



# **KLE LAW ACADEMY BELAGAVI**

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## **STUDY MATERIAL**

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## **ENGLISH**

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Compiled by

Dr. Anita R

**KLE Society's Law College, Bengaluru**

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My Search for Truth

Dr. S Radhakrishnan

## INDEX

1. The Formative Years-----
2. The Philosophy-----
3. The Diplomat-----
4. The philosopher King-----
5. The Man-----
6. My Search for Truth-----
7. Home life-----
8. Philosophy and Religion-----
9. Life's Problems-----
10. Grammar-----

## CHAPTER – I The Formative Years

Dr Sarvepalli Radhakrishnan, a man who through the fulfilment of his destiny changed the course of philosophy in the world. A true gem of a human being whose principles teachings and virtues shine through him. He will always remain the pride of India. Through his journey one will be able to see the transformation in oneself by learning from the great one himself.

Dr Sarvepalli Radhakrishnan was born on 5th September 1858 in Tiruttani. Born to a religious family with the father being a priest (from whom he learned the three R's), his meditative nature and love for Hinduism came naturally to this shy boy. Throughout his journey of education, he always excelled and even achieved first class in his University exams. He got married at the tender age of 15 years to Sivakamu, who was a devoted wife. Though his choice of obtaining a degree in philosophy came to him as an accident, it was the driving force to deepen his love for the Hindu Religion and a blessing in disguise that directed him towards his destiny. The biased and derogatory nature of the Christian missionaries created doubts in his mind but then was completely washed away by the writings of Swami Vivekananda. This quality of the missionaries would upset him, as he always believed that his religion taught him tolerance and never allowed him to disrespect other religions. He later joined the Teacher's Training College in Saidapet, 1910. His depth of knowledge, command over English language, not only impressed his professor but also his own classmates, who were amazed at his capacity to convert a boring subject into an interesting one. He was a true teacher to his students; guided them in both the subject matter and personal life and memorised every student with their pet names. Having come from a hard-working family background, he took tuitions to add to his earnings and also shared them with his pupils in times of dire need. He later went on to Chair the Philosophy department in Mysore, when University of Mysore first began. He later on joined the University of Calcutta as King George V Professor of Mental and Moral Philosophy. His talent was reflected through his work in various publications in European journals and the books – 'The Philosophy of Rabindranath Tagore', 'The Reign of Religion in Contemporary Philosophy', 'The Indian Philosophy-Vol I and II'.

## CHAPTER- II The Philosophy

Radhakrishnan surveyed Indian Philosophy and placed Indian philosophy on the philosophical map of the world. He has given a touch of reorientation and reconstruction to the traditional Indian thought. He clearly and comparatively expounds all the Indian Philosophical schools.

Through the many roles he played he shone and painted the world with the fragrance of his knowledge. In 1923 the first volume of Dr. Radhakrishnan's monovarietal work Indian Philosophy saw the light. This volume was a lucid explanation of vedas and the Upanishads, an immortal classic that left its prints in the hearts and minds of people. He was an ardent believer of Advaita Vedanta, but a true gem who treated every school with sympathy and respect. His work was not only comprehensive but also sustained stylistic excellence. According to Radhakrishnan, knowledge is inseparable from self existence. It is knowledge which transcends the differentiation of subject and object. For him knowledge pre-supposes unity or oneness of thought and being. Radhakrishnan says, "knowledge is concealed in ignorance and when the latter is removed the former manifests itself." Radhakrishnan divided knowledge into two kinds - direct knowledge and indirect knowledge. For him intuitive knowledge is direct knowledge and sensual knowledge and intellectual knowledge are indirect knowledge. Sarvepalli Radhakrishnan was called to Oxford University, to deliver lectures on Hindu philosophy. He used his lectures as a platform to further India's cause for freedom. He also argued that Western philosophers, despite all claims to objectivity, were biased by theological influences from their wider culture. He showed that Indian philosophy, once translated into standard academic jargon, is worthy of being called philosophy by Western standards. He thus placed Indian Philosophy on world map. His speeches made history and his created a storm with its knowledge and content it reformed the minds of people. Some of the his speeches in Oxford University were also published in a small book, East and West in Religion. He was also member of the Committee on International Intellectual Cooperation.

His insight and views have managed to change the course of history, in a speech once Radhakrishnan beautifully put across the cruel and sad course of mankind by saying God gave us eyes but no sight; brains but no soul; science but no philosophy.

### CHAPTER- III The Diplomat

Radhakrishnan was the first Asiatic to hold the position of Spalding professorship of oriental religion. He held the position for two years from 1938-1940, he simultaneously held the professor of philosophy at Calcutta University. Radhakrishnan in his speeches at Oxford and his book Eastern religions and Western civilization gave a comparative study of both western humanism and eastern religion where he presented that both streams of philosophy were a concoction of the same spiritual vision and ethical power. During his tenure at Oxford, he was invited by the British Academy to deliver the annual lecture on the topic 'Master Minds' he chooses Gautama Buddha as his topic where his speech was elucidated in such an easy and well-informed manner that it was described as a lecture on a mastermind by a mastermind. 1940, he was elected fellow of the British Academy and he was the first Indian to gain such a post. He was also invited by Pandit Mohan Malaviya to become the vice-chancellor of Banaras University. He worked as an honorary. So, during 1939-1940, Radhakrishnan was holding three positions of a professorship at three different universities. He resigned from his post at Calcutta University as his work in Banaras had increased, later the university nominated him as the honorary fellow of the university.

After independence, due to his clam and compassionate nature in 1949 he was made the ambassadorship to the Soviet Union. Many doubted this decision owing to the facts that Stalin and Radhakrishnan had opposing characters and personalities. But, he was greatly successful at his job in Moscow. K.P.S Menon wrote that the diplomats were intrigued by Dr. Radhakrishnan's personality. He was unconventional. He writes that during dinners at the Soviet Union a serious decorum was maintained where guests had to be seated, enter and leave according to their seniorities but Dr Radhakrishnan was indifferent to such conventions. At 10 he would start humming and would show his impatience by gently tapping on the table in front of him. Then he would start to hum verses from the Gita, later finally taking courage he would get up, shake his hands with his hostess and leave the party. Even before he arrived in the Soviet Union, Stalin had great respect for the philosopher. When he left the USSR on April 1952, Radhakrishnan recalls that 'Stalin's face was bloated and that we patted him on his cheek and his back. Stalin said that Radhakrishnan was the first person to treat him as a human and not as a monster. He was sad that he was leaving and that he wanted him to live long. A member of the

embassy staff pointed out to Radhakrishnan that Stalin's eyes were wet. If today Moscow and Delhi have closer ties then it is largely due to the efforts of Dr Radhakrishnan.

In 1952 he was appointed as the vice president of the country by Nehru. Many again wondered why Radhakrishnan was chosen when there were many senior party congressmen were there. As vice president, he would preside over the Rajya Sabha. Since he had no alliances with any party and thus was respected by all parties. He was well respected and well-liked due to his fairness, firmness and good humour. In September 1952, he went on a 4-month tour of Europe and the Middle East which was successful and was awarded the honorary Doctor of Civil Law by Oxford University. In 1954, he travelled to Latin America. In 1956, he visited Singapore, Indonesia, China and Japan. He was re-elected again as vice president as he was extremely successful in his first term. He visited China, Indo-China, Mongolia and Hong Kong. Two years he attended the East-west philosopher's conference at Honolulu and the PEN Congress at Germany. He had always stayed true to his roots as a professor and his morals. His years as a compassionate professor and a deep understanding of philosophy made him into an exceptional diplomat.

## CHAPTER -IV The Philosopher King

In 1962, Dr Radhakrishnan was elected as the president of India. The first thing he did as the president of India was to take a cut in his monthly salary from 10,000 to 2,000. He also announced that twice a week anybody could meet him without a previous appointment. On June 1963, he went on a 3-week tour to USA and Britain. The most astounding fact about the tour was that he landed by helicopter in the White House grounds, no visiting dignitary was ever been honoured this way before. The queen had conferred him honorary membership of the Order of Merit. Pope Paul sixth made Dr Radhakrishnan a De Equastrine Ordine Militae Auratae which translates as the Knight of the Golden Army of Angles, the Vatican's highest honour for a head of state. He paid a state visit to Russia after the death of Nehru in May, he made subsequent tours to Ethiopia and some East European countries. All the speeches he gave while visiting countries on tours had one common theme that was the common humanity of all mankind and the indestructible world of the spirit.

He never cared about the powers of the President and without minding about the constitutional restraints of his post. He would advise, warn and encourage the prime minister and his ministers. He would advise in private, but he never hesitated to speak in public. The language crisis of February of 1965 was managed because of his intervention. He played a very significant role during two precarious successions to the post of prime minister. It was his constitutional duty to smoothen out the process of appointment of a prime minister. During Republic Day speech of 1967, he was not interested in another term as prime minister, even though leaders of the congress party persuaded him to stay for another term but he politely refused and gracefully stepped down on May 9th, 1967. He went to live in Madras, his hometown. He was awarded the Templeton Award for his contribution towards the progress of Religion. He was the first non-Christian to get the award.

In June 1974, Radhakrishnan suffered a heart attack and was admitted to a nursing home. He made through the attack but never completely recovered from the attack. He died on April 17th, 1975, in Madras nursing home at a ripe age of 86. Dr Radhakrishnan was the greatest philosophers of the world at his age. His only goal was to understand humanity and recognize the humanity in all being. Mrs Indira Gandhi at of his death expressed that India had lost a person of

towering intellect and moral authority. She said, “Radhakrishnan’s scholarship was phenomenal in its range and it was not of the ivory tower variety”. He was a teacher who was deeply involved with the youth of the country. He was invested in the problems of nation-building and contributed significantly to the consolidation of our political traditions.

## CHAPTER- V The Man

Dr. S Radhakrishnan was a multi-faceted personality. He was a great scholar, an eloquent speaker, a successful diplomat and an eminent educationalist. He represented Indian culture, traditions and philosophy on a global level. But above all he was a great man. The way he paid interest to each human being was unparalleled, be it a common man or a monstrous dictator like Stalin.

One thing that everyone admired about him was his guts to speak out and puts his thoughts on the common platform. He was such a great humanitarian that he couldn't stand the sight of human suffering. He termed 'wealth' as the root cause for various ills in the modern society.

Another distinct character of Dr. Radhakrishnan was his amiability. He never lost his temper and spoke harsh to others. Being such a renowned scholar with greatness, he remained humble and attributed his success to his luck. When one looked at him, the first thing anyone would assume was that he was a very serious person, but not always was he that. He could take a joke and crack one with his never-failing smile. He was also a very simple man who always dressed in Indian style in spotless white. He can be termed as a classic example of the saying 'Simple living, High thinking'.

One feature of Dr. Radhakrishnan that made highlighted him from other scholars was his ability to speak. A.R. Wadia stated that his public lectures were a highlight due to his ability induce cheerfulness which made him a delightful conversationalist.

Radhakrishnan had a different view towards children and stated that by channelizing the children through proper channels, we could improve the physical and the mental health of the entire community, which is why he called children as the 'wealth of a country'. He felt that each child was distinct and had a different and individual personality and strongly felt that a child must be rightly directed in order to enrich both the child's life and also human life in general. He had a knack of making children enjoy his company.

One example for this was a situation where Radhakrishnan was travelling in a first-class compartment of a Madras bound train with Mr. D S Sharma, where

he was also accompanied by two small children- a girl and a boy who initially were overawed looking at Dr. Radhakrishnan in his awe-inspiring attire. However, Radhakrishnan realized that initiated a conversation with them in a soft tone. What started as a general attempt to talk to the children, ended up with the children roaring with laughter by the end of the ride.

His view over marriage makes one think of how advanced Radhakrishnan's thoughts were for a person of the 20<sup>th</sup> century. He strongly felt that an Hindu wife had the options of divorce in case she wasn't happy with her marriage. He also supported widow remarriage in a time which had practices like sati still prevailing. He strongly believed that the sanctity of marriage was prevalent in togetherness, but he also wanted a change in the Hindu Law which would permit divorce. He also supported women education and strongly believed that an average Hindu woman was superior to an average Hindu man due to her ability and capacity to multitask among various things.

There was one instance when Dr. Radhakrishnan was president and paid a state visit to the UK that Mr. Chagla, the then high commissioner of London recalls. Being a President with pre-scheduled tasks, he immediately planned to visit Allen & Unwin – His publishers to check on how the sales of his books were doing. This truly demonstrated of how completely oblivious the President was of his own high position.

An example of his humility was that the Rashtrapati Bhavan's doors were kept open for everyone to approach him and represent their grievances. There were various times when the then Prime Minister Jawaharlal Nehru also would meet him regularly to seek solace and inspiration.

Dr. Radhakrishnan also was brilliant author who wrote various books related to Indian philosophy and culture and was in fact one of the prime reasons to place Indian philosophical on the global map. He was also regarded as a figure of Modern Hindu Renaissance along with Gandhi and Tagore as he was one of the greatest modern exponents of Hinduism along with a thought for religion in general. His thought "Universal religion, the religion of humanity" impressed Harvard University most during his lectures there. He had a saintly personality but didn't want to be called one and preferred to be human as he enjoyed the simple pleasures of life and that he also was devastated when the personal relationships he held high were spoilt or betrayed. Humanity was Radhakrishnan's religion.

## CHAPTER -VI My Search For Truth

Dr Radhakrishnan was born in an orthodox Hindu family on September 5<sup>th</sup> of 1888, in Tirutani near Madras, South India. He spent his childhood mostly in Tirutani and also Tirupati, both noted Hindu pilgrimage centres. He did not have any advantages of birth or wealth but always had faith in the reality of an unseen world behind the flux of phenomena, a world which we apprehend not with the senses but with the mind, and even when he faced grave difficulties this faith remained unshaken.

He was very shy i.e. even at social functions he wouldn't be very comfortable except for one or two who knew him well and would get along with him. But he also had the ability to be in rapport with any individual irrespective of their age in times of need. So, he being shy and lonely, passed for a social and sociable man at times of need. Often his timid nature gave others an impression that he was hard to understand and also people misunderstood him to be cold and strong-willed while Radhakrishnan was quite the opposite.

Radhakrishnan was capable of strong and profound emotions which he often concealed, while he was also nervously organised, sensitive and also high-strung (sensitive temperament).

Radhakrishnan regards luck very highly and actually calls it as an essential factor for his success and in fact compares a higher energy to be as the captain steering him towards the various choices and decisions made in his life. He also clearly states that as he attributes his success to luck, he however doesn't wish to associate his failures to ill-luck and says that his achievements aren't largely his, but his failures wholly are due to his own doings.

## CHAPTER – VII Home Life

Dr. Sarvapalli Radhakrishnan was often reminded of Hegel's saying that a man has made up his account with his life when he has work that suits him and a wife whom he loves. While men fill their feverish days with politics and business, women who are less sophisticated and closer to reality, display that the true meaning of life is not exhausted by its regular routine. In the battle between those who declare that only those things are real which can be touched and handled and those who believe in the reality of eternal values, the women of India are found fighting on the side of eternal values. They lend an importance and depth of meaning to the passing events of our daily life. Radhakrishnan says that though many of his class and generation were married earlier than usual marriages like in the western countries, these marriages were successful. The Hindu ideal of wife still has a strong hold on unsophisticated Hindu women who consider the fact that " If he is faithless, I must be faithful. If he is shaken, I must abide. If he sees another, I must await his return." He says that a pure unquestioning love that triumphs over the weakness of the loved one is perhaps the greatest gift of heaven.

An Indian married life is full of tenderness and deep affection, its value can be increased if suitable changes are made in the social institutions that have become steady because the legislatures are not willing to interfere with social customs. Radhakrishnan says that the only security which Indian women have against the breaking of their bodies and minds is the goodwill of the husbands and this is not enough in our present conditions.

## CHAPTER – VIII Philosopher and Religion

Chapter 8 begins with Radhakrishna tracing out the reasons for his initial foray into philosophy. We understand that at an impressionable stage in his life, before he embarks the journey as a student of philosophy, he sees the intellectual world around him, surrounded by Christian missionaries levelling charges and challenges on the Hindu way of life and its practices. This hurts him deeply and his plight as a seeker of truth, is worsened further, as he observes that the so - called Hindu ascetics and scholars who preserved for members of the Hindu fold, a living contact with the classical forms and cultures of ancient India, were actually not religious. He remarks, and understandably, with regret that many are either superstitious or ignorant. He mentions that the likes of adherents such as the illiterate villager, the superstitious woman, or the devout pilgrim who spends his life savings to take a dip at the holy Ganges are, in some ways, more familiar and connected with the spiritual world than the Hindu elite intellectual, who were comfort minded and eager for life. He observes that modern day sophistication has led all of us to reject ghost and God and in the same breath, mentions that while we, and other intellectuals reject outworn, outdated superstitions, it wouldn't be very fair to subject the believers of certain non - harmful superstitions, as outlandish as they might be, to our derision. We can see that he doesn't endorse people being sanctimonious in the matters of faith. Later, we see his initial insights on Hinduism, and he links it to his Hindu upbringing which taught him tolerance and acceptance, which he says, are key markings of the Hindu tradition. He gives us examples of the Vedic Aryans and their assimilation into the local elements of spiritual dispositions. Radhakrishna mentions how in the holy book of Gita, it is said that a seeker is in a relationship with the Supreme One, even if he prays to any God, or believes in any God. He also tells the readers that symbols of God are only vessels that help a seeker establish some connection that he finds tangible but that, only at the end of religion and doctrinal understanding, can one feel the true sense of God. Radhakrishna opines that great truths of life can be imparted by wise mentors to people who are willing to deepen the horizons of their quest for understanding. He uses the example of the Clement of Alexandria, where he says that there is a manifestation of God in all right minded people, to contrast the attitudes of fanatic Christian missionaries

who didn't hold back from deriding the objects of reverence as held by people belonging to other faiths. He later says how serious students of comparative religion, however, are impressed by the general aspect of God and how, he believes, all truth has its source in God. One of the most insightful ideas we are introduced to, at this stage, is that selective interpretations of God's revelation, as it being something meant for only a few chosen people, is contrary to the infinite love and justice of God. He rejects the monopolization of spiritual ideas and warns people from falling prey to the idea that their religion is superior to other religions. Later, we move on to him documenting his days as a young scholar of philosophy and religion and how, he took it upon him, the challenge of Christian critics, to find out what Hinduism of the day really was. As a part of his master's degree, he, as a student of twenty, wrote a thesis on the ethics of the Vedanta system, where he argued that it was indeed an ethical system which had many nuances to it. For this, he received praise and endorsement from his mentors, who in their testimonials to him, wrote about how great an achievement it was. In 1909, when he was appointed the teacher of philosophy at Madras Presidency College, he upon being engaged in a serious study of religion came to a conclusion that while religion had smears of morality, it wasn't to be confused with morality, and that, it was a thing of autonomous, personal experience concerning the inner life. He differentiates between the moral man and the spiritual man where, the moral man is one who can be highly moral and scrupulously practice virtue and not have a vice, but bereft of faith and hope in a spiritual direction, he ceases to become a religious man and remains a moral one. For Radhakrishna, religion is something that gives our very person, a point of contract, which it needs for its true dignity, a sense of vital power and resilience in the face of woe, with the hope of saving. On the question of Hindu religion, he says that it cannot be considered detached, and that, according to it, its very aim is to help attain knowledge or a vision of God, with help of ethics. He tells us how the Mahabharata considers the mark of a true adherent not in terms of learning and religion but conduct and that the Indian civilization has philosophy woven into its makings. We also find that he wrote about the ethical character of Hindu religion is several magazines such as Monist, Quest and the International Journal of Ethics. Radhakrishna then moves on to tackle an issue arising from the misinterpretation of the dichotomy of the illusory character of the world and the ethical seriousness of the Hindu religion. He teaches us that the doctrine of Maya declares that world is ultimately derived from reality. He further mentions that it is in a state of perpetual dynamism and

