduced to the audience at the Lenin Day meeting; that he was a P. H. D of the Berlin University and was the President of the Hindustan Association in Berlin and had just returned from Germany. At the meeting he impressed one as a very erudite but rather unpractical man with more academic than any practical interest in life.

Through my friends among the newspaper reporters I had heard that Mr. Hutchinson was a young British journalist recently come out to India. The journalist circle of Bombay to which I belong did not know him at all as a Labour leader, much less a Communist. In fact before my arrest if I am not mistaken he had never appeared on any W.P.P. or G.K.U. platform.

Mr. C.G. Shah whose reviews of a few books have appeared in the Spark is neither a co-accused nor a co-conspirator. I never knew that he was a member of the W.P.P. or was in any way connected with

it. So far as my information went, he held some sort of a job at a students' hostel in Bombay and used to write as a free-lance journalist to English and Gujrathi papers in Bombay.

In the 5th and the 7th issues of the Spark, in the column called the Workers' World, I published two reports of Trade Union activities—the first giving news about the work of the G.K.U. and the second about the Oil Strike that was going on at Sewri, from Mr. Ghate and Mr. Nimbkar respectively. As I could not verify all the facts, I published these reports with the initials of those who had sent them in from outside, to indicate that these reports were from outsiders. Any way there is no preaching of Communism in these reports; they are only objective accounts of the activities of the two unions, which were fairly prominent at that time and no paper in the city could afford to shut out news about them. I never knew that the persons who sent these reports were members of what the Prosecution call the C.P.I. I never knew that there was such a body in existence.

There are two more points I would like to refer to. First I would like to draw your Honour's attention to P 1344 and P 1170. The first is alleged to be a minute of a Committee meeting of the W. P. P. and the latter is alleged to contain notes by Mr. Adhikari at the same Committee meeting. It was held during the February riots. The Junior Prosecution Counsel while summing up the case for the prosecution in the Lower Court said that "these two exhibits describe the activities of almost all the Bombay accused except Desai and Hutchinson." But this is strange. For like other Bombay Papers, the Spark was again and again reverting to the question of the communal riots in the city and devoted three editorials to the subject. If the W. P.P. had the slightest connection or influence with the Spark, the papers policy with regard to the riots would surely have been discussed at this meeting. But there is not a single reference. The policy of the Kranti is discussed; Mr. Shaukat Ali's letter in the National Herald is discussed, but there is not a word about me or my paper. The Magistrate correctly says that "no mention of the paper is to be found in the proceedings of the W.P.P."

The second point I would like to draw your Honour's attention to is the Magistrate's reference to a passage in my article on Dominion Status in the first number of Spark, dealing with the Labour procession to the Calcutta Congress, wherein he unjustly draws adverse inferences on the basis of inaccurate data. In the first place he says that "similar comments on the incident are made by Mr. M. N. Roy in an article (P 1256) found with me." I have already said I had rejected this alleged article by Roy and have given my explanation about P 1256. It will be seen that it is dated 19-1-29, and my article on Dominion

Status was published in the Spark of 27-1-29. Even if the article of Mr. Roy had come directly to the Spark Office from Europe which it did not, I could not have received it until many days after my article was already published; hence the Magistrate's remarks entirely miss the mark.

D/3-12-31.

This demonstration of the workers at the Calcutta Congress, which is only metaphorically described in my paper as having "captured the Pandal", was admitted in the Pandal under the orders of the President of that Congress, the late Pandit Moti Lal Nehru. The procession of the workers was headed by Mr. K. C. Mittra—the then General Secretary of the East Indian Railway Union, who is well known as a socio-religious leader of the workers. The procession on being legitimately admitted into the Congress Pandal held a meeting there under the presidentship of Pandit Jawahar Lal Nehru; as such there could be no Communist character about the demonstration or the meeting. I only saw in it an evidence of the awakening of the workers and their desire to participate in the national movement. Being a Socialist I could not help noting this fact with an evident sense of satisfaction.

A few days before I started my statement, the Prosecution presented me a document which while indicating their line of argument with regard to the contents of the Spark, makes sweeping generalisations and puts a series of questions with regard to the contents of the paper. I am obliged to the Prosecution for this. The very first sentence of this document says, "The Prosecution will read practically the whole contents (of the Spark) to show its tone". They are welcome to do so and I hope your Honour will not stop them. But strangely enough even in this belated document they do not specify any passages in the Spark that they object to. With regard to whatever specific questions were suggested in this document I have already given my explanations.

Now let us turn to some of their resounding generalisations. First the charge of "exposing and ridiculing *Reformist leaders*". Does it mean that because I am a Socialist I am bound to sing Hallelujahs to each and every opportunist or careerist or favourite of the bureaucracy who enters the Labour Movement with his own axe to grind? It will be more to the point if the Prosecution can point to any passage in the Spark where I have criticised a Socialist for being a Socialist or any Indian Labour leader for his criticism of Communism either. Have I anywhere in the Spark criticised Mr. N. M. Joshi of Bombay, easily the most prominent of the so-called 'Reformist' Labour leaders, and could any Communist paper come out week after week in the same city without running down Mr. N. M. Joshi?

In those days Mr. N. M. Joshi used to confine himself to a purely Trade Union platform, saying that workers should have nothing to do with politics and should confine themselves to disputes with their employers about wages and hours of work. That is a position no Socialist can accept and leave the political field clear for the land owners, industrialists, merchants etc. to enable them to influence the Government and use the Government machinery for the aggrandisement of their own class. Every genuine Socialist will demand a democratic franchise, freedom of speech, association and organisation, and a general democratisation of the administrative machinery so that the poor and the working classes can freely participate in politics and use the Government machinery to ameliorate the conditions of the masses—on the one hand through the powers of taxation and expenditure and on the other by bringing under public control public property like tramways, railways, mines, steamships, key industries, banks etc. which to-day are in private hands.

In spite of such fundamental differences I have never tried to 'ridicule' or condemn Mr. N. M. Joshi, as I had too great a regard for his transparent sincerity and self-sacrifice. I am glad to note that since those days Mr. Joshi has advanced rapidly and has now identified himself with the Socialist platform. Witness his uncompromising attitude at the Round Table Conference on adult suffrage and other relevant points.

In the days I was running the Spark the demand for adult suffrage was a cry in the wilderness. It did not even find a place in the famous 11 agitational demands of Mahatma Gandhi, on the strength of which he roused popular enthusiasm for his Civil Disobedience Movement. But to-day the demand for adult suffrage has entered the sphere of practical politics and the representatives of Labour and Congress at the R. T. C. amongst others stand committed to the same.

Similarly, when I criticised Mahatma Gandhi's programme in my editorial entitled "A blessing and a curse" in the 7th number of the Spark, I pointed out amongst other things that "there is nothing to prevent us from demanding a graded land tax and a total exemption from the same for the poorest section of the peasantry, just as is afforded in the case of the income-tax to the poorer strata of the populace in the city. The relief that would thus accrue to the poor and middle peasantry, coupled with similar protection against the moneylenders, would be far more than would come from the spinning of the charkha. Besides, it would broaden and deepen the home market for the development of Indian industries."

And in the next para I indulged in what the Prosecution call "exposing and ridiculing the reformist" policy of the Congress leaders on this question, and I think they jolly well deserved it. My criticism runs as follows :—

“ But curiously, whenever there has been any effort to ameliorate the lot of the peasantry, it has been stoutly opposed by our upper class nationalist. From the Tenancy legislation in the South to the Borrowers' Protection Bill in the Punjab, it has been a dismal record. The upper classes will do anything for the masses. They will shed crocodile tears for them. With a melancholy perseverance they would devise grandiose schemes to find work for the half starved and half naked living skeletons even during their spare time. The upper classes will do everything for the masses except get off their backs. The Mahatma's faith in the charkha is as naive and pathetic as that of the Tibetan Lamas in their prayer wheels”.

There is nothing more iniquitous in the whole system of Indian taxation than the present flat and ungraded land tax which presses most cruelly on the poorer sections of the peasantry and at the same time allows the richer landowners to escape their fair share in the taxation of the country. Practically all authorities on Indian Economics from Principal Findlay Shirras to Professor K. T. Shah have all agreed that this is so. The necessity for a graded land tax had been pointedly brought to the notice of the Mahatma only some time before the Spark was started in a series of articles in his 'Young India' by Professor Vakil of the Economics Department of the Bombay University; but the Mahatma refused to support that demand. He never put forward such a demand throughout the Bardoli agitation. It does not find a place in his famous 11 demands of the Civil Disobedience period. But fortunately those 11 demands are now superseded by the resolution on "fundamental rights" passed at the Karachi Congress, which not only supports this demand for a graded land tax but also supports adult franchise, protection against moneylenders, public control of public property which is to-day in private hands, and the majority of the planks in the Socialist platform. I congratulate the Congress leaders on their advance towards Socialism.

But if in the days of the Spark I criticised the Congress leaders for identifying themselves with land owing and capitalist interests and some labour leaders for not standing up for the interests of the working classes as resolutely as they should have done, even by "exposing and ridiculing" them, what was wrong in that? On the contrary, I am proud that even my little paper did its bit during its brief span of life in popularising the Socialist platform.

Mr. Brailsford in his evidence, while replying to Mr. Dange, said, "The Independent Labour Party supports the present Labour Government with many qualifications." When he said this he put the matter very politely and gently. Anyone who has read Mr. Maxton's speeches in the Commons or reads through the page of the New Leader or the

Glasgow Forward, not forgetting Flambos devastating caricatures in the first and the Daily Herald's scathing editorials, can see for himself how much of "exposing and ridiculing" goes on against some of the 'Reformist' Labour leaders in the Socialist Press of Britain.

Before I leave this point I would like to draw attention to some items in the Spark, selected at random, to know if the Prosecution call these also as instances of "exposing and ridiculing Reformist leaders":

(1) "Burma enthusiastically welcomes Mahatma" followed with a report of the unprecedented welcome given to him when he visited Rangoon in March 1929. (Page 7 No. 6).

(2) "Diwan Chaman Lal addresses the Delhi workers" followed by a brief report of his speech saying "Swaraj was required for the teeming millions and will be only won by the labourers and workers themselves." (Page 3 No. 3).

Of course, in another place I have criticised Diwan Chaman Lal. Well, if a gentleman goes from extreme left to extreme right and back to left again, he rather asks to be criticised.

(3) The full page report of the Police Court proceedings in the case against "Lokamanya's disciples" (Page 8 No. 3).

(4) "Can League arbitrate between India and Britain" with Sir Vijayraghavachariar's suggestion and a Press interview that this question should be referred to the League of Nations (page 8, No. 5); or is it the Prosecution case that Sir Vijayraghavachariar is not a Reformist but a Communist?

(5) "Dr. Ansari pays Congress levy on income" followed by a news item that Dr. Ansari had decided to pay Rs. 50/- monthly towards Congress funds as one per cent. of his monthly income in pursuance of the Calcutta Congress resolution. (Page 7 No. 6).

(6) "Gandhi to lead General Strike," in case the Ahmedabad Mill owners' Association is unable to enforce the award of the arbitrators in their dispute with the Ahmedabad Labour Union. (Page 8 No. 1).

(7) "Peace Committee's appeal against victimisation" followed by the Bombay Citizens' Peace Committee's appeal to employers in the city that no dismissals should take place on communal grounds after the communal riots and that the past should be forgotten and Hindus and Musalmans should continue to live and work together in mutual trust and confidence. (Page 7 No. 3).

(8) "Delhi leaders on Government attitude" followed by a report of a public meeting in Queen's Garden, Delhi, which decided to hawk khaddar, and followed by the announcement that the evening meeting

will be addressed by Pandit Motilal Nehru, Pandit Malaviya, Messrs. Sherwani, Jamnadas Mehta and other leaders. (Page 3 No. 7).

(9. The late Mr. Langford James in his Opening Address said that according to Communists in this case, Pandit Jawahar Lal Nehru is "a tepid Reformist" and yet I give nearly a full page to his appeal for help on behalf of the starving jute workers at Bauria in Bengal. (Page 7 No. 2).