breakage, as compared to the real, the supreme that is higher and exempt from change. He warns the seekers to not confuse this state from a state of non-existence or illusion and cites the example of how even the great Saint, Sankara distinguishes the phenomenal existence of the world and the non-existence of dreams and illusions. We know that his intellectual positioning found great support in the writings of Rabindranath Tagore on Hindu ethics and Maya, and he made a study on his teachings to which Tagore generously praised and appreciated the efforts that Radhakrishna put in. In 1918, he was appointed the professor of philosophy at the new University of Mysore and he pursued a non-dogmatic, spiritual view of religion. He put forth a notion that philosophy led people to an absolutist or spiritual view of religion. This becomes one of the most important ideas of his to understand, where he states that if philosophy, as pursued by a man, yields support to a pluralistic notion of idealism which looks upon God as the leader of immortals and humans, them, as eternal spirits with unique and irreplaceable significance, this thought process is one that is influenced by our religious prepossessions. In the same vein, he pointed out that legendary philosophers and thinkers such as M. Bergson, Leibniz, Russell, Balfour etc, were all supporters of pluralism which was traceable to the interference of religion in the pursuit of philosophy. This later became a widely acclaimed, revolutionary thesis titled, 'The Reign of Religion in Contemporary Philosophy'. Professor Hinman of America in his presidential address to the American Philosophical Society spoke about, 'two representative idealists', Bosanquet and Radhakrishna, which he considers as a very huge honour. In 1921, he was appointed to India's highest philosophy chair, King George V Chair of Mental Science in the University of Calcutta. It was when he was here, did Professor Muirhead invited Radhakrishna to write an extensive account of Indian Philosophy for his famous, 'Library of Philosophy'. This then gave birth to his famous work, 'Indian Philosophy', in its two-volume form. He attempted to show the interconnection of different Hindu philosophical views of life and endeavoured to take Hindu thought into the mainstream. Later, the Encyclopaedia Britannica asked him to write an article on Indian Philosophy. Being a frequent contributor to the Hibbert Journal, Radhakrishna was brought into contact with its editor, Dr. Jacks, the principal of Manchester College, Oxford, who invited him to give the Upton lectures on the Hindu View of life, in 1926. Coincidentally, the University of Calcutta too, deputed him as its representative at the Congress of Universities of the British Empire and the International Congress of Philosophy at Harvard University in 1926. In these

lectures, he spoke about Hinduism as a progressive historical movement, still in the making. He mentions here, that the weakness of the Hindu religion comes from a position of confusion between tradition and truth and mentions that truth is greater and more important than everything else. He cautions the seekers that the origin of the race was strewn with customs and traditions that were invaluable at first but deadly later. He categorically mentions that gross abuses which still survive, must be unsparingly be done off with. Hinduism, he says, is not to be regarded either pessimistic or fatalistic. In the Harvard lectures, he spoke at great detail about the lack of spirituality in modern times. He states that while science helps us build our superficial life, something else is needed for strengthening the inner spirits. He opines that our natures are becoming mechanised and hollow from the inside. Some recent attempts at re-planning the society, he says, are attended with this danger. Radhakrishna introduces to his readers, one of the most profound ideas when he talks about the standardization of souls, and this, in aggregation with a loss of self-confidence and a tendency to seek salvation in herds. He suggests that it's important to build a holistic man. And for this, he believes, the soul has to gain inner peace. He uses the imagery as brought out by Huxley and negates such an existence. He says that elimination of the inner world of personal experience is not a sign of progress. He attributes the present crisis of civilization to the loosening hold of ethical and spiritual ideas. Radhakrishna asks the readers to not accept the collapse as an inevitable happening, as that would be the surest way to bring about it. Radhakrishna states that war, unlike earthquakes, is a human phenomenon, and just like earthquakes, one must do their duty to investigate the causes for it. Radhakrishna opines that the insufficiency of democracy in the present society is its fundamental defect. He defines the basis of democracy as something that grants a recognition of the dignity of the human being. He believes that the communist doctrine is a crude one but recognises that the adherents of it are people who are newly conscious of their rights who are now clamouring to wrest them from their oppressors. In the same breath, he believed that dictatorships are political devices born out of despair. He sheds light on the inadequacies of the League of Nations in that, it being an instrument in the hands of strong nations to maintain status quo and oppose those who demand change. He chalks out the irony of the League where the high-ranking officials are like the patriarchs of the past, conservative, dogmatic and unjust. He mentions that the League consists of satisfied powers and weaker nations. Later, he points out the hypocrisy of Great Britain where they complain about Italy

and German's expansionist manifestations while they themselves being the worst offenders of it. Radhakrishna then segues brilliantly into the concept of civilization. He deems it as an act of spirit rather than mind or body. He believes that acts of morality and spirit are far more important than achievements of knowledge and power. He wishes for men to not remain mute spectators of a progress that is imminent in human history, rather do their bit and contribute a verse. "Every age is what we choose to make of it", exclaims Radhakrishna. He states that the complexity of human life ceases to be it, if premised only on a basal understanding of human fellowship without understanding the environment it is built in. Radhakrishna says that the only way to effectively alter society, is through the hard and painstaking way of reforming individuals that make it. These views were expressed by him in 1929, upon assuming the post of principal of Manchester College, Oxford. This was when we also gave the Hibbert lectures on, 'An Idealist View of Life'. In these lectures, he presented some of the ultimate problems of philosophy. He states that men are now asking for reality in religion and are rejecting a ceremonial, aesthetically premised one. They want to understand the primordial reality and life itself. At this stage, he is quick to remind the seekers of the number of substitutes that have come up post the death of mechanical religion, however, these fragments of secular wisdom are not to be mistaken for viable religions. He further observes about civilization that, being premised on politics and economics, two components which do not take their direction from ethics and religion, suffers from being soulless. Radhakrishna states that religion is not a creed or a code but an insight into reality. It is not to be limited to intellectualisation, as that would justify the ancient practice of armed societies fighting for the legitimacy of their interpretation, instead, it has to be seen as a medium of direct acquaintance with spiritual reality. In his insights about spiritual reality, he states that spiritual certainty is conveyed by spiritual knowledge, one that isn't logical but super - logical, one that is integrally insightful and intuitive. He rejects the position given by Hegel and the rationalists to reason, as being the highest. While he concedes that rationalist dispositions have enormously benefitted the humankind, he asks them to raise the further question of the limitations and universality of scientific knowledge. Radhakrishna gives the illustrations of electrons and protons and how they do not clear up the mystery of reality, of the deepest convictions of man for which they are sometimes willing to die, to make a case for the unknown aspects of scientific dissection. He tells the seekers that Hindu philosophy is a continuous

affirmation of truth that insight into reality doesn't come from only analytical intellect but also from the integrality of human mind. He says that while rationality of the world is transparent to the intellect, its mysteriousness can only be grasped by intuition. He rejects Bergson's proposition that intuitive knowledge is the opposite of intellectual knowledge. Right at the outset of this question, Radhakrishna states that intuition should be relegated as a sensual thrill or an emotional debauch. He says that if intuition is not supported by intellect, it would lapse into self - satisfied obscurantism. He concedes that the prophets, religious geniuses and intuit cosmic truths which cannot be communicated, except imperfectly. Radhakrishna believes that the end of man is to let the spirit in him permeate through his whole being and that, one attains his deepest self only by losing his selfish ego and a radical sense of self. Radhakrishna's utopia is one filled with those who have deepened their personalities and integrated their lives. He proclaims that no individual is really saved until the whole society is perfected. He states that the temporal becomes the eternal when the goal is reached, and the process disappears. At this point, Radhakrishna explains to the seekers that God is not the great silent sea of infinity in which the individuals lose themselves but the divine person who inspires the processes first, last and without ceasing. He finally states that God is not a mere figment of our minds but a real symbol of the Absolute reality. When there is a complete identity between God and the world, he himself would lapse into the absolute. Creation being thus at once ransomed and annulled by the cessation of the impulse to individuate.

## CHAPTER – IX Life's Problems

In chapter IX Radhakrishnan talks about, how his position as a professor brought him close to young men and woman in the plastic years of their life. He continues on by emphasising the importance of philosophy and its aim of elevating man above worldliness, of making him superior to circumstances, of liberating his spirit from thralldom of material things.

The time he got to spend with his pupils, he was privileged to educate them on belief in spiritual and ethical universe. He explains the existence of god, by saying that worship does not consists of fasts and prayers but in the offering of a pure and contrite heart and God is inside people, they only have to turn within to realize the truth. He gives an example of how men search for flowers to worship God when they only have to offer their pure heart. According to him, men should make themselves as a living sacrifice to God as no unclean or impure can be offered. His idea of a " pure heart "is in cultivating values and applying them in real life occasions and free oneself from suffocating routine, masks and mummeries of existence. In order to achieve this one should cleanse their thoughts and create a clean and single mind within.

Dr. Radhakrishnan believed that the truly great are not those who have more money or brains or higher social positions, at the end everyone is equal before god what matters is whether we have been kind to others and honest and sincere with ourselves. A person can be rich and healthy but it necessarily doesn't mean that he is happy. He may have put up a front of being happy when he is actually suffering from unhappiness and loneliness. Radhakrishnan tries to explain the suffering of humans, he says only those who suffered can actually grow. It doesn't matter if you are rich or poor, we all have our own problems but at the end we only grow by facing and overcoming them.

The best side of human being is his real side, he must be completely truthful to himself, must never lie. As long as we expose ourselves to truth all the anxiety we face is worth it. He explains, according to Mahabharata, truth is penance and

sacrifice of a high order. One should reverentially bow unto truth. “The world is a mixture of truth and illusion, even as man is a complex mixture of the eternal and temporal. He talks about God and says God does not say ‘I am tradition’, but he says “I am truth. Truth is greater than its greatest teachers.

In this unit Radhakrishnan helps us understand God, relationship, religion, sacrifice and truth all the things which people find difficult to understand and incorporate. His teaching focused on making people understand these elements and cultivate good value amongst themselves.

He says that from Buddha to Christ down to lesser morals have striven to lighten the load of humanity, to strengthen the hopes. Just like greater immortals he wishes to spread kindness and affection. His teachings are inspiring and insightful, his words always brought solace to people. Radhakrishnan’s “My Search for Truth” is essentially a discovery of Radhakrishnan and ‘discovery’ of his India in the aspect of philosophy.

## **THE LAW AND THE LAWYERS**

### **SECTION 1: GANDHIJI AS A LAW STUDENT**

#### **CHAPTER 1: PREPERATION FOR ENGLAND**

After passing his matriculation examination Mohandas joined the Samaldas College, Bhavnagar. As he did not find the classes interesting, he returned home after the first term. There was a big surprise awaiting him. His eldest brother and a family friend, Mavji Dave suggested that Mohandas should go to England to study and become a barrister. Mohandas was thrilled. There was a chance for him to see the world but his mother did not like the idea of his going to England. She did not want the youngest son to stay away from her. There was also the problem of money. Moreover, she feared that Mohandas would lose his caste if he crosses the ocean. The family friend assured her that there would be no much difficulty and everything would be alright as his son Kevalram also stays in England but his mother was still opposed to the idea. Mohandas pleaded with her to allow him to go and he took a vow not to eat meat, not to drink and not to touch a woman. Putlibai at last gave in and allowed him to go to England. On September 4th, 1888 Mohandas left Bombay for England. Dressed in western style he stood on the deck as the ship slowly steamed out of the harbour. He was sad but was also excited.

#### **CHAPTER 2 - PREPARATION FOR THE BAR**

Gandhiji has been a very industrious student. He has written about the difficulties he encountered due to his poor English. He put tireless efforts in improving English. He studied Latin as well. His autobiography has many references as to the books he read. It is pertinent to note the keen Gandhiji has shown in purchasing his own copies and reading.

There were hardly lectures to guide him. Gandhiji has also written the curriculum was easy and examinations were easier.

Besides his law studies he passed the University of London matriculation examination in June 1890 as he wanted to sit for a tough examination. He passed in French, English and Chemistry but failed in Latin. He tried again and at last passed in Latin. While he progressed in the study of law, in November 1888 was admitted to the Inner Temple, the Bar.

### CHAPTER 3 - 'CALLED'-BUT THEN?

Being called to the bar was the main reason behind Gandhi's going to England. The two basic conditions to be fulfilled before being called to the bar were- 'keeping terms' and 'passing examination'.

Mohandas was shy. He rarely left his cabin. He even ate his food there alone as he was not sure about those unknown dishes served at the shop. He thought they might contain meat. He did not wish to break his vow to his mother. So, he lived on the sweets and snacks that he had taken with himself.

On the other hand, the curriculum was easy and there were two main subjects that is the Roman Law and Common Law. Scrambling through notes on these subjects for two- or three-months students could pass. Also, the pass percentage used to be very high. Regular textbooks prescribed were scarcely read by student but Gandhiji did not emulate them.

Finally, he passed the examinations and was called to the bar on the 10th of June 1891, and enrolled in the High Court on the 11th. The following day, June 12, he sailed for India. Gandhi's three-year stay in England was eventful.

Those were days of great intellectual activity, and there was tolerance for every school of thought. The country as a whole was a living university.

Gandhi also said that other than India, he would rather live in England than any other place in the world.

### MY HELPLESSNESS:

Although Gandhi passed his examination but was still worried as he did not know the art of practicing law. Besides, he had no idea of the Hindu and Muslim Law and also did not know how to draft a plaint.

He talked to some of his friends about his rough times. One of them suggested that he should seek Dadabhai Naoroji's advice and also recommended him to

meet Mr. Frederick Pincutt who was a conservative and had deep affection for Indian students.

After meeting Mr. Pincutt Gandhi felt a little relieved but as soon as he left his place, the same thoughts starting bothering him again.

As Gandhi sailed for home on the S.S. Assam, Pincutt's advice were like a little ray of hope in his hard times.

## SECTION 2: GANDHIJI AS A LAWYER

### CHAPTER 4 - HOW I BEGAN MY LIFE

M.K. Gandhi after completing his education and qualifying as an advocate returned to India to practice his profession further. He was returning from Eden in England on a ship to Bombay dock. He came bearing fears and doubts in mind on how to proceed as a lawyer in India. His elder brother had come to meet him on the dock and he also made acquaintances of Dr. Mehta and his elder brother who insisted Mr. Gandhi to stay with him in Bombay. Their relationship which started in England turned out to be a permanent friendship over time. Gandhiji's elder brother had high hopes for him. His desire for fame and wealth made him leave no stone unturned in order to prepare the field for Gandhiji's practice.

By the time Gandhiji returned to India, two sects were divided. One which accepted him and the other thought that going to England had made him unholy. So his brother took him to Nasik and gave him a bath in the sacred river. Gandhiji, out of respect towards his brother followed all his instructions and on completing the ritual they finally reached Rajkot. It was a delight for him to meet his boy who was now 4 and the other children of the house. He enjoyed their company and wanted to help them in their education as well.

Everything was reformed on his arrival. Be it food, cutlery or clothes. All of it was transformed according to the European culture. New dish like oatmeal porridge and cocoa as a beverage was introduced. Naturally, the expenses went up. New things were added on a daily basis and Gandhiji thought that practicing in Rajkot would do him no good. No client would have hired an inexperienced lawyer so he took his friends' advice of moving to Bombay to gain some

experience in the high court before practicing. Bombay was no easy as there was less income and more expenditure. All of these difficulties made Gandhiji think that a barrister's job was bad. More of exterior show with less of knowledge.

## CHAPTER 5 – THE FIRST CASE

While living in Bombay, Gandhiji started reading the Indian law and his experiments in dietetics with his friend Virchand Gandhi. For Gandhiji study of Indian laws like civil procedure code and evidence act was very monotonous and tedious. His friend Virchand Gandhi was preparing for solicitor's exam and would tell him stories of all barristers and vakils. He told him that Sir Pherozshah's ability was all because of his profound knowledge of law. He had many laws at his tips and on the other hand, Badruddin Tyabji's argumentative skills used to awe-struck the judges. According to Virchand, it was not unusual for lawyers to spend a few initiative years in monotony and dullness.

Gandhiji's expenses were mounting every month and in the meantime he developed liking for the Evidence Act and read Mayne's Hindu law with deep interest. But even after all this, he was still not confident enough to fight his first case. He felt as helpless as a newly wedded bride.

By this time, he took up a small cause case of Mamibai. He was asked to pay the commission like everyone else but he outrightly declined and was adamant on his decision. He said that he would be content with Rs. 300 per month. He charged Rs. 30 for this case because he thought that it was just a day's work. This case was his debut in 'small cause' case and since he was fighting for the defendant, he had to cross question the plaintiff's witness. As soon as he stood up to do so, his heart seemed to sink and he felt light headed. He was all numb and couldn't utter a single word. He sat down and told his agent to set Mamibai with Mr. Patel who charged Rs. 51 and a case like this was a cakewalk for him. Gandhiji left the court in shame and thought to not take any other case until he was courageous enough. Also, according to him nobody was a fool to entrust him with a case yet. He took up his next case in South Africa.

But there was another case of a poor Mussalman, who wanted a memorial to be drafted. Gandhiji did it and his friends approved of it. This gave him a little bit of confidence but the real worry was that just drafting memorials won't put breads on their plates so he thought of teaching English to matriculation boys. He applied to a school as a teacher but was denied the job because he was not a graduate even after having strong command on the subject. So the lack of resources made Gandhiji switch back to Rajkot and continue his drafting there among his family and hence his small establishment in Bombay closed. Although he endured few habits in order to survive in a costly city like Bombay.

One of which was walking to his office and back home which according to him is still paying him with lots of benefits. He points out the walk of Dandi March here.

## CHAPTER 6 – THE FIRST SHOCK

Even though Gandhiji was disappointed on leaving Bombay, at least he started earning a sum of Rs 300 per month in Rajkot. His brother's partner had a settled practice there so he drafted applications and memorials for his poor clients since he gave the important cases to big barristers. Coming to Rajkot brought a big change in Gandhiji's principles. He had to start giving commissions now because he and his brother had a joint establishment and all the cases he used to get was from his partner so in order to pay him as well, this had to be done. Gandhiji deceived himself anyhow and made both ends meet. This was the time when he got the first shock of his life.

Gandhiji's brother was the secretary and adviser to the late Ranasaheb of Porbandar before he was installed on his throne and he was accused of giving Ranasaheb wrong advice while he was on that post. The matter had gone to the officer who was prejudiced against him. Until then, Gandhiji had not seen a real British officer face to face but had only heard of him. This officer was friendly to him back in England so his brother wanted him to put a good word on his behalf. Gandhiji found it disturbing and he said that if he was really innocent then he should follow the law, draft a petition and face the result and on the other hand if he was guilty then what use was his recommendation. His brother did not listen to him and asked Gandhiji to do as he said because influence works and also he had to follow certain duties of being a brother.

He couldn't refuse his brother and had to go against his will. He was fully aware of the fact that he was losing his self-respect in doing so but he had to. He went inside, made the officer remember him but the officer on leave and that on duty were completely different. He understood that he was there to exploit his acquaintance. His voice turned stiff and he asked Gandhiji to send his brother through all lawful channels if he has any problem. He didn't want to hear anything from him and asked him to leave immediately. Due to his selfishness, he wouldn't do so, so the officer ordered his peon to take him outside. This made Gandhiji very angry and he wrote a letter telling him that he assaulted him through his peon and insulted him. He wanted him to make amends. In reply, the officer stated that he asked him to leave politely and he didn't do so. Hence proper action was taken and he was free to file any complaint against the same.

This answer broke Gandhiji and he came to his brother and told him about whatever had happened. He was grieved too. He spoke to his lawyer friends as to how to proceed against the officer because Gandhiji didn't know how. By chance, Pherozshah was in Rajkot at that time and he sent his case papers to him through a lawyer seeking his advice and not by himself because he thought of himself to be really small in front of a personality like him. He advised Gandhiji that it was common in barristers and lawyers. He didn't know these officers as he was young and just returned from England. He asked him to swallow the insult because going against him will do him no good and on the contrary would ruin him. This was hard for him to accept but he did that anyway and vowed never to misuse any friendship like this in the future. This shock changed his entire life.

## CHAPTER 7 – PREPARING FOR SOUTH AFRICA

According to Gandhiji, he was at fault going to that officer but the way he behaved after being drenched in pride and power was uncalled for. Five minutes was all he asked for but he didn't get that and later he came to know that the officer was very impatient and treated all his visitors who were even a little unpleasant. But most of his work started to be in that officer's court only and already having gone against him once, he had no desire to remain silent now. After spending some time there, he started to get an idea of the politics that was going on in the state. He found out that some people played a very important role in this politics especially the officer's shirastedar who according to him definitely exceeded the amount he was supposed to be paid.

Gandhiji found this environment very destructive and poisonous. His brother saw that he was not happy and was just surviving anyhow. He wanted to be free from this atmosphere of intrigue. But without intrigue a ministership or judgeship was out of the question. And the quarrel with the officer stood in the way of his practice. His work was to secure more power for the prince since Porbandar came under administration and to help Mers in case of heavy land tax. He was successful in securing some power for the prince but was not able to provide any relief to the Mers. He couldn't have done anything because whatever he tried, the administrator declined their interference. In the meantime, a Meman firm from Porbandar reached Gandhiji's brother seeking him to let Gandhiji join them in the case in South Africa with their claim being 40,000 Euros. Gandhiji was tempted at this offer. His brother introduced him to the late Sheth Abdul Karim Jhaveri, a partner of Dada Abdulla and Co., the firm in question. He assured him that the task won't be difficult and he will be making acquaintance with the Europeans and his English skills would be handy to the

firm. They wanted Gandhiji for a year on a sum of 105 Euros and all other facilities. He thought that this was more being a slave to the firm than a barrister but the desperation to get out of India overshadowed every feeling and he was ready to go to South Africa.

## CHAPTER 8 – ARRIVAL IN NATAL

Now, leaving for South Africa was not as difficult as compared to leaving for England because he was grown up and already had experiences of living abroad. He had to leave from Mumbai and it was no unusual affair for him to move to Bombay from Rajkot. The only thing that was difficult was his partition with his wife. They had another child after he returned from England and their love seemed to be purer. They both felt the necessity of being more together. The only thing that made their separation bearable was the need to get out of India and his attraction towards South Africa. He was to get his passage through the agent of Dada Abdulla and Company but no berth was available. He was asked to board on the deck and was assured that his meals would be offered in the saloon but being a barrister, he thought that would lower his self-respect so he declined. He did not believe the agent so he met the chief officer. The chief officer told Gandhiji that they usually don't have this much of rush but it was now because of the arrival of the Governor-General of Mozambique. But the officer was ready to give him an extra berth in his own cabin. He took this offer and set forth to try off his luck in South Africa.

They reached the first port of Lamu in about 13 days. The captain of the ship started to like Gandhiji because he wanted a partner in chess and Gandhiji agreed. Gandhiji was a naïve player and the captain liked to teach him. Every time he lost the game, captain went eager to teach him the moves. He also liked Gandhiji because he was a patient pupil. Gandhiji liked the game, but never carried his liking beyond the boat or his knowledge beyond the moves of the pieces. After Lamu, the next ports were Mombasa and Zanzibar. There was an 8-10 days stay before their move so he decided to take hotel and explore the place. He was amazed to see the trees and its big fruits. After this, he boarded the next ship and reached Natal.

## CHAPTER 9 – SOME EXPERIENCES

At the port, Sheth Abdulla was already present to receive him. There the first thing he noticed was the disrespectful behavior towards the Indians. He was taken to the firm's quarter and was shown his room next to Sheth Abdulla's. They both could not understand each other. Sheth thought that his lifestyle was expensive due to the way he dressed. Also, the defendants were in Pretoria and

he had his clerks taking care of them and he was left with absolutely no work to do. Sheth was illiterate but he had a huge fund of experience. By the time he had gained the amount of knowledge of English which was required in conversations and his firm was biggest Indian firm in Natal. He was intelligent and he knew that. But the only thing that Gandhiji made conscious that he was very suspicious. He was proud of Islam and loved to discourse of Islamic philosophy. Though he did not know Arabic his acquaintance with the Holy Koran and Islamic literature in general was fairly good. Contact with him gave Gandhiji a fair knowledge of Islam and they used to have long discussions on religious topics. Sheth took him to the Durban court where he was asked to take off his turban to which Gandhiji denied and left the court. Later Sheth told him that only Mussalman were allowed turban in court.

In the course of these two or three days he could see that the Indians were divided into different groups. One was that of Mussalman merchants, who would call themselves 'Arabs'. Another was that of Hindu, and yet another of Parsi, clerks. The Hindu clerks were neither here nor there, unless they cast in their lot with the 'Arabs'. The Parsi clerks would call themselves Persians. These three classes had some social relations with one another.

But by far the largest class was that composed of Tamil, Telugu and North Indian indentured and freed labourers. The indentured labourers were those who went to Natal on an agreement to serve for five years, and came to be known there as girmityas from girmity, which was the corrupt form of the English word 'agreement'. The other three classes had none but business relations with this class. Englishmen called them 'coolies', and as the majority of Indians belonged to the laboring class, all Indians were called 'coolies' or "samis".

Gandhiji was thus a coolie barrister. The word completely lost its meaning and the people would get infuriated if they were being called coolie when they were not. So Gandhiji decided to put down the turban and switch to English hat. Abdulla disapproved of the idea. He said that this will compromise those who want to wear the turban and English hat would make him look like a waiter. Gandhiji thought that there was practical wisdom, patriotism and a little bit of narrowness in this advice. Wisdom and patriotism was visible but narrowness was towards the waiters. Working as a waiter was considered derogatory at those times. But overall he liked the advice and wrote to the press about the incident and his will to keep the turban. This made Gandhi popular within the few days of his arrival in south Africa. He was termed as 'unwelcome visitor' by the papers. Some liked him and some severely criticized him. But his turban stayed with him until the very last day of his stay in South Africa.

## CHAPTER 10 – ON THE WAY TO PRETORIA

Gandhi soon came in contact with the Christian Indians living in Durban. The Court Interpreter, Mr. Paul, was a Roman Catholic. He made his acquaintance, as also that of the late Mr. Subhan Godfrey, then a teacher under the Protestant Mission, and father of Mr. James Godfrey, who, as a member of the South African Deputation, visited India in 1924. He also met the late Parsi Rustomji and the late Adamji Miyakhan about the same time. All these friends became very close after a point of time. During this time the firm received a letter from their lawyers saying that preparations should be made for the case and Sheth himself or his representative should be sent to Pretoria. Abdulla asked Gandhi if he wanted to go but he was unaware of the case so Abdulla made his clerks understand Gandhi the facts of the case.

As Gandhi began to study the case, he got more and more confused because it was on book keeping and accounts which he had never studied. He told the clerk that he did not know what a P note was and later came to know that it meant promissory note. He bought a book on accounts and book keeping which made him gain some confidence. He saw that Sheth did not have any knowledge of accounts but knew the intricacies because of his experience. He told Sheth that he was ready.

Gandhi told Sheth that he was ready to live wherever his lawyers put him and assured him that no confidential information would be leaked to the other party. But he wanted to make friends with the other party and settle the dispute outside court as the other party was Tyeb Sheth, Abdulla Sheth's relative. After a week's stay, Gandhi was not a white elephant to Sheth. They both understood each other well and Sheth warned him that Tyeb was not easy. One wrong move could put them to ground and asked Gandhi to think twice before acting on anything. Gandhi assured him that he would not talk to anyone there. He would only suggest Tyeb to come to an understanding and save both of them unnecessary litigation. With this, Gandhi left Durban for Pretoria.

## CHAPTER 11 – FIRST DAY IN PRETORIA

After reaching Pretoria, he thought that someone from the firm would come to pick him up but he won't be an Indian because he requested not to stay at an Indian lodge. But no one came to receive him since it was a Sunday and could have been inconvenient. This made Gandhi confused as to where to go as he feared that no hotel would accept him. Gandhi says that Pretoria station was very different in 1894 from 1914. The lights burnt dimly and the passengers were few. He thought to himself that when the ticket collector would be free, he would hand him his ticket and ask him to direct him towards a hotel. But even in asking this, he was afraid of getting insulted.

When the ticket collector was free, Gandhi gave him his ticket and stared his inquiry. He replied to him courteously but was of not much help. An American Negro jumped into the conversation and asked Gandhi to join him on the way towards a hotel. He was at first doubtful, but after sometime, accepted it. The Negro took me to Johnston's Family Hotel. He drew Mr. Johnston aside to speak to him, and the latter agreed to accommodate Gandhi for the night, on condition that he should have his dinner served in his room. He assured Gandhi that he was not colour prejudiced. It was just that most of his customs were Europeans and he was afraid that if Gandhi joined them in the dining room, they would get offended and leave. He accepted all the conditions and went to his room waiting for the dinner. After sometime the owner showed and told him that he was ashamed to have asked him to stay back at his room and asked other guests if they had any problem with him. All the guests were okay with Gandhi dining with them so the owner asked him to join everyone in the dining room and also said that he could stay there as long as he wanted to. Gandhi thanked him and had a hearty dinner.

Next morning he called on the attorney, Mr. A. W. Baker. He was courteous and told Gandhi that he won't have many problems to deal with as a barrister as best counsel has been arranged. He said that he would only require him to the extent of getting necessary information and he would make communication with the clients easy. He set him up in the lodge of an old woman who had no colour prejudice at 35 shillings a week. Next morning he went to see a friend for whom dada Abdulla gave a note. He told him about hardships of Indians in South Africa and insisted him to stay but he thanked him and left as he had already made arrangements. He had his dinner and informed Abdulla that he doesn't have any immediate work to do.

## CHAPTER 12 - PREPARATION FOR THE CASE

Gandhi recalls his stay in Pretoria which was the most valuable experiences of his lifetime. It was then there that he had the opportunity of learning public work and acquiring measures of capacity for it and it was here that the religious spirit within him became a living force and he acquired the true knowledge of legal practicing. He also learnt the things a junior barrister learns from a senior barrister's chamber and also gained confidence that he would not after all fail as a lawyer. It was likewise that he learnt the secret of success as a lawyer. He states that the case of Dada Abdulla's was not an ordinary/small case; the suit being £ 40,000 arose out of business transactions which were full of intricate accounts. The claim was based partly on promissory notes and partly on the specific performance of promise to deliver promissory notes. The defence was that the promissory notes had been fraudulently obtained and lacked sufficient

consideration. There were numerous points of facts and law in this intricate case. Both sides had engaged the best attorneys and counsel. The preparation of the plaintiff side for the attorney and the sifting of facts in support of the case were given to Gandhi as the client had immense trust in him. He speaks about the preparation and the efforts put in the case that gave him the fair measure of comprehending and the capacity of marshalling the evidence. He took his keenest interest in the case and went through the papers pertaining to the transactions. He recalls the words said by Mr. Pincutt – facts are three-fourths of the law. Though justice was on the side of his client but the law seemed to be against them, so he approached the Mr. Leonard about the case and mentioned that the facts of the case were very strong. Leonard told Gandhi “if they handle the facts of the case the law will take care of itself. The litigation would ruin both the parties’ relation as they were relatives so Gandhi approached Tyeb Seth and asked him to visit an arbitrator so that they could compromise and the case could be solved faster and easier, As the fees of the lawyers were rapidly mounting up and as the case was pulled so longer he thought that it was his duty to befriend both parties and bring them together. The arbitrator ruled in Dada Abdulla’s favour, and awarded him £37,000. It was however impossible for Tyeb Seth to pay down the whole of the awarded amount. Gandhi then managed to persuade Dada Abdulla to let Tyeb Seth pay him the money in moderate instalments spread over a long period of years, rather than ruin him by insisting on an immediate settlement. Gandhi was overjoyed at the success of his first case in South Africa and concluded that the whole duty of an advocate was not to exploit legal and adversary advantages but to promote compromise and reconciliation.

## CHAPTER 13 - MAN PROPOSES, GOD DISPOSES

As the case concluded, Gandhi thought there was no reason for him staying in Pretoria, so he made preparations for going home. Abdulla Sheth was not the type of person who would let go off Gandhi without farewell hence it was held at Sydenham. He says that god laid foundations of his life in South Africa and sowed the seed of the fight for national self-respect. He went through the newspaper and came across a caption “Indian Franchise”- which was in reference to the Bill that was there then before the house of legislature, which was to deprive the rights of the Indians to elect members of the Natal Legislative Assembly. He was ignorant of the Bill and also were the others and hence he enquired about that to Abdulla who answered that they had no knowledge about it as they went only through the daily market rates as they understood things that are related to trade as that was their work, and added our eyes and ears were the European attorneys there; Gandhi questioned whether the Young Indians would help. “Them!” said Abdulla in despair, he added that they never cared to come

and tell the truth hence he and his people never cared less to recognise them. The Young Indian Christians were under the thumb of white clergymen, who in turn were the subjects of the government. This was an eye opener to Gandhi and started questioning himself whether this was to be the true meaning of Christianity? Or did they cease to be Indians as they became Christians. So it was time for Gandhi to return back but he had something on his mind that he hesitated to express, so he mentioned it to Abdulla Sheth that if the Bill passes out as law then there would be extreme difficulties for their lot and it would strike at the roots of their self-respect. Indeed added Abdulla and mentioned that they knew nothing about it but there was a person who made them realise about their positions who was Mr Escombe of whom even Gandhi knew, Abdulla further adds that Escombe was a great fighter and there was no love lost between him and the wharf engineer, he was afraid that the engineer would deprive him of the votes and defeat him in the election and so at his instance Abdulla and others registered and voted for him, so he concluded by saying that he understood of what Gandhi was trying to tell and asked what he would advise. There were other guests who heard the conversation and one amongst them advised that Gandhi could cancel his passage back and stay there for a month and the rest would fight as he directed the rest all present agreed and asked Abdulla to detain Gandhi back. They all agreed to persuade Gandhi on staying back and Abdulla asked the rest of what to do about the fees, hearing to this Gandhi was hurt and told Abdulla that this was a public work and hence there was no need of fees, he told him that if everyone were to cooperate he would stay back. He says that they would have to send telegrams and would have to consult the local attorney as he was ignorant of their laws and was in requisite of few law books for reference hence this all required money and many would have to come forward everyone added Allah is great and merciful, money will come in as there were many men who would pitch in. The whole outline of the campaign was running in Gandhi's mind at the end farewell party turned into a working committee.

## CHAPTER 14 - SETTLED IN NATAL

The foremost leader of 1893 in Natal was Sheth Haji Mohammed Haji Dada, but financially Sheth Abdulla Haji Adam was the chief amongst them still they gave first place to Sheth Haji Mohammed Haji Dada in public affairs, a meeting was held under his presence at the house of Abdulla Sheth where they resolved to offer opposition to the Franchise Bill. There were volunteers who enrolled and the Christian Indian youths were also invited, The Durban court interpreter Mr Paul and the headmaster of a mission school Mr Subhan Godfrey were present in

the meeting who were responsible for the presence of Christian youths in the meeting, there were others who enrolled themselves as volunteers such as the local merchants like Sheths Dawud Muhammad, Muhammad Kasam Kamruddin, Adamji Miyakhan, A. Kolandavellu Pillai, C. Lachhiram, Rangasami Padiachi, and Amad Jiva, Parsi Rustomji and clerks like Messrs. Manekji, Joshi, Narsinhram and others, employees of Dada Abdulla & Co. and other big firms were present. They kept their differences aside and everyone were assembled as the servants of the motherland and had no idea of whether the Bill was already passed or yet to be passed; Indians never expressed any opposition to the stringent Bill, They dispatched telegram to the speaker of the Assembly, Premier, Sir John Robinson, and another to Mr. Escombe, as a friend of Dada Abdulla's requesting to postpone the discussion of the Bill and they received a reply from the speaker that the discussion was postponed two days later which made them happy. It needed many to work on the petition which was to be submitted to the legislative Assembly. They all stayed up the whole night and three copies were to be submitted and people who knew English and few others were also present during this course to help, it was insisted that it would be better if there were many signs which would make a great impact. The principal copy was written by Mr. Author who was well versed in calligraphy, and the rest was written by others. The merchants went on carts to get signatures for the petition. This was sent to the Assembly and was also printed in the newspaper which created some impression on the Assembly, but still the Bill was passed. This issue brought them close and they became one and were indivisible and as now it became their duty to fight for their political rights and trading rights; after all they decided to submit a "monster petition" to Lord Ripon the secretary of state for their colonies. Forming this petition required lot of time and there were many volunteers who were enlisted to do this, Gandhi put all his efforts in drawing up the petition for which he read all the literature that was available on that subject. All the arguments that he made were centred on a single principle. They had obtained ten thousand signatures over a night, securing those signatures over the provinces was not an easy task as the men were strangers to the work and hence there were competent volunteers who were selected because the signatures were not to be taken until unless the signatories understood of what they are signing for and what the petition was. He tells of how Sheth Dawud Muhammad, Rustomji, Adamji Miyakhan and Amod Jiva rose clearly before his mind as they bought in majority of the signatures. Every person gave their part of the contribution and in between this Dada Abdulla's entire house became a public office. Almost thousand copies were printed for circulating and Gandhi gave them to all the publishing offices he knew such as The Times Now of India and London Times who supported their aims. It was time for him to return but the others there requested him to stay back permanently but Gandhi told them his problems that he wanted to setup an independent household which is in a good locality and he dint want to stay in a

public house so the rest merchants gave retainer for their legal work and many more and all this led to him settling down in Natal.

## CHAPTER 15 - COLOUR BAR

Gandhi describes the Lady Justice of how it is the symbol in the court and how her eyes were tied up with a cloth so that she doesn't judge a person of his exterior but of his intrinsic worth; he says that the Law Society of Natal set out to persuade the Supreme Court to act in contravention of that principle and to belie its symbol. Gandhi applied for the admission for the Supreme Court there, as he held a certificate of admission from the Bombay High Court which he had to submit with the English certificate for enrolling there and added further that it was necessary to attach two certificates of character to the application for admission, and thought that it carried more weight if it was given by Europeans, hence he got it from two well-known European merchants whom he came to know by Abdulla Sheth. The application was to be submitted through a member of the bar, and as the rule Attorney General presented those applications without fees. Mr. Escombe, who was a legal adviser to Messrs. Dada Abdulla and Co., was the Attorney General, Gandhi willingly asked him to present his application. The law society rejected Gandhi's application as their objection was that the original English certificate was not attached but the real reason behind their rejection was that the admission of advocates were made, on the possibility of a coloured man applying could not have been contemplated. As Natal owed its growth to the European enterprise, thus it was necessary that the European element should predominate in the bar, they were afraid that if coloured people were admitted, they might gradually outnumber the Europeans, and the bulwark of their protection would break down. The Law Society engaged distinguished lawyer to support their opposition. As all this happened Gandhi questioned himself of what has his birth got to do with his profession and admission into the society, and Gandhi was suggested to make an affidavit of Abdulla sheth and submit it and when this was taken to the supreme court they mentioned that if the affidavit turns out to be false then he would be prosecuted and his name could be stuck if he was proved guilty. As law makes no distinction between white and coloured people. The court therefore had no authority to prevent Mr. Gandhi from being enrolled as an advocate. And later they took Gandhi's application and asked him to take the oath, wherein he had to follow their dress code and hence had to take out the turban by looking at this act of Gandhi's the rest such as Abdulla Sheth and other friends did not like it and thought that Gandhi should have fought for his right but he tried to tell them that if he wouldn't have done that it would be wrong on his part and he would disregard the custom of court in the province of Natal. He knew they weren't convinced completely. But through all his life, every insistence on truth taught him to

appreciate the beauty of compromise. He understood that the spirit was an essential part of Satyagraha; but truth is hard as adamant and tender as a blossom. The opposition of the Law Society gave him another advertisement in South Africa. Most of the newspapers condemned the opposition and accused the Law Society of jealousy. The advertisement, to some extent, simplified his work.

## CHAPTER 16 - SETTLED IN BOMBAY?

Gandhi returned back to India in 1901 by the idea of settling down permanently. on the advice of Sri Ghokale he settled in Bombay and practiced at the bar and helped Ghokale in public work. He says that Ghokale was very anxious that Gandhi had to stay back in Bombay. Public work those days meant Congress work, and the chief work of the institution which Ghokale had assisted to found was carried out by the Congress administration. He liked the advice given to him but he was not overconfident of success as a Barrister. He had all the unpleasant memories of failure with him. He decided to start his work first at Rajkot, Kevalram Mavji Dave who was his old well-wisher who had induced him to go to England was there and started straightaway with three briefs. Two of them were appeals before the Judicial Assistant to the Political Agent in Kathiawad and one was an original case in Jamnagar. Gandhi says that he did not trust himself to do justice; to that Kevalram Dave told 'Winning or losing is no concern of yours. You will simply try your best, and I am of course there to assist you.' The counsel on the other side was the late Sjt. Samarth. Gandhi was fairly well prepared, it wasn't that he knew much of Indian law, but Kevalram Dave had instructed him very thoroughly. He heard his friends say, before he went out to South Africa, that Sir Pheroza Shah Mehta had the Law of Evidence at his fingertips and that was the secret of his success, this was in his mind and during the voyage he had carefully studied the Indian Evidence Act with commentaries thereon, it was also an advantage of his legal experience in South Africa. He had won the case and that boosted some confidence in him and all this inspired a hope in him that after all he wouldn't fail as a lawyer in Bombay. He also mentions about the apathy of the judges who were on constant move these made the vakils and their clients follow the judge. This in turn made the vakil charge his clients more which included the constant travel behind the judge. He narrates an incident about an appeal which took place in Veraval that was hit by a plague. Gandhi recalls there were 50 new cases every day in a 5,000 population. In this catastrophic condition the town was deserted and he was put up in a Dharmashala outside the town, he worries about the poor who couldn't afford Dharmashala and stayed in the town who entrusted in all mightly that the plague wouldn't affect them. One of his colleagues also suggested him to write a letter for transfer of camp. When he went to submit the application for the same

the sahib asked him whether he was afraid for which Gandhi replied that he was concerned for his clients; for this the sahib proclaimed that the plague has come to stay in India and people have to live with it, and told his Shirastedar to make note of what Gandhi says and to see if there was inconvenience for the vakils or the clients. Gandhi further felt that how could these men understand the hardships of poor India, unaware of the idiosyncrasies, customs and needs of the people, how could these English men legislate in India? As the saying goes elephant is powerless to think in the terms of the ant, in spite of the best intentions in the world, even so is the Englishman powerless to think in the terms of, or legislate for, the Indian. Continuing with his story Gandhi tells that he wanted to settle in Rajkot, during which Kevalram Dave asked him to settle in Bombay. When Gandhi enquired him about how he would manage his expenses and his practice, Dave said that the vakils made the Barristers. Dave told Gandhi that they would get him back to Rajkot as a big lawyer and wouldn't let him vegetate in Rajkot. Dave convinces Gandhi that he had proved his worth in Jamnagar and Veraval and his destiny was to do public work. Hearing this Gandhi said he would leave for Bombay once he receives remittance from Natal, which came after two weeks. On arriving in Bombay he hired a chamber in the Fort and a house in Girgaum, within some days of moving into the house his second son Manilal who previously had an attack of small pox was now down with typhoid and pneumonia. This attack was so severe that Manilal became delirious during the night after which Gandhi decided that he had to shift from that house and move to a better place. On the advice of Sri Ravishankar Jagjivan he hired a well vented bungalow in suburbs of Bombay. Bandra was ruled out because of the proximity to the slaughter house, Ghatkopar and places around it was ruled out because it was far away from sea. Then they finally settled for a bungalow in Santa Cruz which was sanitation wise very good. Gandhi would take a first class season ticket from Santa Cruz to Churchgate, which he was very proud of as he was the only first class passenger in his compartment. He also at times walked to Bandra to take a fast train to Churchgate. He prospered in his profession better than he had expected. His South African clients often entrusted him with some work, and it was enough to enable him to pay his way. he had not yet succeeded in securing any work in the High Court, but would still attend the 'moot' that used to be held in those days, though he never took part in it. He recalls Jamiatram Nanubhai taking a prominent part. Like other fresh barristers he made a point of attending the hearing of cases in the High Court. More than the knowledge he enjoyed the soporific breeze coming straight from the sea. he observed that he was not the only one to enjoy this pleasure. It seemed to be the fashion and therefore nothing to be ashamed of. However he began to make use of the High Court library and make fresh acquaintances and felt that before long he should secure work in the High Court. On one hand he felt ease about his profession and on the other hand Ghokale was making plans on his behalf. Ghokhale would visit Gandhi in his chambers twice or thrice every

week along with his friends whom he wanted to introduce to Gandhi. Just when he thought he was settling down he received an unexpected cable from South Africa which asked him to return immediately. He remembered his promise and cabled to say that he should be ready to start the moment they gave him funds, they promptly responded. He therefore gave up the chambers and started for South Africa.