I have dealt at some length with one of the sweeping generalisations made by the Prosecution regarding the contents of the Spark in the document presented to me some time before I started my statement; and I hope this will illustrate the futility and absurdity of the other generalisations of the Prosecution, which I shall try to deal as briefly as possible.

The next charge is that the Spark preached what the Prosecution call "class hatred". I do not think I need say much on this point after what Mr. Brailsford told the Senior Prosecution Counsel in his evidence that "The Second International also recognises the existence of the class struggle or existing class antagonisms. It recognises that existence and insists upon the class struggle, of which the purpose is to make an end of class by the abolition of capitalism."

I will only add that neither socialists nor the working classes are in any way responsible for the present class system and the consequent class antagonisms. These things are already there and only the hypocritical and the heartless can ignore them. Every sensitive soul has felt the oppressive presence of these things and felt the necessity of giving expression to them, not excluding that famous leader of the British Tory Party, I mean, Lord Beaconsfield; but of course that was before he had become a leader of the British Tories and when he was only a brilliant young novelist depicting the class struggle in England and the antagonism between what he called "the two nations" in the English society.

The responsibility for the present deplorable state of things rests entirely with those who especially through and since the industrial revolution in Britain and in India have intensified the division between classes with the frightful inequalities of wealth. The responsibility lies with those who drove the peasantry from the land towards the new industrial cities, herded them in slums, reeking with dirt and disease, those who use their influence in the legislatures to shift the burden of taxation on the poor, those who while importing the latest machinery and building up modern industrial organisations in a backward country like India thus shattering its old social system, at the same time prevent the working classes from building their own defensive Trade Union organisations in the light of the experience of the western workers, by passing anti working-class legislation. And on the top of this they expect to be

loved by the exploited classes, and the slum dwellers. Their demand is as reasonable as would be the expectation on the part of an oriental potentate to be loved by the enslaved ^{imprisoned} of his seraglio.

We socialists heartily detest the present state of things, which we at least did not create but which we strive to improve to the best of our capacity. What I did preach in the Spark was "class consciousness and class solidarity" so that the poorer classes would defend themselves against the terrible wage cuts and the yet more terrible unemployment as the result of rationalisation, for which the workers alone are made to suffer and not the dividend wallas.

But when the capitalist organs, from the London Morning Post to the Bombay Times, justify these things and urge on the Government to pass anti-working-class legislation, they are of course not preaching what the Prosecution call "class hatred"; they are only overflowing with the milk of human kindness towards all children of God, irrespective of classes.

Next we come to the charge of "imputing evil motives to British Imperialism." I do not know what is exactly meant by this or what exactly in the contents of the Spark it is that the Prosecution are referring to as they have given no indication of the same. But as a socialist, I freely admit I am opposed to all Imperialisms and consider Imperialism itself an evil. As Mr. Brailsford has pointed out, "The Independent Labour Party is the declared adversary of every form of Imperialism and Capitalism"; and I may add that the attitude of all socialists in the world is exactly the same, and with the greatest goodwill in the world we are sorry we can not make an exception in the case of British Imperialism.

I have already pointed out what I have meant by Imperialism and I have only criticised the Government to the extent that it had allowed itself to be influenced, dominated or indentified with Indian or Imperialist financial vested interests. I may point out in this connection that I had criticised in the editorial articles in the first issue of the Spark the sweeping and permanent guarantees given to the British Imperialist financial interests in the Nehru Report. I am glad to note that the Congress leaders and also the representatives of Indian capitalists like Messrs. Birla and Thakurdas and even Moderates like Mr. Jayakar, have realised the mistake and in the Round Table Conference made it clear that they would not consent to tie the hands of the future Indian Parliament and deprive it of the power to discriminate against foreign capitalists in the interests of national key industries, nor give permanent guarantees to perpetuate the existing unequal relations between British and Indian capital and also would reserve the right to inquire into property unjustly acquired in India by British Imperialists, although

there was no intention to discriminate against British Imperialists on merely racial grounds.

I may point out further that with a perfect impartiality I am opposed to all Imperialisms. Witness in this connection more than two columns on page 8 no. 6 devoted to an exposure of the misdeeds of the French Imperialists in French Congo. The credit of exposing the doings of Belgian Imperialists in Belgian Congo belongs to that well known British socialist Mr. E. D. Morel, the editor of the "Foreign Affairs," and we need not overlook in this connection Lord Olivier's work in throwing light on the exploitation of the South African negroes by the Boers with the connivance and support of the Government in his book "Anatomy of African Misery."

Then we come to the next charge of "praising Lenin, and the Soviet, and everything Russian." Am I to understand that the Prosecution are the declared adversaries of "everything Russian" including the Russian climate, literature, Russian ballet, Chaliapin, the Soviet films which even Douglas Fairbanks praises so highly, Russian trade, which the British Government any way is certainly in favour of?

One had expected people in law courts at least to be a little more precise and careful in their charges and not to resort to the language of the hustings. But perhaps the excuse is that this is after all a political case.

Now about Lenin. There is not a single article in the Spark that is devoted to an exposition of Leninism, let alone its advocacy—either on the question of "State and Revolution" or his justification of terror, etc. etc.

The Spark has only published a couple of reviews of two books of reminiscences of Lenin, both betraying an interest in the outstanding personality of Lenin rather than in his political teachings. The review of Clara Zetkin's book appeared under the following headlines: "Talks with Lenin—art and culture belong to the workers." The following are typical passages in this review: "Art belongs to the people. It must have its deepest roots in the broad masses of workers. It must be understood and loved by them. It must be rooted in and grow with their dealings, thoughts and desires. It must arouse and develop the artist in them. Are we to give cake and sugar to a minority when most of the workers and peasants still lack black bread? I mean that, not, as you might think, only in the lighter sense of the words but also figuratively."

"And we are a poor nation, a mendicant nation; whether we like it or not, the majority of the old people remain culturally the victims, the disinherited. Of course we are carrying on a vigorous campaign

against illiteracy. We are setting up libraries and reading huts in the small towns and villages. We are organising educational courses of the most varied nature. We arrange good theatrical productions and concerts. We send educational tableaux and travelling exhibitions over the country.