## CHAPTER 17 - SOME REMINISCENCES OF THE BAR

Gandhi recalls memories from his time in South Africa as some of his lawyer friends asked him to give his reminiscences of the bar. The numbers of those were large and, if he were to describe them all, it would occupy a lot of volume. He says that it would be improper to recall some of those which bear upon the practice of truth, he says that one never resorted to untruth in his profession, and the large part of legal practice was in the interest of public work, for which he charged nothing beyond out- of-pocket expenses; as a student he heard that lawyer's profession is a liar's profession, but that did not influence him at all as he had no intention of earning either by money or by lying. He says that his principles were put to test many times in South Africa; sometimes he knew that his opponents had tortured their witness, but Gandhi never did that and he never was tempted to get his client lie or even the witness. He recalls about a case where after winning he suspected that his client had deceived him, in his heart he always wished that he should win his client's case only if it was right, and when it came to the point of fees he never charged it according to the case. He warned every new client of his that he would never accept or take up any false case, so some clients bought clean cases to Gandhi and took the doubtful somewhere else. He speaks about one case which had a severe trial which was brought to him by one of his best clients, which was a case of highly complicated accounts and was prolonged one which was partly heard in parts of several courts; he says that the award was completely in the favour of his client. When the senior counsel became aware of the error, he was of opinion that the client was not bound to admit it. He was clearly of opinion that no counsel was bound to admit anything that went against his client's interest so Gandhi accepted the error made. To that the counsel added that there are light chances of the court cancelling the whole award and added that no counsel would put their client's case at risk to that extent; if the case was sent for fresh hearing then no one knew of what the charges were and what would the result be. The senior counsel was not ready to fight the case but Gandhi was if his client desired so and says that he would have nothing to do with the case until the error was admitted, the client was there during this and Gandhi looked towards him and the client replied that you fight the case it doesn't matter if we lose if that's in our fate and let god defend the right.

## Sharp Practice?

He says that he doubted all the doing for the justice of the case; as he had to argue this difficult case in front of the Supreme Court hence he appeared before the bench nervous. When Gandhi referred to the error in the case the judge questioned him whether this was not sharp practice?; Gandhi boiled within when he heard that, It was intolerable to be accused of sharp practice when there was not the slightest warrant for it, in a polite way Gandhi replied to the question stating that he was surprised by the lordship's claim of sharp practice without hearing him out to which the judge replied that it was just a mere suggestion. So Gandhi requested the judge to hear him out; Gandhi was thankful to the judge for rising up that question as in from the beginning he wanted to rivet the courts attention towards his arguments and had enough materials in support of his explanations, he was able to convince the judges that the discrepancy was due entirely to inadvertence. They therefore did not feel disposed to cancel the whole award, which had involved considerable labour. The opposing counsel felt secure in the belief that not much argument would be needed after the error had already been admitted, the judges continued to interrupt him, as they were convinced that the error was a slip which could be easily rectified. The counsel laboured hard to attack the award, but the judge who had originally started with the suspicion had now come round definitely to Gandhi's side. The court told if he cannot point beyond the slip which any expert accountant is liable to commit, the Court would be loath to compel the parties to go in for fresh litigation and fresh expenses because of a patent mistake, hence they did not order a fresh hearing when such an error could easily be corrected hence the counsels objection was overruled; he forgets of whether the court confirmed the award with the error rectified or ordered the arbitrator to rectify the error. Gandhi, his client and the senior counsel were delighted, it was of his opinion that it is impossible to practice law without compromising on truth; he tells us that even truthfulness in the practice of the profession cannot cure it of the fundamental defect that vitiates it.

## CHAPTER 18 - CLIENTS TURNED CO-WORKERS

Gandhi compares the legal practices in Natal and Transvaal, says that in Natal there was a joint bar, whilst he was admitted to the rank of advocate, could also practise as an attorney whereas in Transvaal as in Bombay the life of an Attorney was different to that of an Advocate; in Natal he was admitted as an advocate whereas in Transvaal he was admitted as an attorney, and distinguishes between both the place and says that as an advocate he couldn't come in direct contact with the Indians and the white attorneys in South Africa would not have

briefed him. The attorneys would appear before the magistrate in Transvaal and he speaks about the case he handled before the magistrate in Johannesburg where his client deceived him and broke down in the court and looking at this Gandhi requested the magistrate to dismiss the case, because he realised that it was false case that his client had taken to him whereas Gandhi never accepted false cases, he had made sure of this during his profession and he never concealed his ignorance from his clients or his colleagues. Whenever he felt he couldn't handle it he would ask his client to consult some other counsel or would himself seek the advice of a senior counsel, and in a due course he won the confidence of people and The large-hearted Indians magnified into service professional work done for money, and when advised them to suffer the hardships of imprisonment for the sake of their rights, many of them cheerfully accepted the advice, not so much because they had reasoned out the correctness of the course, as because of their confidence, and affection for, Gandhi and he says that during this span of time there were hundreds who became his friends and real co-workers in public services.

## CHAPTER 19 - HOW A CLIENT WAS SAVED

Gandhi speaks about Parsi Rustomji who first became his co-worker and then his client, he won Parsi's confidence to such an extent that he would follow every advice that Gandhi gave even including his private domestic matters; Gandhi tells about how Parsi who kept on informing about the affairs to him as he was a large importer of goods from Bombay and Calcutta, and who was into smuggling; as he was on the best terms with the custom officials he was not a suspect. He speaks about the use of simile form the Gujarati poet Akho, theft like quicksilver won't be suppressed, and Parsi Rustomji proved no exception; he had not told about the smuggling to Gandhi and hence in guilt he went to him in tears and opened up about everything and said that he deserved to be jailed and ruined and it were to only Gandhi who could save him from that predicament; he hid nothing from Gandhi except for this because he thought of not bothering him with this trick of the trade and never told about the smuggling part. Hearing to this Gandhi replied everything including saving you is all in his hands and saving him is through the means of confession, in turn Parsi asked that confessing in front of him wouldn't be enough, Gandhi added that Parsi hadn't done anything wrong to him but wrong to the government and hence his confession to him is of no use. Parsi told that he would do exactly of what was advised to him and asked whether he would consult his old counsel regarding this who was to be a friend of Gandhi, later they went to the counsel who went through the papers and told that 'The case would be tried by a jury, and a Natal

jury would be the last to acquit an Indian.' so Parsi replied by saying thank you and added that he would like to be guided by Gandhi and would follow him. so Gandhi told his point of view to Parsi that the shouldn't be taken to the court as it would be waste of time as the decision was of the Customs Officer to prosecute you or to let you go, and in turn will have to be guided by the Attorney- General, he was prepared to meet both thus asked Parsi to pay penalty that the custom officer fixes and added that if not he must be ready to go to jail as in Gandhi's opinion the shame lies not so much in going to jail as in committing the offence; Parsi dint take so well but gave himself to Gandhi and would do exactly what he says; the Custom Officer told Gandhi he was under his duties and had to be guided by the Attorney-General. Gandhi went to the attorney general and told him everything and he was happy of Gandhi's frankness and was convinced that he hid nothing from the Attorney General. The case against Parsi Rustomji was compromised and had to pay a penalty equal to twice the amount he had confessed to having smuggled who reduced to writing the facts of the whole case, got the paper framed and hung it up in his office to serve as a perpetual reminder to his heirs and fellow merchants. Those friends of Rustomji warned Gandhi not to be taken in by this transitory contrition and when Rustomji asked about the warning he said: 'What would be my fate if I deceived you?'

### SECTION 3: THE TRIALS OF GANDHIJI

#### CHAPTER 20 - BEFORE THE COURT IN 1907

A deputation was formed on 22nd Nov, 1905 with Messrs. Abdul Gani (Chairman, British Indian Association), Haji Habib (secretary, Pretoria committee), E.S. Coovadia, P. Moonsamy Moonlight, Ayub Hajee Beg Mahomed and Gandhiji that waited on Lord Selborne, High Commissioner for Britain in South Africa and representations were made in regard to the repeal of the Peace Preservation Ordinance. It was framed to keep the Colony dangerous characters out and to prevent the British Indians from entering the Transvaal. The working of the law was always harsh and oppressive.

The failure in obtaining redress of the deputation an agitation was formed by the Indians led by MK Gandhi which enlisted the sympathy of many Englishmen for the South African Indians. An influential committee was formed to guard over Indian interests with Lord Ampthill as President, Sir M.M Bhownaggre as executive chairman and Mr. Ritch as the Secretary and also a deputation for British Indians in S.A was organized to wait on the Earl of Elgin, the Colonial

Secretary. The deputation with Lord Stanley, Mr. Dadabhai Naoroji, Gandhiji and few more as its members waited on Lord Elgin on Nov. 8, at Colonial office.

The efforts of British committee in London and Gandhiji's appeal to Lord Elgin was successful only to the extent of securing declaration that ordinance would be hung until the matter receives the consideration of the Transvaal Parliament. A constitutional Government was formed and new measure received the Royal Assent and became Law. After the efforts of the Indian community went in vain, they were determined to fight and risk the consequences of disobedience for which a resolution was passed with a mass meeting of 3,000 British Indians.

On 26th Dec 1907, assent to Immigration Act was announced and also two Asiatic Community leaders were warned to appear before the Magistrate on account of failing to apply for registration, as required by the law and shouldn't be ordered to leave Transvaal.

Gandhiji was arrested and brought to trial on leaving the Colony after the given time. He also got a telephone message in the Christmas week informing his arrest with 25 others. Gandhi ji gave a word that they all will be on time and keeping his word he and the rest of the people appeared on time at the British Criminal Court and on being asked by the Superintendent about the duly issued registration certificates under Law 2 of 1907, he replied negatively for which he was arrested and charged under Section 8 Sub-section 2 of Act 2 of 1907. The court was overcrowded during his arrest.

Mr. D.G. Shurman prosecuted on behalf of the Grown.

Mr. Gandhi pleaded guilty and without questioning he went into the box to make a statement. He stated that he hoped for getting a chance in the court to give a short explanation even when he was an officer of the court and he wished to express for not submitting to this. Mr. Jordan (the magistrate) stated to MK Gandhi that he has disobeyed the law and there's no need of political speeches. He even mentioned that a law has been passed by the Transvaal Legislature and sanctioned, so he (magistrate) has to administer the law.

To the statements of Magistrate, MK Gandhi stated that he has no legal evidence in extenuation and was proceeding to state when he came to Transvaal as he was the Secretary to British Indian Legislature. At last, Magistrate concluded that MK Gandhi did not approved the law and conscientiously resisted it, so the court shouldn't grant any indulgence and ordered him to leave the country in 48hours.

## CHAPTER 21 - BEFORE THE COURT IN 1908

ON 11th Jan 1908, Gandhiji pleaded guilty for disobeying the order of the court to leave the colony within 48hours.

MK Gandhi asked to make a short statement and he said that a distinction will be made between his and other cases which are to be followed. He then received a message from Pretoria that his compatriots had been tried and sentenced to three months imprisonment with hard labor and fined with a heavy amount in lieu of payment for which there will be extension of sentence for more three months. But he asked the heaviest penalty for himself as according to him he has committed a greater offence than others.

But the Magistrate denied MK Gandhi's request for heaviest penalty because that it will be totally out of proportion to the offence and for disobeying the Dec 28, 1907 which is more like a political offence. So, according to Mr. Jordan a fair sentence of two months' imprisonment without hard labor will be justified for MK Gandhi.

After which MK Gandhi was removed in custody.

## CHAPTER 22 - BEFORE THE COURT IN 1913

Gandhiji was leading a deputation to England when another deputation led by Mr. Polak came to India to press the question of the repeal of the £3 tax. An agitation was followed in England and India in 1910-12. Mr. Gokhale visited South Africa to make a special representation as an undertaking was given that tax would be repealed. There was no settlement and tension become more in 1913 when a measure was made in Parliament exempting women only from its operation. Mr Gokhale stated that the promise of repeal was for everyone affected by the tax. When Gov. declined the promise, Gandhiji asked the indentured Indians to stop working. A historic march was commenced into the Transvaal. In return of which a warrant was issued to arrest Gandhiji.

On 11th Nov,1913, MK Gandhi was charged with inducing indentured immigrants to leave the province. Mr Turnbull was appearing for the prosecution and Mr. J.W Godfrey appeared for Gandhiji. In the court, Mr Turnbull read the sanction and left everything on the Magistrate whereas, Mr Godfrey stated that he is only expressing the desires of the defendant because of which he (defendant) is presented here and expects the Magistrate to perform his duty fearlessly and give the highest punishment to the prisoner if the circumstances in the case justified it.

On obtaining the permission MK Gandhi by the Court he gave the statement that he had the thought of getting justice to himself and public by stating that the counts against him were of such a nature that made him to take the responsibility

and he believed that the demonstration was for a worthy object. He also mentioned that he has nothing against employers and regretted for the loss suffered but he believed that the tax was heavily weighing down his countrymen and it should be removed. On the other hand, he stands on the fact that he had done his duty in advising the countrymen and will continue his duty until tax is removed. It was certain that suffering is needed to get the grievances.

Finally, the Magistrate gave the statement that it's hard to pass a sentence upon a man like MK Gandhi for deliberate contravention of law but he (magistrate) had to perform his duty fearlessly. The plea for guilty was accepted and following sentences was passed: Count 1: £20 or 3months imprisonment with hard labour. Count 2: £20 or 3months imprisonment with hard labour effective after the expiration of the sentence in count 1 and Count 3: £20 or 3month's imprisonment with hard labour effective only after the expiration of sentence in count 2. Gandhiji accepted the sentence calmly and elected to go towards goal.

## CHAPTER 23 - WAS IT CONTEMPT OF COURT?

Proceedings against Mr. Gandhi and Mr. Desai

B.C. Kennedy – District Judge of Ahmedabad

Gandhiji – Editor, Young India

Shri Mahadev Desai - Publisher, Young India

On 11-12-1919 Registrar of High Court applied for a rule Nisi calling upon respondents Gandhi and Desai. This rule was heard by Hon'ble Justices Marten, Hayward and Kajiji on 3rd March 1920.

Mr. Gandhi and Mr. Desai were to show cause why they should not be committed to contempt having published with comments in the issue of the 6th August 1919 of their paper, a letter addressed by Mr. Kennedy.

The letter – “O'Dwyerism in Ahmedabad” along with an article headed “shaking civil resisters” commenting on letter. O'Dwyer meant disturber of peace. Article said that district judge was prejudging the issue.

The Hon'ble Sir Thomas Strangman, Advocate General with Messrs. Bahadurji and Pocock appeared for applicant. Advocate general in opening case said that proceedings were in contempt against Mr. Gandhi and Mr. Desai.

The proceedings took place in High Court. Mr. Gandhi was requested to attend the chief justice chamber to give an explanation regarding the publication of

letter. As, Mr. Gandhi was going to Punjab, he sent a written explanation stating that the letter was received by him in ordinary cause and that he believed it was of great public importance and thought he was doing a public service commenting on it. He claimed that publishing and commenting on the letter was within the rights of journalist. In reply to this, Registrar wrote that chief justice was not satisfied with the explanation, and further said an apology would be sufficient in the next issue of Young India.

### Form of Apology

The Advocate General said that he submitted form of apology with some confidence that the opponent should have published. However, Mr. Gandhi did not publish the apology and took counsel's opinion and addressed a letter to registrar expressing his inability to apologize. A few days before the hearing of the rule Mr. Gandhi addressed a letter to the registrar dated 27th February with which he enclosed copies of statements which he and Mr. Desai desired to submit before the court.

### Mr. Gandhi's and Mr. Desai's Statements

Mr. Gandhi in his statement explains his conduct addressing the Registrar. He therefore attaches a copy of letter and expresses that he couldn't accept the advice given by his lordship as he does not consider that he has committed either a legal or a moral breach by publishing Mr. Kennedy's letter or by commenting on the contents thereof. He also mentions that Mr. Mahadev Desai, the publisher, published upon his request and advice.

Advocate- General proceeded to cite rulings to show what constitutes Contempt of Court. The Advocate-General submitted that the publication of the letter and the comments there on constitutes contempt in two respects: 1) in the language of Lord Hardwicke it scandalize Mr. Kennedy; and 2) it was an attempt to interfere with the course of justice. He added that publication after trial was different from publication before it. In conclusion the Advocate-General drew the deduction that the gist of Mr. Gandhi's article was that as Mr. Kennedy was fanning the fire of Bolshevism, the High court, if it acted on his letter, would likewise disturb the peace and fan the fire of Bolshevism.

The Hon'ble Advocate-General had said that his comments on district judge constituted contempt of judge. Mr. Gandhi commented on the district judge not as a judge but as an individual. He therefore submits, he has committed no contempt, have prejudiced no party and have made no comment on the action of Mr. Kennedy as a Judge.

Mr. Desai in his statement expresses that he entirely associated himself with the sentiment expressed by Mr. Gandhi, which is, they have committed no contempt

and have made no comment on the action of Mr. Kennedy as a judge. The judgement was reserved.

## II – Contempt case judgment

After stating the facts of the case, Justice Marten observes this case as ‘sub judice’ which means that it does not matter whether those comments and extracts favour prosecutors or accused, the vice is the interference with what is the court’s duty and not a newspaper’s, viz. the decision of the pending case.

Justice Marten proceeds after citing numerous English authorities. He referred to various cases like Reg. vs. Empire News Limited reported in the London Times of 20th January, 1920.

He says that the publication of Mr. Kennedy’s letter contended by the respondent Mr. Gandhi is erroneous, as the letter was written in the exercise of his duties and follows the procedure laid down in the Civil Circulars of the court. He also states that even if the letter was written in his private capacity, it wouldn’t make any substantial difference as it is still important part of the pending proceedings. The comments made were not only on pending proceedings but are also of a particularly intemperate and reprehensible character. Therefore, the publication of the letter is a serious contempt of court.

### “No Public Duty”

After considering the various statements made by the respondents, they were invited to the hearing to give any intelligible explanation or excuse for their conduct. None such was forthcoming. Gandhi in letter of the 11th December, 1919 contends that he performed public duty when there was great tension and even when the judiciary was affected by the popular prejudice. But, Justice Marten says that if that tension and popular prejudice existed, it would be increased rather than diminished by the abuse of the local judge and this could not be the public duty of any good citizen.

### The order of the court and Mr. Hayward’s Judgement

The court shall pass the order accordingly and it shall be by severely reprimanding the respondents and caution them both as to their future conduct. Mr. Justice Hayward in a separate but concurrent judgment, made observations, which mentions that the respondents have expressed their inability to apologize formally but also at same time represented their readiness to submit and punishment meted out to them. The respondents seem to have posed not as law breakers but rather as passive resisters of the law. Therefore, it would be

sufficient to severely reprimand them for their proceedings and to warn them of the penalties imposable by the Right Court.