But, I repeat, what is all that to the many millions who lack the most elementary knowledge, the most primitive culture? While in Moscow today 10,000—and perhaps tomorrow another 10,000—are charmed by brilliant theatrical performances, millions are crying out to learn the art of spelling, of writing their names, of counting, are crying for culture, are anxious to learn, for they are beginning to understand that their universe is governed by natural laws”.

What is there in such reminiscences of an old woman of her talks with Lenin to frighten the Prosecution, I do not know, unless it be a painful consciousness of the contrast between this drive against illiteracy in Soviet Russia and the dismal record of the Indian bureaucracy in this respect during the last century or so.

The review of the second book of reminiscences of Lenin by his colleague Trotsky, which was published in the Spark in its issue of 17th February 1929 begins as follows: “That is *their* Westminster Abbey”, Lenin said to Trotsky on the latter’s first joy ride on the top of a bus through London. Trotsky comments “*Their* meant naturally not English but the bourgeoisie—the class enemy of the exploited and oppressed. This meaning was always obvious when Lenin spoke of any kind of cultural value or conquest (it is always *their* culture, their institutions etc.). The invisible shadow of the shareholders of society (the property owners of all land, who have the monopoly of all material productions and culture) lay, as it were, in his eyes on all human culture, and this shadow he felt as incontestably as daylight”.

D/4-12-31.

Mr. Brailsford has admitted that both these books were reviewed in the New Leader. But why the New Leader? Practically every decent paper in the world did so, because the interest in Lenin’s personality is world wide. However violently one may differ from certain aspects of Leninist teachings and however one may criticise certain of his actions, after all one has to admit that Lenin was a great man, even as Napoleon was; although in most respects there could not have been a greater contrast between these two men. To say that he was not, only shows one’s own petty-mindedness. A non-Communist like Professor Harold Laski, in one of his articles in the Daily Herald, considered Lenin easily among the first half dozen men since the Renaissance; and even such a rabid antagonist as Mr. Churchill, while criticising Lenin and the

Soviet Government in his "World crisis," cannot help being impressed by the tremendous intellectual stature of Lenin. The leader of the opposition in the House of Commons today, Mr. George Lansbury, wrote about Lenin to the Daily Herald (3rd March 1920) during his visit to Russia as follows:—

"I have met statesmen of all countries and I am well acquainted with those who rule over our own land. There is not one of them who can surpass Lenin in ability and knowledge, in honesty and in courage. He has fine eyes which look you straight in the face. They have an expression of careful kindness and you put him down as a man who must love children." In his "Life" Lansbury writes as follows on page 247:

"Lenin had been nearly killed by a would-be assassin, yet when I met him in his bare plain room in the Kremlin he was without guards and dressed like an ordinary British artisan. I shall always esteem it the greatest event in my life that I was privileged to see this fine, simple and wise man and speak with him. People like me in the House of Commons must learn from him that our position, our climb to the top advantages nothing to the workers unless accompanied by fundamental social and industrial changes."

Now about "the praise of the Soviet"; there is one article about Soviet Russia (and not about the Communist International, it might be noted). It is published in the 6th number of the Spark and is entitled, "Is Russia collapsing?" by Zelda K. Coates. It was bodily taken from the New Leader, received by mail, of which I am a subscriber. It was identified by Mr. Brailsford.

This article deals with the economic situation in Russia and the policy the Russian Government was pursuing and what the critics on the Right and on the Left were saying about it. In brief it discusses the economic foundations of what is known as the Five Years' Plan. The idea of the Five Years' Plan has now become so popular that well known British economists like Sir J. M. Keynes strongly recommend the adoption of a similar plan for Britain, and the Statesman of Calcutta the other day advocated a similar plan for India.

A similar article might be written by some American economist about the present economic condition of Britain, giving facts and figures about British exports and imports, the volume of the British trade within the Empire, describing the progress of nationalisation in British industry, the Conservative support behind the present National Government and the Trade Union opposition to it; the plans of the present National Government on the question of tariff, and how it proposes to balance the Budget and balance the trade, by giving a quotation from the speech of the Chancellor of the Exchequer, and entitled the article as "Is Britain collapsing?" The following

is an extract from the speech of Stalin, the leader of the "Centre Group" who stood for the policy of the Five Years' Plan, which is quoted in this article: "The characteristic feature of our difficulties is that they are difficulties of progress, of growth. When the question of our difficulties is raised, it is generally a matter of by how much per cent we ought to raise the output of industry, by how much per cent we should increase the area under cultivation, by how many pounds we should raise the yield of the harvest and so on. And it is because our difficulties are those of progress and not of a retrograde economy or of stagnation that they should in no way be anything in the nature of a danger to the Party".

Is there anywhere in this article any preaching of revolutionary violence or of the overthrow of the State etc.? After all, Soviet Russia is a very big fact in the modern world, a fact that covers the whole of Northern Asia and a good deal of Europe. The economic policy it pursues is bound to produce repercussions on the economic conditions outside Russia. It is difficult to open any paper or periodical in the world these days without some news or views being published on the subject of Soviet Russia. Almost every issue of even a paper like the London Times contains something or other on the question of Soviet Russia.

When so much was being published on this subject including the persistent lies of the Riga Correspondents and misrepresentations in the Jingo Press, was it wrong on my part to give to my readers a serious presentation of the subject by a student of Economics which had appeared in a responsible Socialist weekly in Britain?

Mr. Bernard Shaw after his visit to Russia last summer in company with lady Astor said in a speech at the I. L. P. Summer School (Page 6, New Leader—7th August 1931).

"Every body who can possibly do so, should go to Russia. I have been preaching Socialism all my political life and here at last is a country which has established Socialism, made it the basis of its political system, definitely thrown over private property and turned its back on capitalism. A country which has succeeded in conducting industry successfully is achieving a political constitution. It is, therefore, almost a duty for people in those capitalist countries who preach Socialism in the wilderness to go over and find out exactly how the thing is being done and how it came about". And later he says, "Their system is fire-proof—Hell-fire-proof Nobody could go and see what they are doing, even hardened Conservatives, and wish that the Five Year Plan could fail. The success of the Five Year Plan is the only hope of the world. Our plan is certainly running us to the abyss and they know it perfectly well."