## CHAPTER 24 – CONTEMPT OF COURT

The long expected hearing of the case against the editor and the publisher of Young India in connection with the letter of the District Judge of the Ahmedabad regarding satyagrahi lawyers and Gandhiji's comments has been heard and has been pronounced. Both the editor and publisher have been reprimanded. Gandhiji says that in his own reading of law, what he did was no contempt of court. If he would have apologized, it would have been contrary to his conscience. Gandhiji feels thankful for the judgment made by Justice Marten as it doesn't question the propriety of his action, though it went against him. The court recognized the spirit of civility that lay behind Gandhi's so called disobedience. Here comes to an end of complete vindication of civil disobedience. Disobedience to be civil must be sincere, respectful, restrained , never defiant, must be based upon some well-understood principle, must not be capricious and above all, must have no ill-will or hatred behind it. Therefore, Mr. Gandhi in his article submit that the disobedience offered by Mr. Desai and him contained all the above mentioned ingredients.

## CHAPTER 25 – THE GREAT TRIAL

The great trial happened as a result of Gandhiji publishing articles in his newspaper "Young India" and the articles were supposedly meant to induce hatred and contempt towards the British rule in India.

Gandhiji wrote articles entitled "disaffection a virtue" dated 15th June, 1921. "Tampering with loyalty" dated 29th September; "The puzzle and its solution" dated 15th December and "Shaking the manes" dated 23rd February, 1922. These articles were published by Shri Shankerlal Banker. Warrants were issued and Gandhiji was arrested from Satyagraha, Sabarmati Ashram, Ahmedabad on 10th March, 1922.

The first witness The Superintendent Of Police, Ahmedabad produced the Bombay Governments' authority to lodge a complaint for the 4 articles. A second witness produced correspondence between Gandhiji and Mr. Kennedy, Mr. Chatfield and the two formal policemen served as next witness.

Gandhiji accepted the accusation and stated that he would plead guilty so far as disaffection towards government was concerned. Mr. Banker too accepted the guilt of publishing the article. Charges were framed on 3 counts under section

124A of the Indian Penal Code and the trial was conducted on Saturday, 18th March, 1922 at 12 noon before C.N. Broomfield District and Session Judge, Ahmedabad. Sir Thomas Strongman was the advocate general; Rao Bahadur Giridharlal, Public Prosecutor conducted the prosecution. The accused were undefended.

Under 124A, the accused were charged of sedition and the two accused clearly pleaded guilty of the charges.

Strangman urged the judge to conduct a detailed trial stating that it was important to investigate the charges as they were of a serious character and highly desirable in the public interest that these charges be thoroughly investigated for which the full facts of the case were absolutely necessary. He urged that as far as section 271, Criminal Procedure Code, the use of word 'may' and not 'must' in the section "If the accused pleads guilty, the plea shall be recorded and he may be convicted thereon", can make provision for a detailed trial. His argument was that Gandhiji led an open and organised campaign to spread disaffection openly and systematically overthrow the British Government. The articles were not to be treated as isolated and having been written by a highly educated man with phrases like "we have to destroy the system" would have a destructing impact. Examples of Bombay occurrences and Chauri Chaura that involved murder and destruction of property were quoted. But the judge having had full discretion to convict on the plea proceeded to do so and quoted section 10 of the Press Act as bearing the question of fine and sentence.

Gandhiji's oral and written statement:

He accepted all charges saying that preaching disaffection was his passion and would continue to do it through non-violent means. He gave reference to Bar Challenge, Zulu Revolt wherein he offered his voluntary services and won applauds, with a belief of gaining full equality for his countrymen. However the unfair answer came in the form of Rowlatt Act, Punjab horrors and Jallianwala Bagh massacre leaving thousands dead and injured.

Thus, his hopes were shattered and led him from leaving a staunch loyalist to an uncompromising disaffections and non-co-operator. In his opinion, "non-co-operation with evil was as much necessary as co-operation with good" He remarked that the judge either resign or impose on him the severe penalty.

Judgement :

Gandhiji was no doubt a great patriot and leader in the eyes of his million countrymen. With this consideration and that of a similar case of Bal Gangadhar Tilak, under the same section, the judgment was announced. Gandhiji was awarded two years simple imprisonment for each count; six years in all. Mr.

Banker's charges were less serious as it was under the influence of his chief and hence simple imprisonment of six months for each count and a fine of a thousand rupees with six months' simple imprisonment was awarded.

Mr. Gandhi felt honoured to have been classes with Mr. Tilak and that the whole proceedings and the judges were very considerate and courteous. Gandhiji smiled and consoled all his well wishers and followers before he was taken to the Sabarmati jail. And the Great Trial finished.

## SECTION 4: LAWYERS AND SATYAGRAHA

### CHAPTER 26- COURTS AND SCHOOLS

The Non-Cooperation Committee, by now, has started its first stage and has included the boycott of law-courts and the Government schools. He states it was necessary to do so because courts and schools are well established and very functional institutions which are necessary, but are good only when the Government and the Institutions are fair and just. These are just death traps if the Government is unjust.

Gandhiji mentions one newspaper, Allahabad Leader, which countered his views on the Non-cooperation movement with great ability and persistence. He says that he would like to elaborate in a collaboration with the newspaper on his views in his booklet Indian Home Rule, which he strongly adheres to. But he refrains from doing so because it doesn't affect his advice that the lawyers should stop their practice, which he urges them to do so. He says that this is essential because no one is a better supporter to the government and the law than the lawyers. Lawyers work as interpreters of the law and justify them to the people of the state, thus they support the authority.

The lawyers now are not supposed to suspend all practice and rest. They are now expected to encourage their clients to suspend courts. They will improvise new methods of Arbitration to settle disputes because a nation now bent on forcing justice from an unwilling Government, has less time to engage in mutual quarrels. This truth is what will make lawyers bring home clients from the courts. During the late war in England, many lawyers suspended their work and became whole-time workers. Real politics is not a game. Mr. Ghokale used to state that we had been treating politics as pass time, we have no notion of how much the country has lost because amateurs managed the battlefields and the bureaucracy.

The critics argue that the lawyers will starve without their profession. This is not entirely true, many of the well-established and well earning lawyers take breaks from their practice to visit Europe or otherwise. Those who survive hand to mouth, each local Khilafat Committee can pay them compensation against full-time service.

Gandhiji also states that there is a rumour going around that if Muslim Lawyers suspended their practice, the Hindu Lawyers will take their business. He says that he is hoping that the Hindu brethren don't do this, even if they decide to not suspend their practice. He also says that both Muslims and Hindu must fight hand in hand against a common enemy, for their own sakes. It will only benefit both of them if the Hindus do as they must. But the Muslims should go forth whether the Hindus join them or not. It is the matter of life and death, they must not count the cost if the preservation of one's honour is on the line, especially their religious honour.

The ones who will sacrifice are the ones who cannot abstain, forced sacrifice is not sacrifice. The Khilafat movement will become strong only if the Muslims treat the peace terms as an individual wrong. No man waits for someone else to sacrifice when there is personal wrong, he seeks help but does not depend on it. If justice is on his side, then it is the divine law that he does get help because God helps the helpless.

## CHAPTER 27- LAWYERS AND NON-COOPERATION

Gandhiji is facing a difficult situation by asking the lawyers to suspend their practice. He knows that this will affect the livelihood of people but he cannot let this slide because he is very well aware of how the Government will be able to retain its power through these lawyers. Though it is true that the lawyers are the ones leading the people of a state and fighting the country's battles, when it comes to fighting against the Government, the Government will look to the lawyers to fight for them and preserve their self respect and dignity. He therefore suggests his fellow lawyers to suspend their practice and show the Government that they will no longer retain their offices. But what will happen to law and order? He says that they shall promote alternative methods of delivering justice, through arbitration courts. That is what he means by suspension practice.

## CHAPTER 28- THE HALLUCINATION OF LAW COURTS

Gandhiji says that if the people weren't under the spell of the lawyers and the law courts, humanity would be happier and he warns the people who frequent courts and have taken a liking to it, to be careful of the evil that lies underneath. He says that the courts support the authority of the Government and are supposed to dispense justice, hence they are called Palladile of a Nation's Liberty. But if they support an unrighteous Government, then they are crushing the nation's spirit.

The Englishmen in India have also been privileged in receiving the punishment for similar crimes committed by Indians. But this is not going to change if Indians replace the British judges and prosecutors. There were Indian judges and prosecutors who were as guilty as the British officials. Gandhiji says that he doesn't have anything against the Englishmen in general, there are many of them who he has come to admire and respect. But once they are put in a position of power, he cannot trust them to do the right thing for his fellow Indians, which makes him resent them.

Gandhiji says that he is digressed on the fact that if Indians did have control over the Government but it functioned as it does in the control of the Englishmen, then it would be intolerable as it is. This is why he is dissatisfied even if there are Indians appointed by the government to higher official places. He believes that Indians should have absolute equality in theory and practice, and the ability to do away with the connection to the British.

As long as there is superstition that these government institutions and law courts will provide justice along with the lawyers, there is no scope for improvement. Gandhiji is telling the people not to get swayed by the opinions of those who use the law and the justice for their personal gain and greed. Without the law courts the Government will perish. He is aware that his plan may not entirely subjugate the Indians to withdraw from courts, but this will place them on a higher moral ground and make them more respectable. Therefore every lawyer who is suspending their practice is helping in bringing down the prestige that these courts hold for the betterment of the nation.

Gandhiji says that until now no one has considered the large economic drain that these closed law courts will cause, though it is not trivial. India has one of

the most extravagant law court system and the lawyers charge a large fee, when compared to the lawyers in South Africa. Legal practice is not ought to be a speculative business. The best legal talent should provide to the poorest at a reasonable rate, but they have adopted the way the Englishmen practice. The price for education is also very high, only certain sections of society are able to afford it. India will not be able to handle such an economic drain. The English influence on the Indian environment is not suitable for our nation, that is why this extravagant lifestyle is putting our country's economy at risk. So Gandhiji says that any person considering this profession should take all of these factors into account and those who are already lawyers should suspend their practice.

## CHAPTER 29- COBBLERS V. LAWYERS

Babu Motilal Gosh summoned Maulana Mohomed Ali and Ghandhiji to convince them to invite the lawyers to join Congress, to which they said that they will only invite those who decided to suspend their practice. Motibabu, to this, said that the lawyers found it offensive that Gandhiji stated that lawyers breathe the same air as cobblers. Gandhiji felt very sorry and he says that he has mentioned many statements which were not meant to offend lawyers. He has said many harsh things about lawyers, but he never imagined them being guilty of caste prejudice. Having been a lawyer himself, he would not do anything to offend his professional brethren and he will not forget the unique and the extraordinary service they do to that society.

He commends lawyers on their courage and says that they are the voice of the people and the guardian's of their country's liberty. He says that if today they are not considered leaders, it is not because they do not possess the qualities of a leader, which are courage, endurance, fearlessness and self sacrifice. It is because a person belonging to a suppressed class with these qualities would be a leader, but the same privileged one should fail. He is also pleased to see that there are many lawyers who have not suspended their practice, but are followers of the movement.

Motibabu says that there has been intolerance in the movement, the non-cooperators are insulting the lawyers who refused to suspend their practice. Gandhiji believes that this might be true to a certain extent, he says that intolerance itself is a form of violence and it is an obstacle to the growth of democracy. He says that a non-cooperator is nothing if not humble, arrogant assumptions of superiority with very little effort is very dangerous to the movement. A person on the path of sacrifice finds out the measure of

selfishness, and must wish to give more and not be satisfied until there is complete surrender.

Gandhiji says that humbleness and tolerance is the basic ability one should have. It is the exclusiveness and easy self-satisfaction which have kept his people unwavering from their motto, which is conversion by gentle persuasion and constant appeal to the head and the heart. So he says that they should be courteous and patient and not see their opponents as the enemy of the nation.

Lawyers who are supporters of the movement but have not been able to actively take part, have been promoting the ideals subtly through the matter of Swadeshi. Gandhiji says that there is no reason why a lawyer cannot make Kadhi fashionable at court or why he and his family shouldn't spin in their leisure time. He says that everyone cannot be a leader, but everyone can be bearers. He hopes that the non-cooperators make it easy for such countrymen who are trying to offer their service.

#### CHAPTER 30- HOW MANY LAWYERS AND STUDENTS HELP

There are hundreds of lawyers and students who are not suspending their practice or studies only out of weakness. He finds it strange that if they do not non-cooperate in a particular way, they are not affecting the cause at all. A lawyer who cannot suspend his practice can certainly help by providing money, by doing public service, introduce honesty and fairness in his profession, can fix his charges according to the type of client, he can spin kadhi with his family and wear kadhi with his family. There are some things which can be done by every lawyer, just because he cannot do one thing that does not mean he cannot contribute in other ways. What Gandhiji has said applies to students also. Most of the volunteers are students and it is a privilege which the government cannot take away from them. Both lawyers and students must be content being unambitious servants of the nation. Even if it is not possible to boycott the English schools, steps must be taken to bring down its prestige, until all the schools are nationalised.

#### CHAPTER 31- PRACTISING LAWYERS

Gandhiji talks about the Patrika, a newspaper which dedicated a column for expressing strong disagreement to the matter regarding the lawyers. They think that practising lawyers can lead the public opinion in favour of the movement

and that the Congress has asked only few lawyers to suspend practice. Gandhi disagrees with both of these statements. He says that he has called all the lawyers to come together and take a greater initiative and those lawyers who cannot suspend their practice should not hold positions in the Congress. There might be corrupt practices introduced or there may be differences of opinions which may lead to further issues.

He says that the Patrika has made the error of comparing lawyers to merchants, though not many merchants have taken part in the movement, those who have stepped forward have renounced dealing with foreign cloth. He says that there are many people who have been weak but humble followers of the movement, and that this is the path the practising lawyers should take. It will be an honorable and dignified approach.

The Patrika is now promoting insult and derision as an alternative to suspension. A person succumbing to such practices would be an unworthy non-cooperator. Not electing the weaker participants to the movement and congress is one thing, but insulting them is completely intolerable according to Gandhiji. He says that these people deserve sympathy.

Gandhiji says that the Patrika is completely wrong with this idea. Though practising lawyers cannot be leaders of the movement, they should be safely left to practice. Lastly, he says that Patrika is not wrong in stating that the Congress has called suspension in order to secure services. It is clearly stated in the preamble that the main aim of the non-cooperation movement is to undermine the prestige these Government institutions carry.

## CHAPTER 32- A PROTEST

G. C. Verma writes a letter, which Gandhiji addresses in this chapter. In the letter, Mr. Verma talks about an article he read in the Servant which describes an

incident of Gandhiji meeting two young sons of merchants in Jubbulpore. He points out that the facts are wrong and those two men were actually Malguzars

(tenure-holders). Their main occupation, according to Mr. Verma, to exploit the poor and pay high tax to the government through extracting rent from them. He is outraged by this fact and says that if these people are not cooperators with the Government, then no one else could be cooperators.

He says that if lawyers who do not suspend cannot be an office-bearer, then they should not be too. Malguzars are more attached to the Government than lawyers. He states that in Jubbulpore, lawyers are leading the movement and not the Malguzars. He says that if Gandhiji had spent sufficient time there, he could have met the members of the bar who would have discussed the matter with him. He finally states that he hopes to clear the misconception and that he is suspending practice in November.

Gandhiji says that he is glad to have received such an energetic protest and that the lawyers are leading the movement in Jubbulpore. But when he was there he did not meet any of the lawyers and that was suspicious, the two men referred to him were the sons of the landlords, who seemed to be the main organisers of the event. Young-men like them should be encouraged by these lawyers, who are an honorable part of the upliftment of the nation. The Congress has also not asked the landlords to give up their lands, or stop collecting the rent. He says that he genuinely liked these men and that he is sorry to disagree with Mr. Verma.

## CHAPTER 33- PRACTISING LAWYERS

Gandhiji says that he has been continuously receiving regarding practising lawyers in holding offices in Congress Committees. He still stands by his views that there should be no practising lawyers holding offices, even if they are more capable than others. He believes that the movement should be led by humbly-guided lawyers, who believe in self-sacrifice. He advises the electors to choose the lawyers who have suspended their practice. He says that success is dependent on bravery, sacrifice, truth, love, faith and not legal acumen, calculation, diplomacy, hate and unbelief.

## CHAPTER 34 - ABOUT LAWYERS

Gandhiji mentions about the one lakh rupees fund which was collected for the practicing lawyers who were suspended in the Nagpur resolution and also that he could not tell them to go back, as he was sure that many of them would not support the idea of returning to the country. Gandhiji suggests the provincial committee not to leave the lawyers on their own instead take up assistance from the central fund to avoid delay in national work. He says that the lawyers are eager to take part but cannot lead as they would weaken the movement and that the top men could be lost to waken the supreme crisis. The non-cooperators were told to sign the volunteer pledge and that the use Khadi of could be a little inconvenient but Gandhi is sure that they would not mind it for the requirement of the pledge. The non-cooperators were invited to take up activities as they would not sacrifice and give their best in response to country's contribution and that they were priding themselves on their achievements. Gandhiji says that a person who does not have a little or nothing to sacrifice can put on his khadi for the practicing lawyers and others who are serving the country and that with a willing heart they should receive a thank you.

## CHAPTER 35 - THE SATYAGRAHI LAWYERS

Here the Bombay High Court judgement in the case of lawyers who should be punished as a outcome but got postponement and that they had asked for a clear decision. They had also been offered the arisen of civil disobedience movement.

The learned judges who had their legal conduct had questions like; people who live by law must keep the law? This means that no lawyer could commit a civil breach without incurring the court meaning their would no movement. Gandhi says that the lawyers are the most dangers of bad legislation and that it is their duty to commit civil breach for prevention of criminal breach. And that they are the guardians of law and liberty as book 'pure and undefiled'. He says that the judges have presented the profession of lawyers in a greedy way and only way to escape the situation is to restore the case to the board asking for the final decision. The judges have left the course open to the satyagrahi lawyers

## CHAPTER 36 - MYSORE LAWYERS

The Mysore satyagraha struggle had many Mysore lawyers who had been removed by the Mysore chief court in which the most respected and was

standing for twenty-years was H.C. Dasappa. There is a newspaper named 'THE HINDU' in the case which gave Gandhi a painful reading. Gandhi says that Shri Dasappa had a daring for not obeying the magistrate's order for attending the meeting and also that he advised the satyagrahi prisoners to boycott the departmental inquiry which was under the instruction of Gandhi by Justice Nageswara Iyer. He says that Shri Dasappa is person to be rejected by the society but Gandhi knowing him personally makes him says that he is a man with spotless character and trustworthy who was given best of their ability in non-violence practice that no other could

do in British India. Advocate Bhualabhai is a advocate-general, Advocate Munshi and Advocate Chakravarti Rajagopalachari are the two who have been ministers in the provinces. Gandhiji puts on his opinion that the judges of the Mysore court have forgotten themselves while giving the judgement and that Shri Dasappa has not suffered but will ride in the people of Mysore and that the Mysore judges will suffer.

Gandhiji brings up an incident on false judgement that a Durban magistrate was carried away by someone which led to sentence an innocent man, and then that his judgement reversed the judges which led to the removal of the magistrate. He also says that the Punjab judges were disgraced that many had pronounced the judgement which did not support the evidence. Gandhiji says that the Mysore judgement is worst than the Punjab judgement, in which murders took place by the mob and the famous men were not taken to the ordinary courts but to the Martial Law Tribunals.

Gandhi congratulates Shri Dasappa and others as he has nothing but to congratulate and tells them that their punishment would turn into blessings. He says let these lawyers be proud of their poverty and remembers Thoreau's saying that riches is a crime and poor are virtue in administration. Gandhiji writes with no pleasure to the removed lawyers who have a rare opportunity to remodel their lives and to put efforts to produce the state of affairs in Mysore that what Gandhi described should become impossible.

## CHAPTER 37 - SHRI DASAPPA'S CASE

Gandhiji remarks were explained with the facts on the order of Mysore chief judge directing Shri H.C. Dasappa, who had charges of disobeying the Kolar district magistrate's order and second Dasappa as a president advised the congressmen not to participate in inquiry by the government. The inquiry was all about torture being made by the congress against the police officials. On Gandhiji's advice the congress members had decided not to participate in the inquiry and a part of Shri Dasappa being the president of congress described

with his conduct as a lawyer and was asked by the high court to explain his conduct and were questions were leading the circumstances to decision for non-participation in inquiry.