In the column devoted to humorous comments called bourgeois brain waves I wrote in the Spark of 10th February as follows:—

4. "Sir Victor Sassoon is working on approved Communist lines, while Mr. Dange in opposing him lays himself open to attack as being a counter-revolutionary."—The Times of India.

Why? Because Soviet industry also is adopting Rationalisation. But Bori Bunder forgets one little detail. In Russia the profits of Rationalisation go to the workers' State. We do not think that the Bombay textile workers would seriously oppose rationalisation if the consequent profits, instead of going into the pockets of a Bagdadi Englishman and such gentry, were to come back to them in the form of higher wages, ~~in~~ insurance benefits, tickets for theatres and sanatoriums. In the balmy air of the "Times" office, people seem to be walking on their heads; that is why they see things upside down."

That is what I wrote in 1929. Mr. George Bernard Shaw after his visit to Russia says (in the same speech quoted above) in 1931: "taking the Five Year Plan in the lump, evidently we want a Five Year Plan here very badly. They want a Five Year Plan very badly in America.

"Why is it that they cannot have it? They have it quite easily in Russia. "Put your back into it", they say there, "starve yourselves a bit, do not expect any luxuries, work as hard as you can for the next five years." But put that to the workers here, say to them, "make a splendid effort for the next five years." They would say, "Go short for five years in order that ^{the} idle and rich class may become idler and richer than ever. My job as a worker is to get as big wages as I can, but to give as little as I can for it." In Russia it is simple. *They know in Russia that what comes out of the Plan, they will get it.*With reference to Rent, the difference here is that you pay it to the man who, for all you know, may go and blow it at Monte Carlo. But in Russia it is paid to a local Soviet and employed for public purposes, of which you get the benefit. Nevertheless, you have to pay for your accommodation.

"If all the rents of London were paid to the London County Council, there would be no rates, and not only would this be very pleasant but there would be a good deal to spend on amusements and amenities.

"But in London this is Bolshevism, Socialism, Communism, everything frightful and horrible. In other words, people in London are fools, and the people of Moscow are sensible people."

Now what is the difference between what I wrote and what Shaw says except that once in a way I score a point over Shaw by expressing my meaning in far fewer words?

“When the Russian Revolution came we hailed its coming as the dawn of a new day. Our first step was to take the Albert Hall for a congratulatory demonstration. This was held on 31st March 1917. The Albert Hall meeting was followed by a demand for a national Conference. So we set about organising a national gathering at Leeds. It is most interesting to read over the names of some of those who were present at the Leeds Conference held on 3rd June 1917—Ramsay MacDonald, Phillip Snowden, Ernest Bevin and Ben Tillet—and to read the resolutions in favour of Soviets that people like Snowden and others supported,”—writes Mr. George Lansbury in his “Life”, page 187. Mr. Snowden supported the resolution in the following words:—

“The new order is being born in blood and suffering over two-third of Europe, and the Red Flag of Socialism, red with the blood of our martyred dead, floats where but yesterday despotism held the people in vile subjection. If a revolution has to be achieved in Great Britain by violence, it will come in that way because of the resistance of the old order to new birth. If those who now control Governments and economic power hold on and resist when in the course of history and economic evolution the end of the epoch has come, they will have to be dispossessed. Now that fateful hour has struck! We who boast that we have in us the blood of the heroes and martyrs will not shrink from our grave task. We will not betray our comrades in other lands who are dying for International Socialism”. That is what Viscount Snowden, the Iron Chancellor of Great Britain, had said 12 years before the Spark was born.

“I have already said that my mind has been greatly drawn towards the achievements of the Soviet Government ever since my first acquaintance with it. There are some special reasons for which they deserve to be discussed. At the back of the image thereof, that has taken shape in my mind, there swings this black curtain of India’s degradation.” That is not what the Spark wrote but what Dr. Rabindra Nath Tagore wrote in the Modern Review after his visit to Russia.

But I cannot stop to tell how different men in different countries have praised different aspects of Soviet life—Romain Rolland, Sir J. M. Keynes. Theodor Dreiser, Clare Sheridan, Douglas Fairbanks, the British Trade Union Delegation, the Delegation of Young British Tories headed by that brilliant youth Mr. Robert Boothby, the Parliamentary Secretary of Mr. Winston Churchill, and what praises these Tories lavish on the soundness of the Banking and Financial system of Soviet Russia.

Finally we come to the charge of “ridiculing or deprecating influence of religion”. The Prosecution people seem to be hyper-sensitive to any idea of ridicule. This the second time they have mentioned it

in this document. But apart from that, I would prefer to deal with this question of religion a little later, as I consider it one of the most irrelevant and mischievous things to bring against us in this case. When I read this charge in the Prosecution document presented to me, I rubbed my eyes and wondered if I was standing trial in a secular law court of the 20th century or before the Spanish Inquisition of the 16th.

In the meanwhile I would like to know in which category the Prosecution would put the following items in the Spark, as they claim that practically all the contents of the Spark falls under one or the other of the categories they have mentioned.

(1) "Mr. Pussyfoot Johnson welcomed in Madras—"Dry" Programme hasn't failed in U.S., he says", followed by the report of a public meeting on the beach when Mr. Johnson said "For many years the Government have been trying to stop the evils of drink without stopping drink. America, he said, has adopted the only rational way by stopping the evil". (page 6 issue of 3rd March 1929).

(2) "I am not the father of 'Dora'—'Jix' repudiates responsibility of her birth", followed by half a column report of the speech by Sir William Joynson-Hicks, the Home Secretary, at Oxford in the course of which he said, "that he was attacked by traders and publicans, clubs and temperance workers, in fact by everybody, in connection with the old lady 'Dora', for whose birth he had no responsibility. And he closed by saying that he was confident that at the general election they would not find 20 candidates to pledge themselves to repeal 'Dora'. (Defence of the Realm Act). Then what is the good of making my life a burden and throwing brickbats at me?" (page 7 issue of 24th February 1929).

(3) "Peeress takes to business", followed by the news that the Countess of Oxford has opened an establishment in London for carrying on business as house decorator and furnisher. (page 8 issue of 24th February 1929).