Gandhiji mentions about the provoked chief justice who had made certain statements, a foul allegation was made against one's neighbor and to refuse the withdrawal of conduct to which a decent-minded man who had not lost sense of fairness, which he explains that from respondents' statement, it's aim is to have a political association to form a responsible government in the state which all would admire. He says that the form of government would not bring success to the country and that the respondent has his followers withdrawing the charges. Gandhi says that no man is fit to be an advocate in the court for such conduct and it was surprising to see the reports of the Hindu that the respondent's truth should be in such a way, it is because the truth is always degraded in the country is nothing more than the respondent had lost appreciation of meaning and value. It is sad to degrade someone like this and that it would not be fair to other members of this profession to work with a man who lowered his morals. Gandhiji clearly gives opinion that the respondent has defect character to stay in this court as an advocate.

#### CHAPTER 38 - BABU KALINATH ROY

Babu Kalinath Roy was a Satyagrahi and also an editor of the newspaper Name 'Tribune' who had written few articles in Punjab. Gandhiji takes up the responsibility of Babu Kalinath Roy to prove him innocent in his case and who had also told his respected friend of Gandhi and leader Sannyasi Swami Shri Shradhanandaji to look into this case. Gandhi did not know Mr. Roy personally but to prove his writings, he looked into the writings and judgments which had a serious allegation on Mr. Roy under section 124-A of IPC. A thorough reading led Gandhi think that Martial Law court had allowed its judgments to be distrust and also he gives a proof to his writings and articles which were extracted from the Tribune were from the Delhi Affairs. He says that Mr. Roy had published issues on agitation against Rowlatt Legislation and also had appealed to the readers of the judgements to wait for the inquiry's result that he had asked to the court. Mr. Roy had asked for a memorial in the memory of Delhi Martyrs who were shot down in Delhi and not a memorial fund/ relief, he also points out the errors of the government and local authorities in his article in which the court resents the term Delhi Martyrs in the issues of 6th and 8th April. The other article in which Mr. Roy had used the word 'DUPE' to Honorary Magistrates and Municipal Commissioners who had advised the shopkeepers to not to close the shops which the editor had wrongly misstated the facts in article.

Gandhiji talks about the other two articles which Mr. Roy had written 'Delhi Tragedy' about the public inquiry on the Government of India and then the

‘Blazing Discretion’ which was against Sir Michael O’Dwyer who had a irritative and wrongful speech in Punjab Legislative Council. Gandhiji states that his purpose is not prove Sir Michael O’Dwyer guilt but to prove Mr. Roy’s innocence and ask for prayers for his release. He says that the articles which are against Mr. Roy should amount to sedition as Gandhiji hold on and they do not that he should be set free.

## CHAPTER 39 - LALA RADHA KRISHNA’S CASE

Gandhiji upon being asked by many of his friends that why did he take Babu kalinath Roy’s case instead of Lala Radha Krishna’s case; he says that he did not know him and that he would be glad if he gets the papers of this case to study. The petitions of Lala Radhakrishna and translations of Pratap from the charge-sheet were published in the issue and that the reader has a definite conclusion. According to Gandhiji the judgement has a false justice and that the accused is sentenced under the section of IPC and that the rules were passed by the government under Defense India Act not by the Legislative council. Rules could be offences against it under the orders of government and officers to be appointed.

Gandhiji states that the prosecution had put false statements in the paper about being fired without cause in Delhi and that this could be a dangerous inaccuracy. He says that there are words in charge-sheet which are omitted and that the accused’s meaning which was in his favor has also been omitted. When the authorities started taking the initiative the people started throwing stones and brickbats in the third count. The part of defendent would led to supresso veri (suppression of truth) and that he could put himself out of the court.

Gandhiji talks about the remark in the charge-sheet that the accused had published in his provoking articles and that he had not seen something so argumentative. He feels sorry that the judgments has the same impression as the charge-sheet on one’s mind and that the prosecution has established false statements that are removed from the context and were incomplete. There would no evidence to prove the incomplete statements and their they are left to examine only two statements; first statement about the Musalmans and Hindu being killed and that they are not known how many were killed. He says that it is not about how many people are killed but about the fact that people should be alarmed (known about the firing).The newspapers like Anglo-Indian press and the Pratap had to dismiss the plea of the statements by the judges.

He says that the second statement was that they cannot deny the fact the most who were killed and wounded were innocent. The petition by Lala Radha Krishna had that the Delhi Authorities had taken up the initiative to open a

public fund to the innocent sufferers in the riot. Gandhiji adds on this that the people who are killed or wounded were not guilty of their act and that the courts has believed the facts that they were the members of violence and dangerous mob. He says that these facts don not prove that people who are killed are guilty nor the writer's articles shows; it is all about the firing happening and also necessary to examine the charges of Lala Radha Krishna.

Gandhiji says that the statements have not proven to be wrong or that prosecution has not put any grounds to believe the statements and that the judgement is all about cause a fear or alarm; that the false statements had caused alarm or fear in the people. L. Radha Krishna on this point says that the prosecution witnesses the instances of such alarms by these articles.

Gandhiji says that L. Radha Krishna's fact that there was no reason for regretting and had written exaggerating articles. As there would be no error of death counts by him before the official announcement was published in Civil and Military versions and the petitions of Lala Radha Krishna's release has the attention of Governor of Punjab. Gandhi hopes that the people of India and the press would stay united for his justice.

#### CHAPTER 40 - THE LAHORE JUDGEMENT.

Lala Harkishnan Lal, Bar-at-Law, Chaudhary Rambhai Dutt, Vakil and Mr. Duni Chand Bar-at-Law and Messrs along with Allah Din and Motasingh who were the minor offenders were under section 121 and 121A of the IPC and sentenced to transport of life and forfeiture being the lowest penalty and death by hanging being the highest penalty. The learned judges had the power to not convict them in this but in other charges and that the judgement had twenty-seven sides was being presented to the readers of newspaper 'YOUNG INDIA', urges to read it word by word. Gandhiji says that this judgments when read with the Amritsar judgemnet is the saddest commentary on British justice which also has no other justice better than this and that we sometimes tend to put ourselves into a false belief by thinking that the British courts are the palladia of liberty. Gandhiji talks about Mr. Winston Churchill who was a educationalist said that the judges too are not free from political bias and also wished that the people could avoid the litigation. And then asked that what if we are dragged to the courts? He answers saying we should not defend if we are wrong then we would be sentenced and if we are wrongly brought then our innocence will prove. Gandhiji says that the Lahore judgments is on Rowlatt Act and the protest began with a meeting held at Bradlaugh Hall. He refers to letter which included Satyagraha vow, firing at Delhi, Amritsar disturbances and Badshahi Mosque;

says that these were the main facts that prosecution combined with accused to show the Rowlatt Act was by criminal means and also that the defense had made us believe that there were no organization for the hartals in Lahore, Muzang and Bhagwanpura that the shopkeepers had closed their shops in form of protest. The Langarkhana were open during the meetings and that when a crime is committed their is imprisonment. The least could happened was to continue agitation against Rowlatt Act so that government could give liberty to the agitators and that Gandhiji is not afraid of an outbreak but advises hartals again.

Gandhi's arrest while proceeding to Delhi had bought violence by the government and that the motive of calming down the atmosphere in Lahore and Amritsar. It bought a stubborn protest against the act by arresting the leaders of the people Drs.Kitchlew and Satyapal and that there would repetition of hartals organized without any force or a drop of blood being shed. Remove our suffer or we shall close our shops, suspend our business or we shall starve; was the formula of Chaudhary Rambhai Dutt to prove that criminal conspiracy existed. There was effective demonstration being degraded by Mr. Shaft and others who were bring peace but had cries as 'Hai Hai Rowlatt Bill' or 'Hai Hai George mar gaya' or C.I.D inspector beaten up or sheets like Danda Akbar or destruction of pictures of the majesties. Gandhiji says that the acts of Lala Harikshanlal, Lala Dunichad and the co-accused are the act of war then no other agitation is possible in the country. Then how did the government have the right to launch the prosecution for criminal conspiracy and that the judgement is of political bias.

Gandhiji says that there are no clear issues stated but the legal carrying of the agitation would involve processions, hartals, fasting etc; and that the statements of government is same as the judges. He says that he would not welcome the release of accuse if the judgement has nothing to show to that the accuse was encouraged by the violence. And that the intention to the violence would bring peace as a combination and also the incidents would create a warning for the leaders. The making of peaceful, law-abiding citizens as criminals or liars for justifying the declaration of martial law and that the duty of a Indian is; by quiet, persistence and powerful agitation without violence, to secure the Rowlatt Legislation and the reversal of the sentence.

## CHAPTER 41- JAGANNATH'S CASE

The fact that Gandhi had to direct public attention to the third defeat of justice in Punjab was not without deep anguish. This time, though, Mr. Jagannath was

not a celebrity, but a person who was foreign to fame and unrelated to any public activity. He was sentenced to transportation for life and deprivation of property by one of the martial law tribunals, for declaring war against the majesty. One of the fifteen accused in the Gujranwala case was Mr. Jagannath.

The court ruled that the defendant was present at the meeting on the 5th. Also on April 12 and 13, despite his rejection. And there was enough evidence to state that the defendant engaged in the closing of shops on the 14th. Gandhi submits that unless the meetings were incriminating, the accused had committed no. About the meeting of 5 April, the court noted that the people of Gujranwala knew nothing and did not care about the Rowlatt Act. But on 4th of April the accused agreed to launch an agitation against this act, which was likewise adopted by Gandhi in the other part of the country. Gandhiji says that these facts could not include any crime under any known statutes. The court itself doubted the existence of an indictable conspiracy before the 12th of April. The court further claimed that on the evening of the 12th and during the day of the 13th, in consultation with Bhagat, some of the accused decided to follow Amritsar's set example of burning bridges and breaking telegraph. Gandhiji says that while these facts proved a criminal conspiracy, the court was silent about which accused agreed upon the crimes cited in the paragraph. There was a meeting held by the district congress committee on the 12th before the evening meeting of the 12th noted by the court. Gandhi submits that the court needs to find out whether the accused was present in the meeting for the agreement to arrive at. But there was nothing in the finding of the court beyond a vague general statement about the accused's presence at the meetings of the 12th and 13th. And the presence of the accused in Gujranwala on the 14th would amount to no offense unless proved to be a party in the agreement referred to.

The accused's defense rested upon an alibi. He stated that he left Gujranwala on the 12th of April by the 5 p.m. train en route to Kathiawad. He applied for a subpoena to summon witnesses to show that he was in Dhoraji on the 16th of April. The court rejected the application, but granted interrogatories, put the accused, a poor man, to the expense of Rs. 250 for the expenses of the Commission, and yet pronounced the judgment against the accused. The accused had contended in the petition that on this ground alone the conviction was illegal and ought to be set aside. The petition refers to the register of the Foujdar of Dhoraji. He shows that it takes 44 hours to reach Dhoraji from Delhi by the fastest train. He couldn't be in Gujranwala after 6 p.m. on the 13th.

The accused was a petty shopkeeper, ignorant of Urdu as well as English, with no education. He had never taken part in politics, nor was he a member of the

local District Congress Committee. The humbleness of his position made the injustice all the more galling, writes Ravi Agrawal. The meanest of the subjects of the King suffers no wrong, he writes. Bad as Babu Kalinath Roy's and Lala Radha Krishna's cases were, this is worse in that Martial Law Judges declined to wait for a return of the Commission they had granted.

## CHAPTER 42 - ANOTHER SCANDAL

Gandhiji's troublesome situation was to present another batch of cases to the Punjab reader that showed an intolerable state of affairs. They hoped H. E. the viceroy to end the growing agitation by appointing the promised committee of Inquiry. Mr. Montagu announced that at least two out of the three justices of the Punjab special tribunals were judges of the high court of three years standing. And where the members were not High Court Judges, they were eligible for that high post. The sorrow increased by the knowledge that perpetrators of injustices were judges. The desire to secure for Englishmen almost absolute immunity from physical harm from the 'natives' by inflicting exemplary punishments on someone appears to have been the master-passion overruling discretion, wisdom, and justice. Gandhiji couldn't understand the judgments that had come under his notice on any other hypothesis. These reflections were caused by a perusal of the judgment and the evidence in the Hafizabad case. He had never encountered instances in which capital punishment was so loosely pronounced during his practice of law, by no means inconsiderable, ranging over an unbroken period of twenty years, on the flimsiest evidence taken down in a most perfunctory manner, as appeared to have been done in the Hafizabad case.

The case was handed over to Gandhiji in respect of only one of the nineteen defendants who had been tried. Karamchand, the 19th accused—a student at Dayan College and the Anglo-Vedic College. Gandhiji had no hesitation in claiming that there were no evidence before the court to support a conviction against any of the accused of waging war. The accused was charged under Sections 121, 147, 307, 486, and 149 of the Indian Penal Code. It was simple enough to reject all the milder parts if the Judges had wanted to do so. But in every act of the crowd, they smelled war. In the absence of specific evidence against the other accused, it was difficult to form a conclusive opinion. Gandhiji, however, cannot conceal the very suspicion that the full text of the evidence will not disclose any ground for the statement of the Judges. Nowhere had Gandhiji seen any attempt during those days of April to 'overthrow the Government.'

The court held Karamchand peculiarly guilty for he gave Hafizabad crowd a reason to believe that their insurrection would be successful. The court further claimed that the four men deserve the extreme penalty. The other three men were among the active assailants of lieutenant Tatam. The evidence showed that the Prosecution witnesses admitted that they were 'utter strangers' to Karamchand. He was charged with bringing news from Lahore on the 11th of April, not that he did anything on the 14th. Two witnesses on the train that carried Lieutenant Tatam have given only identifying evidence. They were unable to say that Karamchand himself did anything at all. B. B. School's Headmaster's testimony said that Karamchand was a student of the D. A. V. College, Lahore. He was talking about the riots of Lahore that the people were being fired upon with a machine-gun at Lahori Gate. He was going to say more but the headmaster stopped him and advised him not to say such things at Hafisabad. Upon cross-examination, he told that the accused did not belong to Hafizabad. Prosecution witness 27 gave evidence corroborating with that of the Head Master's

And one fails to see what peculiarity the judges found in Karamchand's case. Karamchand says he went to his village on the 12th. He produced four witnesses to prove that he was in his village Udhoki on the 14th April. The two witnesses for the prosecution were never seen by Karamchand before and never saw him doing anything active. It was not justice to sentence a man to be hanged on the very inconclusive testimony as to identify. The sentence was then commuted to 10 years' rigorous imprisonment, but the victim's father was not satisfied with it. Gandhiji hoped that His Honour the Lieutenant Governor of Punjab would study the case personally, and if he did so, Gandhiji doubts not that Karamchand would be discharged.

Gandhiji noted that nothing that was done in Hafizabad could surpass the wicked and wanton cruelty of the mad mob at Viramgam. He further also claims that the proceedings in Ahmedabad were in contrast to those of Punjab, Ahmedabad Tribunal had carried on the inquiry with judicial calmness. Hence, its judgments did not provoke much hostile criticism. Only the promised Committee of Inquiry could solve the discrepancy, he adds. He hopes the public will demand full and unconditional discharge in cases of palpable injustice.

#### CHAPTER 43 - VICTIMS, NOT GUILTY

Gandhiji now keeps the Ramnagar case before the readers. The able petition on behalf of Lala Karamchand was presented by his old mother Gangadevi, who showed his son, Devidas's letter that read that the accused in the case were, 'Victims, not Guilty'.

Gandhiji says that if the simple narrative of Lala Karamchand's son is true, then the whole proceedings were a farce and called it a mockery of a trial. The accused, twenty-eight in number, were all tried together. The trial was finished in one day during which altogether 150 defense witnesses were examined. The question that raised was, how the Judge could examine so many witnesses in a day? The only inference was that no notes were kept. The accused were arrested eight days after the alleged offense. The order was completely restored throughout Punjab by that time. The trial took place on the 22nd of May, five weeks after the alleged offense. Gandhiji asserts that the supposed crime was not such that it may be committed in secret. It was said to have been publicly engaged. The story of the prosecution was varied from time to time. One of the accused appeared to have been a mere spectator. The facts were common to all the accused. Gandhiji was also supplied with the papers on Lala Daulatram. The facts therein set forth tally with those furnished in Lala Karamchand's case. And hence Gandhiji was convinced that twenty-eight innocent men have been ignorantly condemned. They should be set free. Lala Daulatram was the son of one who had rendered meritorious service to the Government. The whole family belonged to the official class. It was cruel that such men should have been so shamelessly punished. Gandhiji says that The judgment was self-condemned and that it breathes vindictiveness and anger. The case was later sent before His Excellency the Viceroy.

#### CHAPTER 44 - Dr. SATYAPAL'S CASE

Gandhiji was disappointed at the gross injustice done to Dr. Satyapal and to Dr. Kitchlew. They were accused of all sorts of things which they had never done. the speeches made by the doctor were incorrectly reported by the C.I.D officials. Gandhiji quoted some of the facts stated in the letter written by Dr. Satyapal's father, such as the change in the government's intention to prosecute Drs. Kitchlew and Satyapal due to which they acquired an additional statement implicating both these gentlemen. Though Dr. Satyapal did not attend the 30th March meeting, the court accused him of sedition. A platform ticket agitation carried on by Dr. Satyapal in January and February last was shamelessly brought into the trial to prejudice him. The agitation was entirely harmless and successful, and about which Dr. Satyapal even received thanks from the station authorities. The letter concluded with a fact that Dr. Satyapal offered himself for military service in 1915 and was granted a temporary commission as a lieutenant I.M.S. In 1918 he again volunteered for service but the arrangement fell through. It was indeed a befitting sequel to be convicted under section 124A after such a record of services to the Government and public both.

It was not mercy that the accused ask for, but the justice that they seek and on which the public must insist.

## CHAPTER – 45 LALA LABHU RAM

Gandhiji says that Lala Labhu Ram's case was not better than the rest of the cases seen in Punjab. Systematic injustice done to people had become a tradition in Punjab. Gandhiji further explains what happened in this case. Evidence for the defence was not considered to be complete even though the whole of the evidence was received by Lala Labhu Ram's solicitors. The notes of evidence contained the remark, "Cross-examination for accused No. 9. Nothing relevant!" Gandhiji sarcastically claims that the judge might have considered the defence evidence also irrelevant. Fortunately, the exclusive petition of Mr. Labhu Ram was reliable, as it was a must to accept it as a correct statement of the evidence in the absence of any contradiction.

Unlike Karamchand and Jagannath, Mr. Labhu Ram was not a poor student lad. He was a civil engineer and belonged to a very respectable and loyal family in Lahore. He had completed his education in Glasgow and had returned from England in 1912. He worked as State Engineer for some time in the Poonch state, where he not only discarded his professional duties but also materially helped the authorities in recruiting work. He was not a member of any political society or any Samaj or Sabha. He did not even take part in any propaganda of any kind whatsoever. Gandhiji had dealt with Mr. Labhu Ram's position in society. Because the case at the worst turned upon the credibility of witnesses. Several of the accused, of whom Lala Labhu Ram was one, pleaded an alibi. Dr. Bodhraj, a well-known physician of Lahore, and his compounder gave evidence that Labhu Ram was busy with them in connection with the treatment of his ailing son at the time of the alleged assault. However, courts have always looked upon the defence of alibi with considerable distrust, says Gandhiji. It was, therefore, necessary to dispose at its worst and give the court credit for fairness in weighing evidence. Gandhiji further submitted that in light of the lack of an overwhelming and unimpeachable testimony against Lala Labhu Ram, the court was bound to accept his evidence and grant him an honorable discharge. While the status of the accused was a material consideration in coming to a decision, Gandhiji claims that Lala Labhu Ram enjoyed a noble status in the society.

Labhu Ram was arrested on the 20th of April, i.e. eight days after the day of the alleged offence. Mr. Labhu Ram's name did not even occur in the police diary of assaulters. Out of the 11 prosecution witnesses, six had nothing to say about the accused. The only witnesses who identified the accused were the policemen or

the people who vested their interests with the policemen. This also means that they were professional witnesses. When the prosecution was questioned regarding the delay of the arrest, they answered stating that since the name of the accused was not entered in the diary of the complainant, they could not say how or when the police came to know of his complicity. Gandhiji claims that the case of the defence is overwhelming.

Shockingly, Mr. Labhu Ram was sentenced with transportation for life with forfeiture of property, which was later alleviated to fourteen years. Gandhiji further says that Mr. Labhu Ram was no child. He was a man of the world, of culture, and fully aware of his responsibility. Had he taken part in a cowardly assault on an inoffensive man who was but doing his duty he deserved stern justice and no mercy. If his case was not true, it was not one for mercy, and if it was true, justice would be hardly satisfied. Evidence before the court did not sustain a charge of waging war against the King. The long-expected Commission had now been appointed. If the reference included the power to revise the sentences, the members of the Commission would have an opportunity of pronouncing upon cases like Mr. Labhu Ram's. However, Gandhiji submits to the Punjab Government and the Government of India that in cases where the recorded evidence itself showed a patent miscarriage of justice, they were bound in honour to discharge the accused without hiding themselves behind the Commission.