(4) "Robber's rule in Kabul—Indian papers banned.—Kabul trader's pathetic tale" followed by two news items covering two half columns saying that Bachcha-e-Saqqao has ordered the confiscation of all Indian newspapers as they contain propaganda against him and in favour of his adversary, Amanullah.

The next news item relates the story of a Peshawari trader who had returned from Kabul and who related how a father killed his daughter to save her from falling into the hands of Bachcha-e-Saqqao and so on and so forth.

(5) "G.B.S. on Honours list". followed by Mr. Bernard Shaw's comment on the paucity of literary figures in the delayed new year's

list. 'It was no wonder because there were so many of them and the Government themselves wrote books.'

(6) In the column devoted to the Workers' World in the issue no. IV the news about the Clerks' Union recently started and the proposal to organise the bank clerks etc. etc; in all issues similar instances of such general news could be found. Of course in my paper there are no cross-word puzzles, football results or ladies' page given news about the latest fashions at the Lido and the usual dope that is served out by the capitalist papers to distract the working-classes from thinking about their more important problems of life.

Now to return to the question of religion. At the outset I may point out that there is not a single article in the Spark that is devoted to an attack on religion. In the first editorial, when I defined the policy of the paper I said that it would be anti-communal, not anti-religious. After the first issue of the Spark was out, the communal riots started in Bombay, when one could see men killing each other in broad daylight, and also butchering those asleep on the public pavements at night-amongst other things for the greater glory of God and religion. But even in the three serious editorials, I devoted to the question of communal antagonism, there is nowhere any attack on anybody's religion; on the contrary, these articles endeavour to point out that these riots are not due to any genuine religious trouble at all, but that economic rivalry has a good deal to do with them. And the editorial entitled "Roots of Hindu-Muslim antagonism," in the 5th issue of the paper, amongst other things points out that "it is significant that men who in those days (days of Non Cooperation Movement) figured as apostles of non-violence, today hold the leading strings of the sectarian movements and hardly utter a word in support of non-violence."

This surely is not preaching violence nor an attack on religion. But in the column devoted to jokes, and in a quotation or a poem I have had occasionally a dig at religion. There is so much of it in this country that it can easily stand it.

I am more an agnostic than an atheist; but I do not mind how any one else makes his peace with the unknown. I will only criticise anybody if I find that he is exploiting religion as a cover to queer the pitch in social and political matters, and that is all that I have occasionally done in the jokes column and in one or two poems. As for instance when the communal leaders were exploiting their religion in order to encourage further trouble in the city or when the Bishop of Bombay said "the bottom of the theory of democracy is that everybody is equal. But God made them unequal and it is no good pretending they are not."

The criticism is mainly of priests and leaders who abuse their position rather than anything else. The Queen's Proclamation of 1858

assures non-interference in religious matters. Does it mean that free thinkers alone are to be persecuted? When foreign missionaries of all denominations, from Baptists and Methodists to Seventh day adventists, can come to India and preach their gospel, which may be violently opposed to all the dearest sentiments of the people of this land, in places of pilgrimage and on banks of sacred rivers, it is sheer impertinence to question the right of the sons of the soil to criticise the priests, to expose religious abuses and give expression to agnostic or atheistic ideas if they are so inclined, especially when the free thinkers are repeatedly and publicly being condemned to everlasting hell fire in the next world. Although it is difficult to believe in these days of pseudo religious riots, yet it is a historical fact that there was perfect religious toleration in this country in the old days, and it was extended not only to the adherents of different religions but to all sorts of people from Atheist to Animists. And famous atheists like Charwaka were allowed to preach their gospel from temple steps. It may be news to the Prosecution but it is a fact that two of the important religions of India—Buddhism and Jainism—are based on agnosticism and atheism respectively.

Similarly the poem "Caliban in Coal Mines", published in the second issued of the Spark will not in any sense be repugnant to the Hindu mind. It runs as follows:—

God we don't like to complain;
 We know that the mine is no lark,
 But there's the pools from the rain,
 And there's the cold and dark.

God, you don't know what it is,
 You in your well lighted sky,
 Watching the meteors whizz,
 Warm, with the sun always by.

God, if you had but the moon
 Stuck in your cap for a lamp,
 Even you'd tire of it soon
 Down in the dark and the damp.

Nothing but blackness above,
 And nothing that moves but the cars;
 God, if you wish for our love,
 Fling us a handful of stars.

The Hindu mind encourages perfect familiarity with the Deity, and being cross with God is one of the most favourite motifs of the Krishna cult and the entire Bhakti school.

D/5-12-31.

And the Adwait Vedant which is affected by Hindu intellectuals and which proclaims that your own self is God is nothing if not the one side of the medal of which the other is rank atheism.

Anyway what has this question of religion or irreligion got to do with the present case? The overwhelming majority of the first generation of Indian graduates from the newly established Government universities were agnostics or atheists, not because they were brought up on Stalin's Leninism, but because they had imbibed the teachings of Mill and Spenser, Samuel Butler and Auguste Comte and other bourgeois authors whose works were the prescribed text-books for their examinations.

Your Honour, I do not propose to enter into theological and metaphysical discussions on the existence or non-existence of God; otherwise we may be detained here till Kingdom Come. But I will just point out what perhaps the most outstanding philosopher of our day Hon'ble Bertrand Russell has to say about religion. One by one he demolishes the arguments advanced by theists for the existence of God.

(1) The first cause—by putting the following question from John Stuart Mill's autobiography, "My father taught me that the question who made me cannot be answered since it immediately suggests the further question who made God."

(2) The natural law argument.

(3) Argument from design by putting the following question. "Do you think that if you were granted omnipotence and omniscience and millions of years in which to perfect your world you could produce nothing better than Ku-Klux-Klan, the Fascisti and Mr. Winston Churchill?"

(4) The moral argument.

(5) Argument for remedying injustice.

(6) The emotional factor.