## CHAPTER – 46 GUJARATIMAL'S CASE

Gujaratimal was a lad eighteen years old, having received no more than middle school education. At the age of 16, he got himself appointed as a dresser in the Military Department. After working for about a year in Multan Cantonment, he went to Egypt and spent one year there.

He remained at his village, Madhranwala, getting his shop repaired. But to his astonishment, some policemen came there on the 16th with warrants against him and prosecuted him accordingly. This was Gandhiji's one of such cases where a firm decision could not have been taken on a mere reading of the evidence. The case of Gujaratimal was one out of 19 tried together. Upon analysis, Gandhiji found a similarity between the judgments pronounced in the Karamchand case and lad Karamchand's case. Gandhiji also observed that none of the accused were arrested red-handed, but sometime after the alleged crime. Gujaratimal was

sentenced death. His sentence was subsequently commuted to transportation, and still more subsequently, according to what his father had heard, to seven years' rigorous imprisonment. Gandhiji found it a serious matter to sentence a lad of 18 years to death. If the facts supplied by the father of Gujaratimal were true he was entitled to complete discharge without further investigation. Gujaratimal was a man of poor circumstances. The accused is an insignificant lad. In Gandhiji's opinion, therefore, the case became all the stronger for a searching inquiry. The prosecution should have questioned the truth of the identification evidence led by the prosecution as none of the prosecution witnesses who afterward gave evidence against him could identify him, nor even Lieutenant Tatam. This discrepancy can be proved from the recorded evidence. The trial should be concluded without delay, says Mr. Ravi Agrawal. The case requires a thorough investigation, he adds. The verdict is quashed and the case is referred to the Supreme Court for further proceedings. The father later petitioned His Excellency.

#### CHAPTER – 47 LABH SINGH, M.A., LL.B., (CANTAB), BAR-AT-LAW

"No mere reduction of sentence, it is most humbly submitted, can be a consolation to Your Excellency's memorialist or in an adequate measure will right the wrong that has been done him or meet the ends of justice." This is an extract from the petition of Mr. Labh Singh, Bar-at-Law.

Gandhiji sympathizes with the above-quoted words as they show the wrong that had been done to Mr. Labh Singh and at the same time, admires it for the jail had not broken the spirit of the young barrister. Mr. Labh Singh asked for nothing but justice. Despite H.E, The Viceroy's remarks to the contrary, the spirit of justice moved slow and disinclined to do real justice. Gandhiji further refers to Sir Edward Maclagan's speech in reply to the Hon. Pandit Malaviyaji's resolution for the appointment of a commission. He recalled the warning of the Viceroy against the temptation to minimize the events of April. His honor begged the question by saying that the findings of the special courts should be accepted as they represented the unanimous conclusion in each case of the three veteran officers. His Honour, however, silenced his critics by saying that he had never found a case where he felt justified in impugning the substantial correctness of the findings of the court. Gandhiji further claims that if the Lieut. Governor of Punjab that not found a single case for challenging the correctness of the findings of the special courts, out the many that had come before the public then, it had not been Gandhij's good fortune to find many cases to inspire confidence in their correctness. He took this very case to illustrate his point and noted the judges' remarks in this case, which stated, Labh Singh, accused 4, took

an active part in the inception of the agitation against the Rowlatt Act. He is said to have at first opposed the commission of acts of violence, but finally agreed. He was seen in several places with the mob on the 14th but appeared to have assisted the authorities. Gandhiji questions the judgment of the court, as the remarks given in this case were nothing but good. This was in the same judgment in which poor Jagannath was sentenced in the face of an established alibi, and even before replies to the interrogatories issued by the Commissioner had been received. It was admitted that beyond signing the notice for the 5th April. Mr. Labh Singh neither convened nor addressed a public meeting at Gujranwalla or elsewhere at any time within 12 to 15 months preceding the occurrence of the 14th of April.

Gandhiji asks every lover of India and every public man to carefully study these documents together with the judgment in the case. As we owe a very plain duty to Mr. Labh Singh and his co-prisoners. According to Sir Edward Maclagan, they were all guilty, according to the evidence before the public, they were all innocent. We may not allow young men of brilliant ability and moral worth to have their careers blasted for life by our indifference. Posterity will judge us by our ability to secure justice.

## CHAPTER 48 - MORE PUNJAB TRAGEDIES :

### YOUNG INDIA:

A weekly paper or journal in English published by Gandhiji for 12 years (1919-1931) where Gandhi wrote various quotations in this journal that inspired many. He used Young India to spread his unique ideas and thoughts etc.,

Gandhiji have called Punjab as land of tragedies because of the farcical political trails held in which several innocent persons were sentenced by specials to death or life imprisonment on the flimsiest of evidence. The trails indeed furnish a sad commetry on the administration of justice in Punjab during that period of great storm and stress.

24-9-1919 Young India: Gandhiji have mentioned about the misery or injustice happened in the case of MR. Gurudayal singh and Dr .Mahomed Bhashir where death sentence is passed against them being unheard.

Mr. Gurudayal Singh case which came into light because of the letter sent by brother of Mr. Gurudayal which is attached with an prescription saying that on 14th and 15th he is confined to bed due to “seriously sick of appendicitis “and was being attended by an government subassistent. Also mentions that his brother is unaware of the charges against him except through the mouth of the prosecution witness.

Dr. Mahomed Bashir case is an another such case(tragedy)in which the evidence of defense is remarked worthless and completely denied many of the statements ,the judgment has been completely wrapped and death sentence is passed.

## CHAPTER 49 - HOW NOT TO DO IT

In this chapter the author mentions how an good cause can be spoiled by an bad advocate .In tha case of kesar mai his wife maya devi produces her petition praying for the release of her husband .Though the petition is overlaid by the adjectives and declamations and he mentioned that, as practiced drafts men it is pleasure for him to dissect another businesslike petition from the land of sorrow and warns the writers of the petioners either pleader or otherwise to assure that a bare statement of facts to be well decorated with adjectives which is far more effective than a narrative glowing with an exuberant (abundantly fruitful) language.

Under the privilege of serving under MR.Gokhale and Dadabhai naouroji to the petitioners that ,the petition must be brief, written to the point and stick to the facts, and never travel beyond the

Analysis of young kesar mai case:

This is one of the hafizabad cases arised out of the confusion took place in hafizabad station during which lieut. Tatam is alleged to have been the object of the mischievous attention of the crowd that gathered at the at the station. Kesar mai was sentenced to be hanged,the sentence being subsequently commuted to 10 years imprisonment. His wife's petition humbly seeks for the justice to her husband. The grounds as can be collected from the petion says that the prosecution statement is inconsistent ,and according to mr Tatam's statement in police station none tried to snatch his child from him, and he did not identified kesar mai even as one of the person assaulting him. And lieut.Tatam reported to have said that "your depute commissioner Lieut.Col.Obrien is a very strong man and he has unnecessarily compelled him to make too much of case. The witness provided by prosecution are all Govt.servents who are allegedly made to give evidence. The prosecution witness against kesar mai are either prejudiced or themselves feared "implications"or expected favours. Another prosecution witness named kishan dayal later agreed that he stated to have yield to police influence and it is said ,he is now sorry for his wrong and cruel statement. And the defense evidence was entirely ignored although the defense witnesses are impartial men of position.

If these allegations are true it is clear that kesar mai has been wrongly convicted and is entitled to be discharged. And Gandhiji states that cases like this prove that there is a great need of an impartial commission to investigate them. Later on sir William Vincent appointed a community stating that two judges will be appointed to investigate such cases and report upon them to govt.

#### CHAPTER 50 - FINING THE LABOURERS:

Ahmedabad , the government has decided, has to pay a fine of nine lakh in connection with April disturbances due to mill-hands strike ,under the same section of police act nadiad has dealt with. A law that imposes arbitrarily impose a penalty is a bad law. But, the reason Gandhiji is concerned is that the major damage is already done to the life of people and the case of Ahmedabad mill-hands fine of 176 thousand has been fixed and the recovery is to be made from all mill hands employed during September 1919,within the municipal limit . Where the problem occurs during the end of April as the new members constanly came in with the , women and children of whom there is a considerable numbers in the mill has to pay . And in order to pay the amount as fixed before sept 26, 1919 was collected which is equal to one week's wage of manual labour was collected. And now before his Excellency the governor and Gandhiji has ventured the hopes that wrong done to the labourers of Ahmedabad will be redressed,that the sum taken from the labourers is too much for them and it should be reduced, women and boys should be exempted and the payment received by easy stages and assured that terrorizing punishment is hardly the best method of weaning offenders but in the present situation the punishment will fall upon innocent shoulders. Later on the authorities have recognized the delicacy of the situation in that they drafted special police to Ahmedabad and taken extraordinary precautions in order to cow them down into submission,

#### CHAPTER 51 - THE AMRITSAR APPEALS:

[On July 21 ,1919 leave of appeal was granted by the privy council to the 21 citizens of Amritsar who were convicted at Lahore for Amritsar riots of april,1919 .they appealed that the viceroy had no power to issue the marital law ordinances & the procedure followed was irregular].

The best council advocated the appeal but still it was dismissed though the judgment doesn't came up as a surprise & as sir simon developed the argument from appellants side which lead to except a favorable verdict .the author believed that the judgments of even high tribunals aren't un affected by subtle

political considerations . even though the privy council considers the limitations of human institutions it is good enough only for the normal conditions and the consequences favourable to people would have exposed the Indian government which would have been difficult to free for an entire generation.

As soon as the news was received to Lahore the capital of Punjab was reported to be in deep mourning and preparations made for the welcome of lala lajapat rai were cancelled where as now the popular discredit was that rightly or wrongly there is no justice under the British government when large political or racial considerations are involved. And according to Gandhiji as Indian minds will quickly responds to generosity, the cancellation of death sentences by Punjab or central government and to let the appellants free is the only way to avoid the tragedy.

And it is required to take two important considerations .one is to restore confidence as mentioned above and second is the fulfillment of the royal proclamation as mentioned to release the 21 appellants in any shape or form who have never committed any crimes before , as majority of them were respectable citizens and were committed the crime only under the grave provocation .as the majority of the convections by the marital law tribunals were unsupported by any good evidence.

And Gandhiji consoles the people of Punjab not to lose their hearts and we must prepare ourselves for the worst as no nation has ever raised without sacrifice and sacrifice can only be spoken of in connection with innocence and not with crime.

## CHAPTER 52 - THE PUNJAB SENTENCES

The commissioners were appointed by the Congress Punjab Sub-committee and they have made a report in which they have clearly stated about the death sentences. This case came under the Martial Law Tribunal which comes under the Royal Proclamation in accordance with its interpretation by the Punjab government. It was found that the murders in Amritsar were not due to some private quarrel between the murderers and the victims but it was due to some political cause and was committed under excitement. Huge amounts of compensation were made for the murders and arson and also there was a reduction in the death sentences. The popular belief that was favoured was the innocents were not given a fair trial. The execution has been delayed a lot therefore hanging at that stage would have given rude shock to the Indian society and so Viceroy announced commutation of the death sentences. According to the Viceroy Mr. Montagu, if the government makes a mistake of carrying out the

sentences the people will equally get angry and this can result in misfortune happenings and huge revolts. He says that the citizens must be prepared for mass attacks and murders and if needed not only this thousand, in fact many more people can be murdered so that they get the higher status all over the world. Further he added that hanging should be treated as an ordinary affair of life.

## CHAPTER 53 - A HARD CASE

Gandhi received a telegram from the families of Messrs Bugga and Ratanchand saying that they were transferred to Andaman. Bugga was suffering from hernia and piles and was operated and Ratto was over 40 so couldn't be sent to jail under Jail Manual Rule 721. The readers will remember that these were the accused on whose behalf appeals were made to the Privy Council in common with others and whose appeals were rejected on technical grounds. Pandit Nehru analysed the cases and concluded that they were no guiltier than others who have been discharged. Several who were given death sentences were commuted to life imprisonment and are now free. What distinguishes these two cases? Gandhi questioned that if it was appeal. Or if any philanthropic lawyer had taken up the case and fought for them, they would have won. H. H. the Lieutenant-Governor of the Punjab was showing a generous discretion in releasing many who suffered between April and June the previous year. Although he had the opportunity, after the dismissal of the appeal, to hang Messrs Bugga and Ratanchand, H. E. the Viceroy, it was equally true, has commuted the sentence of death to one of transportation. But he opined that if the Royal Proclamation was to be given effect to in the fullest measure, Messrs Bugga and Ratanchand were entitled to their liberty. They were no more a danger to the State than Lala Harkishen Lai, Pandit Rambhuj Dutt Chowdhari and others of that distinguished company. But seeing that the case was strong he did not want a complete release but only wanted them to stay in Punjab for their wives. He did not want the public to think that the acts of government were driven out of fear and not logic.

## CHAPTER 54 – LAWYER’S DUTY

The author in this chapter talks about the contribution made by the lawyers to the fight for freedom. He mentions few eminent lawyers like Pherozechah

Mehta, Lokamanya, Manmohan Ghosh, Motilalaji, Prakasam, Munshi, Deshbandhu, Vitalbhai Patel, Sardar, Jairamdas and many other lawyers who sacrificed lakhs in the service of the country. Despite of all the sacrifices made by these lawyers people still talk ill about them and the author says that there is a reason behind it. A lawyer, by his very profession, is an advocate of people's rights, an expert in law and politics and one who saves the victims of oppression by the state. Therefore, when a class of people who should regard service of the country as their profession give themselves up to the pursuit of self-interest, lead a life of self-indulgence or have no other aim than making money by encouraging litigation, people will naturally speak ill about them.

He says that lawyers have not remained untouched by the present awakening. They should come forward in large numbers to offer civil disobedience and remain undeterred if the courts cancel sanads. The author also suggests some services in which the lawyers can help the people of their districts once they become fearless. Few of the services are: keeping accounts of public funds; explain legal intricacies to the people; explain to the people all cases of arbitrary use of authority; help in manufacturing khadi; help the women in bringing about boycott of foreign cloth and many more.

## **GRAMMAR**

## Parts of speech

<u>Parts of speech</u>	<u>Function or “job”</u>	<u>example words</u>	<u>example sentences</u>
<u>Verb</u>	action or state	(to) be, have, do, like, work, sing, can, must	English club is a web site. I like English Club.
<u>Noun</u>	Name, place, animal and things	Pen, dog, work, music, town, London, teacher, John	This is my dog. He lives in my house. We live in London.
<u>Adjective</u>	describes a noun	Good, big, red, well, interesting	My dogs are big. I like big dogs.
<u>Adverb</u>	Describes a verb, adjective or adverb	Quickly, silently, well, badly, very, really	My dog eats quickly. When he is very hungry, he eats really quickly
<u>Pronoun</u>	replaces a noun	I, you, he, she, some	Tara is Indian. She is beautiful.
<u>Preposition</u>	links a noun to another word	To, at, after, on, but	We went to school on Monday.
<u>Conjunction</u>	joins clauses or sentences or words	And, but, when	I like dogs and I like cats. I like cats and dogs. I like dogs but I don't like cats
<u>Interjection</u>	Short exclamation, sometimes inserted into a sentence	Oh!, ouch!, hi!, well	Ouch! That hurts! Hi! How are you? Well, I don't know.

## Articles

Articles are words that define a noun as specific or unspecific.

Eg: After **the** long day, **the** cup of tea tasted particularly good.

There are two types of articles, definite and indefinite.

### Definite

The definite article is the word *the*. It limits the meaning of a noun to one particular thing. For example, your friend might ask, “Are you going to the party this weekend?” The definite article tells you that your friend is referring to a specific party that both of you know about. The definite article can be used with singular, plural, or uncountable nouns. Below are some examples of the definite article *the* used in context:

Eg: Please give me the hammer.

Eg: Please give me the red hammer; the blue one is too small.

### **The Indefinite Article**

The indefinite article takes two forms. It's the word *a* when it precedes a word that begins with a consonant. It's the word *an* when it precedes a word that begins with a vowel. The indefinite article indicates that a noun refers to a general idea rather than a thing. For example, you might ask your friend, “Should I bring *a* gift to the party?” Your friend will understand that you are not asking about a specific type of gift or a specific item. “I am going to bring *an* apple pie,” your friend tells you. Again, the indefinite article indicates that she is not talking about a specific apple pie. Your friend probably doesn't even have any pie yet. The indefinite article only appears with singular nouns. Consider the following examples of indefinite articles used in context:

Eg: Please hand me **a** book; any book will do.

Eg: Please hand me **an** autobiography; any autobiography will do.

## **TENSES**

<p><u>Simple Present</u></p>	<p>A: He speaks.</p> <p>N: He does not speak.</p> <p>Q: Does he speak?</p>	<ul style="list-style-type: none"> <li>▪ <u>action in the present taking place regularly, never or several times</u></li> <li>▪ <u>facts</u></li> <li>▪ <u>actions taking place one after another</u></li> <li>▪ <u>action set by a timetable or schedule</u></li> </ul>	<p><u>always, every ..., never, normally, often, seldom, sometimes, usually</u></p> <p><u>if sentences type I (If I talk, ...)</u></p>
<p><u>Present Progressive</u></p>	<p>A: He is speaking.</p> <p>N: He is not speaking.</p> <p>Q: Is he speaking?</p>	<ul style="list-style-type: none"> <li>▪ <u>action taking place in the moment of speaking</u></li> <li>▪ <u>action taking place only for a limited period of time</u></li> <li>▪ <u>action arranged for the future</u></li> </ul>	<p><u>at the moment, just, just now, Listen!, Look!, now, right now</u></p>
<p><u>Simple Past</u></p>	<p>A: He spoke.</p> <p>N: He did not speak.</p> <p>Q: Did he speak?</p>	<ul style="list-style-type: none"> <li>▪ <u>action in the past taking place once, never or several times</u></li> <li>▪ <u>actions taking place one after another</u></li> <li>▪ <u>action taking place in the middle of another action</u></li> </ul>	<p><u>yesterday, 2 minutes ago, in 1990, the other day, last Friday</u></p> <p><u>if sentence type II (If I talked, ...)</u></p>
<p><u>Past</u></p>	<p>A: He was</p>	<ul style="list-style-type: none"> <li>▪ <u>action going on at a certain time in the</u></li> </ul>	<p><u>while, as long</u></p>

<u>Progressive</u>	<u>speaking.</u>  <u>N: He was not speaking.</u>  <u>Q: Was he speaking?</u>	<u>past</u> <ul style="list-style-type: none"> <li>▪ <u>actions taking place at the same time</u></li> <li>▪ <u>action in the past that is interrupted by another action</u></li> </ul>	<u>as</u>
<u>Present Perfect Simple</u>	<u>A: He has spoken.</u>  <u>N: He has not spoken.</u>  <u>Q: Has he spoken?</u>	<ul style="list-style-type: none"> <li>▪ <u>putting emphasis on the result</u></li> <li>▪ <u>action that is still going on</u></li> <li>▪ <u>action that stopped recently</u></li> <li>▪ <u>finished action that has an influence on the present</u></li> <li>▪ <u>action that has taken place once, never or several times before the moment of speaking</u></li> </ul>	<u>already, ever, just, never, not yet, so far, till now, up to now</u>
<u>Present Perfect Progressive</u>	<u>A: He has been speaking.</u>  <u>N: He has not been speaking.</u>  <u>Q: Has he been speaking?</u>	<ul style="list-style-type: none"> <li>▪ <u>putting emphasis on the course or duration (not the result)</u></li> <li>▪ <u>action that recently stopped or is still going on</u></li> <li>▪ <u>finished action that influenced the present</u></li> </ul>	<u>all day, for 4 years, since 1993, how long?, the whole week</u>

<u>Past Perfect Simple</u>	<p><u>A: He had spoken.</u></p> <p><u>N: He had not spoken.</u></p> <p><u>Q: Had he spoken?</u></p>	<ul style="list-style-type: none"> <li>▪ <u>action taking place before a certain time in the past</u></li> <li>▪ <u>sometimes interchangeable with past perfect progressive</u></li> <li>▪ <u>putting emphasis only on the fact (not the duration)</u></li> </ul>	<p><u>already, just, never, not yet, once, until that day</u></p> <p><u>if sentence type III (If I had talked, ...)</u></p>
<u>Past Perfect Progressive</u>	<p><u>A: He had been speaking.</u></p> <p><u>N: He had not been speaking.</u></p> <p><u>Q: Had he been speaking?</u></p>	<ul style="list-style-type: none"> <li>▪ <u>action taking place before a certain time in the past</u></li> <li>▪ <u>sometimes interchangeable with past perfect simple</u></li> <li>▪ <u>putting emphasis on the duration or course of an action</u></li> </ul>	<p><u>for, since, the whole day, all day</u></p>
<u>Future Simple I</u>	<p><u>A: He will speak.</u></p> <p><u>N: He will not speak.</u></p> <p><u>Q: Will he speak?</u></p>	<ul style="list-style-type: none"> <li>▪ <u>action in the future that cannot be influenced</u></li> <li>▪ <u>spontaneous decision</u></li> <li>▪ <u>assumption with regard to the future</u></li> </ul>	<p><u>in a year, next ..., tomorrow</u></p> <p><u>If-Satz Typ I (If you ask her, she will help you.)</u></p> <p><u>assumption: I think, probably, perhaps</u></p>