Lastly he comes to the influence of religion and both "ridicules it and deprecates it" in the strongest terms. After praising Christ's character in certain of its aspects he starts criticising many of the unedifying features of the same. Christ says, "The son of man shall send forth his angels and they shall gather out of his kingdom all things that offend, and they which do iniquity and shall cast them into a furnace of fire; there shall be wailing and gnashing of teeth", and he goes on about the wailing and gnashing of teeth. It comes in one verse after another and it is quite manifest to the reader that there is a certain pleasure in contemplating wailing and gnashing of teeth, or else it would not occur so often. "Depart from me ye cursed, into everlasting fire." Then he says again, "If thy hand offends thee, cut it off; it is better for thee to enter into life maimed than having two hands to go into Hell, into the fire that never shall be quenched, where their

warmth dieth not and the fire is not quenched." He repeats that again and again also. I must say that I think all this doctrine that Hell fire is a punishment for sin, is a doctrine of cruelty. It is a doctrine that put cruelty into the world and gave the world generations of cruel torture; and the Christ of the Gospel, if you could take him as his chroniclers represent him, would certainly have to be considered partly responsible for that."

Then later Mr. Russell criticising Christian religion in particular and all religions in general says, "That is the idea—that we should all be wicked if we did not hold to the Christian religion. It seems to me that the people who have held to it have been for the most part extremely wicked. You find this curious fact that the more intense has been the religion of any period and the more profound has been the dogmatic belief, the greater has been the cruelty and the worse has been the state of affairs. In the so-called ages of faith, when men really did believe the Christian religion in all its completeness, there was the Inquisition, with its tortures; there were millions of unfortunate women burnt as witches, and there was every kind of cruelty practised upon all sorts of people in the name of religion.

"You find as you look round the world that every single bit of progress in human feeling, every improvement in the Criminal Law, every step towards the diminution of war, every step towards better treatment of the coloured races, or every mitigation of slavery, every moral progress that there has been in the world, has been consistently opposed by the organised Churches of the world. I say quite deliberately that the Christian religion as organised in its Churches has been and still is the principal enemy of moral progress in the world Religion is based, I think, primarily and mainly on fear. Fear is the basis of the whole thing—fear of the mysterious, fear of defeat and fear of death. Fear is the parent of cruelty and therefore it is no wonder if cruelty and religion have gone hand in hand. It is because fear is at the basis of those two things. In this world we can now begin a little to understand things, and a little to master them by the help of science, which has forced its way step by step against religion, against the Churches and against the opposition of all the old precepts. Science can help us to get over this craven fear in which mankind has lived for so many generations. Science can teach us and I think our own hearts can teach us, no longer to look round for imaginary supports, no longer to invent allies in the sky but rather to look to our own efforts here below to make this world a fit place to live in, instead of the sort of place that the Churches in all these centuries have made it.....The whole conception of God is a conception derived from the ancient oriental despotisms. It is a conception quite unworthy of free men."

I will refer to only one more para as it bears a close resemblance to the attitude of the Hindu religion also on the question. "You may think that I am going too far when I say that that is still so. I do not think that I am. Take one fact. You will bear with me if I mention it. It is not a pleasant fact, but the Churches compel one to mention facts that are not pleasant. Supposing that in this world that we live in to-day an inexperienced girl is married to a syphilitic man, in that case the Catholic Church says, "This is an indissoluble sacrament. You must stay together for life." And no steps of any sort must be taken by that woman to prevent herself from giving birth to syphilitic children. That is what the Catholic Church says. I say that that is fiendish cruelty and nobody whose natural sympathies have not been warped by dogma, or whose moral nature was not absolutely dead to all sense of suffering, could maintain that it is right and proper that that state of things should continue." I may add that the state of things thus described still continues in Hindu society, supported by Hindu religion.

All this Mr. Bertrand Russell says not to a gathering of high brow philosophers, but in a popular speech delivered at a public meeting in Battersea Town Hall held under the auspices of the South London Branch of the National Secular Society (a non-political body), and it has been printed by the Rationalist Press Association which diffuses knowledge on the subject of free thought among the masses in England.

Again I ask what has this question of religion got to do with this case? (At this stage Crown Counsel inquired if I was justifying the diffusion of knowledge about free thought among the masses). (I do not necessarily support all the views expressed in all the quotations as so far given. I merely point out how far Socialist intellectuals and publicists have gone, much further than I ever did or wanted to).

Are agnosticism and atheism the differentiating marks of the Communists or are these their sole monopoly either? There have been atheists and agnostics in all political parties; Mr. A. J. Balfour among the Conservatives and Mr. John Morley among the Liberals, to mention only two instances.

Is it for me to tell the Prosecution how the advances in Astronomy and Geology, natural history and other sciences, undermined the foundations of religion as far back as the beginning of the last century, not to go further back to the works of Hobbs and Locke and Diderot and other eighteenth century thinkers; and the further advance from Kant to Auguste Comte; how this work of undermining religion was carried further by Darwinism and researches in Anthropology (Tylor to Frazer) which amongst other things pointed out the similarity between the mystery of Eucharist with the heathen rite of eating the dead god, the

iconoclastic work of Hume and Herbert Spenser, how in 1855 Jowett, Master of Balliol, and a group of Liberal clergymen decided to defy in their words, "The abominable system of terrorism which prevents the statement of the plainest facts" by their annihilating criticism of the doctrine of Atonement and a rationalistic discussion of God's existence itself, by publishing "Essays and Reviews" (1860); how for publishing this volume Rev Powell was convicted by the Ecclesiastical Court, how this decision was reversed by the Lord Chancellor Westbury in his judgment of the Judicial Committee of the Privy Council, prompting the Epitaph. "Towards the close of his earthly career he dismissed Hell with costs and took away from orthodox members of the Church of England their last hope of ever-lasting damnation"; how Lyall's "Antiquity of man," Seeley's *Ecce Homo* which the pious Lord Shatesbury said was "vomited from the jaws of Hell", Lecky's "History of rationalism" shocked orthodox opinion; how secularists and rationalists were encouraged by the Act which allowed atheists to give evidence in a Court of Justice (1869). (It might be pointed out in parenthesis that Mr Brailsford when he gave his evidence in this Court did not call for divine support to enable him to tell the truth) and later by the abolition of religious tests at all the universities (1871); the progress of agnosticism inside the English Church itself represented by the Broad Church movement which went so far that in the words of Mr. Leslie Stephen "it may be said that there is not only no article in the creeds which may not be contradicted with impunity, but that there is none which will not be contradicted in a sermon calculated to win the reputation of orthodoxy and regarded as a judicious bid for a bishopric; the defiant agnosticism of Huxley, Leslie Stephen and John Morley; how Morley carried on a crusade against religion through his *Fortnightly Review* and in his "Compromise" condemned as mischievous "the whole system of objective propositions which make up the popular belief of the day" and urged those who disbelieved to speak out plainly, as speaking out was an intellectual duty, and condemned the weak sense of intellectual responsibility among Englishmen and said that not to speak out our disbelief was a crime against society, for "they who tamper with veracity from whatever motive are tampering with the vital force of human progress;" how a popular diffusion of Free Thought was carried on by Mr. Bradlaugh in public lectures and in his paper, "The National Reformer" until he secured the right of unbelievers to sit in Parliament without taking an oath (1888); how Mr. Holyoake founded the Rationalist Press Association for propagating rationalism among the masses by diffusing in a cheap form the works of free thinkers of mark.

The poets' poet Shelley was of course a declared atheist and in a scathing letter to Lord Ellenborough, the Judge who had sentenced the publisher of Thomas Paine's "Age of reason" (1796), he wrote, "Do you think to convert Mr Eaton to your religion by embittering his

existence? You might force him by torture to profess your tenets, but he could not believe them except you should make them credible, which perhaps exceeds your power. Do you think to please the God you worship by this exhibition of your zeal? If so the demon to whom some nations offer human hecatombs is less barbarous than the Deity of civilised society”!

And right in the midst of the Victorian Age rose Swinburne to flout all the prejudices and sanctities of the Christian world and fling defiance at the tyranny of Gods and Governments and in his “Atlanta in Calydon” denounced “the supreme evil, God.” His ‘songs before sunrise’ are a seed plot of atheism, sown with implicable hatred of creeds and tyrants and his famous hymn of Man closes with the following refrain:—

“By thy name that in hell fire was written and burned at the point of thy sword,

Thou art smitten, though God, thou art smitten; thy death is upon thee, O Lord,

And the love song of earth as thou diest, resounds through the winds of her wings,

Glory to Man in the highest! for Man is the master of things.”

I know on this question of God and religion I have been emphasising the obvious. I cannot bring myself to believe that the Prosecution are so backward as not to be aware of these common places of a liberal education; I am therefore driven to the conclusion that this repeated emphasis on God and religion, which started with the Home Member’s speech while introducing the Public Safety Bill in the Assembly for which he was criticised—but which has been continued parrot-like throughout this case, is nothing but a piece of demagogic humbug to create prejudice against us.

Conclusion.

“Communists scorn to hide their views.” This is a boast, which has been more than once repeated before your Honour and in your order on bail applications dated 7th May 1931 you have referred to this favourite slogan of the Communists. I may point out that Socialists also disdain to conceal their views. The duty of clearly expressing his views is all the more imperative in the case of a journalist who has to work openly and not to hide under a bush. He cannot escape the responsibility of broadcasting his views from housetops and street corners on all topics as they rise to the surface and occupy the public mind. If in spite of my repeated declarations of my socialist policy and socialist faith in the columns of my paper, anybody chooses to paint me something different from what I am, he can

only be considered as a victim of political jaundice, the same jaundice that every election time makes the well-fed Britishers see the entire Labour Party including the Front Bench Leaders as practically Bolsheviki.

I have already said that my arrest in connection with this case was a surprise to me. I was not doing anything against the law and never contemplated participating in any conspiracy. I never had any connection with any one who is mentioned as a conspirator in this case. A journalist of all people cannot live in a social vacuum and cannot help coming in contact with persons of different political complexions and social status; as well expect a doctor or lawyer to have patients or clients of a particular religion or a particular standard of moral probity. A journalist may be expected to have a fair knowledge of events happening round him. But to attribute to him a capacity to know the antecedents and the real character, to divine the secret connections and hidden motives of numerous persons, he comes in contact with in the course of his professional duties, is to expect him to be almost superhuman.

A newspaper office again is not exactly like a clean and well-ordered library of a prim young lady, stocked only with her nice little hymn-books, her favourite novels and De Luxe editions of her darling poets. A newspaper office is more like a clearing-house where manuscripts, papers and periodicals come pouring in from outside and have to be attended to as best and as fast as we can. And what a poor journalist wrote in haste during less than two months in the spring of 1929, well trained lawyers have been microscopically scrutinising with a melancholy perseverance for nearly three years to read some meaning between the lines or to catch some subtle nuance in the tone of the paper, so that the poor journalist can be brought within the clutches of the law and convicted under a section with a maximum sentence of life transportation. This is probably what they call the British love of sport—but more reminiscent of the deer hunt than of cricket.

Whether my paper was a genuine socialist paper or not is to be judged by the well known tenets of Socialism ~~and~~ distinct from Communism, and by comparing of its tone and contents with those of other kindred papers like the New Leader, The Glasgow Forward and the Daily Herald, a reference to the files of any one of these would convince your Honour of the truth of my contention. As I said before, it is unfair to compare my socialist weekly with the avowed organs of Toryism or Anglo-Indian diehardism. If you want to judge the orthodoxy or the heresy of a Brahmin, you have to apply the tests of Shastric rules. It would be unfair to judge him in the light of the Quranic laws or the canons of Roman Catholicism. It is the misfortune of a socialist in these days to be attacked on the one side by capitalists and conservative interests, and on the other side by

Communists. His duty is to steer clear of the Scylla of Capitalism and the Charybdis of Communism.

(Sd.) R. L. YORKE.

Q. You have now read over your statement more than once, and it has been corrected as and where requested by you. Are you now satisfied that the above record is correct?

A. Yes.

(Sd.) R. L. YORKE.

18-1-32.

(Sd.) M. G. DESAI.

18-1-32.

Certified that the above is a full and true account of the statement of accused Desai taken down by stenographers in my presence and hearing and subsequently transcribed by them and corrected and amended as and where requested by accused and finally admitted by him to be correct.

(Sd.) R. L. YORKE.

18-1-32.

Corrected by Parau Chaudhri

*True Copy
[Signature]
H. C.*