<p><b><u>Future Simple</u></b> I (going to)</p>	<p><b>A:</b> He is going to speak.</p> <p><b>N:</b> He is not going to speak.</p> <p><b>Q:</b> Is he going to speak?</p>	<ul style="list-style-type: none"> <li>▪ <u>decision made for the future</u></li> <li>▪ <u>conclusion with regard to the future</u></li> </ul>	<p><u>in one year,</u> <u>next week,</u> <u>tomorrow</u></p>
<p><b><u>Future Progressive</u></b> I</p>	<p><b>A:</b> He will be speaking.</p> <p><b>N:</b> He will not be speaking.</p> <p><b>Q:</b> Will he be speaking?</p>	<ul style="list-style-type: none"> <li>▪ <u>action that is going on at a certain time in the future</u></li> <li>▪ <u>action that is sure to happen in the near future</u></li> </ul>	<p><u>in one year,</u> <u>next week,</u> <u>tomorrow</u></p>
<p><b><u>Future Simple</u></b> II</p>	<p><b>A:</b> He will have spoken.</p> <p><b>N:</b> He will not have spoken.</p> <p><b>Q:</b> Will he have</p>	<ul style="list-style-type: none"> <li>▪ <u>action that will be finished at a certain time in the future</u></li> </ul>	<p><u>by Monday, in a week</u></p>

	<u>spoken?</u>		
<u>Future II</u> <u>Progressive</u>	<p><u>A: He will have been speaking.</u></p> <p><u>N: He will not have been speaking.</u></p> <p><u>Q: Will he have been speaking?</u></p>	<ul style="list-style-type: none"> <li>▪ <u>action taking place before a certain time in the future</u></li> <li>▪ <u>putting emphasis on the course of an action</u></li> </ul>	<p><u>for ..., the last couple of hours, all day long</u></p>
<u>Conditional I</u> <u>Simple</u>	<p><u>A: He would speak.</u></p> <p><u>N: He would not speak.</u></p> <p><u>Q: Would he speak?</u></p>	<ul style="list-style-type: none"> <li>▪ <u>action that might take place</u></li> </ul>	<p><u>if sentences type II</u></p> <p><i><u>(If I were you, I would go home.)</u></i></p>
<u>Conditional I</u> <u>Progressive</u>	<p><u>A: He would be speaking.</u></p> <p><u>N: He would not be speaking.</u></p>	<ul style="list-style-type: none"> <li>▪ <u>action that might take place</u></li> <li>▪ <u>putting emphasis on the course / duration of the action</u></li> </ul>	-

	<p><u>Q: Would he be speaking?</u></p>		
<p><u>Conditional II Simple</u></p>	<p><u>A: He would have spoken.</u></p> <p><u>N: He would not have spoken.</u></p> <p><u>Q: Would he have spoken?</u></p>	<ul style="list-style-type: none"> <li>▪ <u>action that might have taken place in the past</u></li> </ul>	<p><u>if sentences type III</u></p> <p><i>(If I had seen that, I would have helped.)</i></p>
<p><u>Conditional II Progressive</u></p>	<p><u>A: He would have been speaking.</u></p> <p><u>N: He would not have been speaking.</u></p> <p><u>Q: Would he have been speaking?</u></p>	<ul style="list-style-type: none"> <li>▪ <u>action that might have taken place in the past</u></li> <li>▪ <u>puts emphasis on the course / duration of the action</u></li> <li>▪</li> </ul>	

## ACTIVE VOICE

The active voice describes a sentence where the subject performs the action stated by the verb. It follows a clear subject + verb + object construct that's easy to read. In fact, sentences constructed in the active voice add impact to your writing.

## PASSIVE VOICE

With passive voice, the subject is acted upon by the verb. It makes for a murky, roundabout sentence; you can be more straightforward with an active voice. As such, there are many ways to change the passive voice to the active voice in your sentences.

### Active Voice

Harry ate six shrimp at dinner.

Beautiful giraffes roam the savannah.

Sue changed the flat tire.

We are going to watch a movie tonight.

I ran the obstacle course in record time.

The crew paved the entire stretch of highway.

Mom read the novel in one day.

I will clean the house every

### Passive Voice

At dinner, six shrimp were eaten by Harry.

The savannah is roamed by beautiful giraffes.

The flat tire was changed by Sue.

A movie is going to be watched by us tonight.

The obstacle course was run by me in record time.

The entire stretch of highway was paved by the crew.

The novel was read by Mom in one day.

The house will be cleaned by me every

Saturday.

The company requires staff to watch a safety video every year.

Tom painted the entire house.

The teacher always answers the students' questions.

The choir really enjoys that piece.

A forest fire destroyed the whole suburb.

The two kings are signing the treaty.

The cleaning crew vacuums and dusts the office every night.

Larry generously donated money to the homeless shelter.

The wedding planner is making all the reservations.

Susan will bake two dozen cupcakes for the bake sale.

The science class viewed the comet.

The director will give you instructions.

Thousands of tourists visit the Grand Canyon every year.

Saturday.

The staff are required by the company to watch a safety video every year.

The entire house was painted by Tom.

The students' questions are always answered by the teacher.

That piece is really enjoyed by the choir.

The whole suburb was destroyed by a forest fire.

The treaty is being signed by the two kings.

Every night, the office is vacuumed and dusted by the cleaning crew.

Money was generously donated to the homeless shelter by Larry.

All the reservations are being made by the wedding planner.

Two dozen cookies will be baked by Susan for the bake sale.

The comet was viewed by the science class.

Instructions will be given to you by the director.

The Grand Canyon is visited by thousands of tourists every year.

<u>The homeowners remodeled the house to help it sell.</u>	<u>The house was remodeled by the homeowners to help it sell.</u>
<u>The saltwater corroded the metal beams.</u>	<u>The metal beams were corroded by the saltwater.</u>
<u>The kangaroo carried her baby in her pouch.</u>	<u>The baby was carried by the kangaroo in her pouch.</u>

## **REPORTED SPEECH**

If we report what another person has said, we usually do not use the speaker's exact words (direct speech) but reported (indirect) speech. Therefore, you need to learn how to transform direct speech into reported speech. The structure is a little different depending on whether you want to transform a statement, question or request.

### **Statements**

When transforming statements, check whether you have to change:

- pronouns
- present tense verbs (3rd person singular)
- place and time expressions
- tenses (backshift)

Type	Example
<b>Direct speech</b>	"I speak English."
<b>Reported speech (no backshift)</b>	He says that he speaks English.

<b>Reported speech (backshift)</b>	He said that he spoke English.

- 1) Pronouns
- 2) present tense verbs (3rd person singular)
- 3) Place and time expressions
- 4) Tenses (backshift)

### Questions

When transforming questions, check whether you must change:

- pronouns
- present tense verbs (3rd person singular)
- place and time expressions
- tenses (backshift)

Also note that you have to:

- transform the question into an indirect question
- use the interrogative or *if / whether*

<i>Type</i>		<i>Example</i>
<i>with interrogative</i>	<i>direct speech</i>	<i>“Why don’t you speak English?”</i>

	<i>reported speech</i>	<i>He asked me why I didn't speak English.</i>
<i>without interrogative</i>	<i>direct speech</i>	<i>"Do you speak English?"</i>
	<i>reported speech</i>	<i>He asked me whether / if I spoke English.</i>

### Simple Sentences

A simple sentence has only the most elemental building blocks of a sentence: a subject and a verb used in a complete thought, also called an independent clause.

Here are some examples of simple sentences:

- Kristina drank her morning coffee. (**Kristina** = *subject*, *drank* = *verb*)
- Kristina showered and dressed. (**Kristina** = **subject**, **showered** and **dressed** = **compound verbs**)

Simple sentences are usually short. You may use compound subjects and verbs to add length, but for the most part, using too many simple sentences makes your writing choppy.

### Compound Sentences

Compound sentences marry two independent clauses together with a conjunction.

Kristina drank her morning coffee, and then she showered and dressed.

Notice the first part of the sentence and the last part can stand alone as independent sentences. The key is to not use too many compound sentences together or your writing will sound stilted.

### Complex Sentences

A complex sentence uses an independent clause combined with one or more dependent clauses. A dependent clause is similar to an independent clause, but it can't stand on its own as a complete sentence. Complex sentences use conjunctions to tie them together, too.

Examples:

- Because she woke up late when her alarm malfunctioned, Kristina missed her morning train. As Kristina watched the train pull out of the station, she realized she would be late for work yet again.

The dependent clauses can also fall at the end of an independent clause as in these examples:

- Kristina missed her morning train because she woke up late when her alarm malfunctioned.
- Kristina realized she would be late for work yet again as she watched the train pull out of the station.

Here's a complex sentence with two compound independent clauses and one dependent clause:

- Kristina missed her morning train, and as she watched it pull out of the station, she realized she would be late for work yet again.

## **TYPES OF SENTENCES**

What Are the Four Types of Sentences?

Declarative sentence

Imperative sentence

Interrogative sentence

Exclamatory sentence

And there are only three punctuation marks with which to end a sentence:

Period

Question mark

Exclamation point

Using different types of sentences and punctuation, students can vary the tone of their writing assignments and express a variety of thoughts and emotions.

What is a declarative sentence?

A declarative sentence simply makes a statement or expresses an opinion. In other words, it makes a declaration. This kind of sentence ends with a period.

Examples of this sentence type: “I want to be a good writer.” (makes a statement) “My friend is a really good writer.” (expresses an opinion)

What is an imperative sentence?

An imperative sentence gives a command or makes a request. It usually ends with a period but can, under certain circumstances, end with an exclamation point.

Examples of this sentence type:

“Please sit down.”

“I need you to sit down now!”

What is an interrogative sentence?

An interrogative sentence asks a question. This type of sentence often begins with who, what, where, when, why, how, or do, and it ends with a question mark.

Examples of this sentence type:

“When are you going to turn in your writing assignment?”

“Do you know what the weather will be tomorrow?”

”What is an exclamatory sentence?

An exclamatory sentence is a sentence that expresses great emotion such as excitement, surprise, happiness and anger, and ends with an exclamation point.

Examples of this sentence type:

“It is too dangerous to climb that mountain!”

“I got an A on my book report!”

Interrogative sentences ask **questions**.

<b>Form</b>	<b>Function</b>	<b>example</b>
auxiliary verb + subject + verb...	ask a question	Does Mary like John?

The typical form (structure) of an interrogative sentence is:

<b>auxiliary verb</b>	<b>+</b>	<b>subject</b>	<b>+</b>	<b>main verb</b>	
Do		you		speak	English?

<b>main verb <i>BE</i></b>	<b>+</b>	<b>subject</b>	
Were		you	cold?

## **TRANSFORMATION OF SENTENCES**

## **SIMPLE TO COMPOUND**

Simple sentences can be converted into a compound sentence by expanding a word or a phrase into a clause and by using the coordinating conjunction to connect the clause.

- Driven by rain, he took shelter under a tree. (Simple sentence)
- He was driven by rain and took shelter under a tree. (Compound Sentence)
- Besides being beautiful, she is intelligent. (Simple Sentence)
- She is not only beautiful but also intelligent. (Compound Sentence)
- In spite of his poverty he is happy. (Simple Sentence)
- He is poor but he is happy. (Compound Sentence)

## **SIMPLE TO COMPLEX**

A simple sentence can be converted into a complex sentence by expanding a word or phrase into a subordinate clause - which can be a noun clause, an adjective clause or an adverb clause.

### **Noun clause**

He liked my suggestion. (Simple sentence)

He liked what I suggested. (Complex sentence)

His advice did not prove successful. (Simple sentence)

What he advised did not prove successful. (Complex sentence)

Note that it is usually a noun or a noun equivalent that can be changed into a noun clause.

### **Adjective clauses**

There I saw a beautiful girl. (Simple sentence)

There I saw a girl who was beautiful. (Complex sentence)

A wounded tiger is very fierce. (Simple sentence)

A tiger that is wounded is very fierce. (Complex sentence)

### **COMPLEX TO COMPOUND**

We can convert a complex sentence into a compound sentence by changing the subordinate clause or clauses into main clauses.

Note that subordinate clauses are introduced by conjunctions like because, as, if, when, where, since and though. The conjunctions commonly used in compound sentences are: and, or, but, yet and for.

**Complex:** Though he is poor, he is happy.

**Compound:** He is poor, but he is happy.

**Complex:** Although she is ill, she worked very hard.

**Compound:** She is ill, yet she worked very hard.

**Complex:** Though the class was lengthy, the class was enjoyable.

**Compound:** The class was lengthy, but it was enjoyable

### **COMPOUND TO COMPLEX**

If a compound sentence contains just two independent clauses, you can convert it into a complex sentence by changing one of these independent clauses into a dependent clause. If the compound sentence contains three independent clauses, you will have to change two of them into dependent clauses.

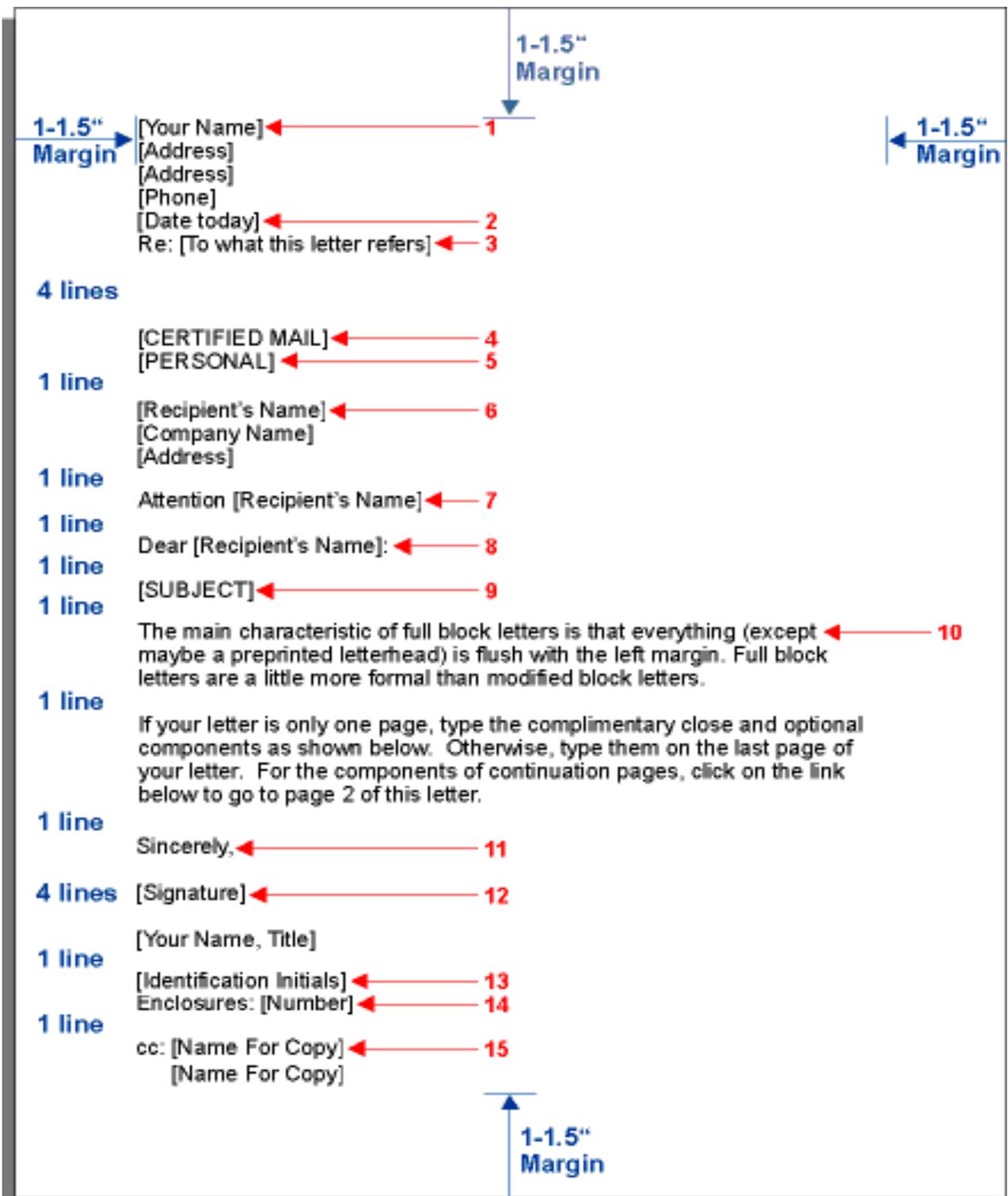
**Compound:** Take care of the pence, and the pounds will take care of themselves.

**Complex:** **If you take care of the pence,** the pounds will take care of themselves.

**Compound:** Speak the truth, or I will kill you.

**Complex:** I will kill you **if you don't speak the truth.**

## **LETTER WRITING**



# RESUME

**M.RANJANA**  
47,Purnaswami nagar,  
Chennai Salai,Melakavery (PO),  
KUMBAKONAM (Tk),Tanjavur(DT),  
Pin Code – 612031.TN.

Mobile: +91 8210334165  
Email: [ranjanamuruganathan@gmail.com](mailto:ranjanamuruganathan@gmail.com)

## CAREER OBJECTIVE

To get elevated in the field assigned, by exploring my skill and working hard as true to my conscience for the upliftment of the Organization as well as my personal growth .

## ACADEMIC QUALIFICATION

Degree/ Course	Institution	University / Board	Year of Passing	% or CGPA of Marks
B.E (CSE)	Vickram College of Engineering, Enathi	Anna University(Trichy)	2012	8.4*
XII	Christ The King Matriculation Hr Sec School,Kumbakonam	State Board	2008	83.25
SSLC	Christ The King Matriculation Hr Sec School,Kumbakonam	Matric	2006	85

\* CGPA out of 10.

## SOFTWARE PROFICIENCY

- Languages : C,C++,JAVA,J2EE.
- Packages : MS Office
- Operating systems : Windows XP,7
- Tools : NetBeans6.8/6.9

## AREA OF INTEREST

- Oops Concept
- Software Engineering
- Computer Networks

## CERTIFICATION

- Completed Java/J2EE course

- Special skills
- References
- Declaration
- Signature

## LEGAL TERMS

SERIAL NO.	LEGAL TERM	MEANING	SENTENCE
1.	Accused	Refers to a person or people who have been charged with crime.	Although he has been accused of burning down the building, the suspect has not been proven guilty.
2.	Accomplice	A person who helps another commit a crime.	The police were hoping that the accomplice would lead them to the mastermind of the crime.
3.	Arrest	Seize ( someone) by legal authority and take them into custody.	The police arrested him for the possession of drugs.
4.	Amendment	A minor change or addition designed to improve a text, piece of legislation, etc.	The entire text of the amendment is on the ballot this year.
5.	Adjournment	To have a rest or pause during a formal meeting or trial.	The solicitor moved for an adjournment of the case.
6.	Award	Give or order the giving of (something) as an official	The school won a national award for

		payment, compensation or prize (to someone).	having the highest student test scores.
7.	Arbitration	Is a private process where disputing parties agree that one or several individuals can make a decision about the dispute after receiving evidence and hearing arguments.	They agreed to settle their dispute by arbitration.
8.	Agreement	A negotiated and typically legally binding arrangement between parties as to a course of action.	The agreement was to solve the dispute by arbitration.
9.	Approver	A person who endorses or gives permission for something.	The nominated approver may only obtain the listings after the package has been submitted for approval.
10.	Bail	The temporary release of an accused person awaiting trial, sometimes on condition that a sum of money is lodged to guarantee their appearance in court.	The alleged killer has been released on bail and is awaiting trial.
11.	Bench	It can simply indicate the location in a courtroom where a judge sits. It also describes the members of a judiciary collectively or the judges of a particular court.	The constitutional bench decided the matters concerning the constitution.
12.	Bond	A formal written agreement by which a person undertakes to perform a certain act.	A bond was formed between the lawyer and his client.
13.	Breach of contract	Occurs when one party in a binding agreement fails to	Workers who have lost their jobs plan to sue the

		deliver according to the terms of the agreement.	company for breach of contract.
14.	Consent	When two parties entered into the contract they should agree upon the same thing in the same manner.	Testing patients without their consent would constitute a professional and legal offense.
15.	Contract	An agreement between private parties creating mutual obligations enforced by law.	The court ruled that the contract must be terminated.
16.	Contempt	It is the offence of being disobedient to or disrespectful towards a court of law at its officers in the form of behaviour that opposes or defies the authority, justice and dignity of the court.	The tobacco companies may be guilty of contempt of court for refusing to produce the document
17.	Counterclaim	A claim made to rebut a previous claim.	The defendant's counterclaim substantial damages for alleged defects in what was supplied.
18.	Court	A place where trials and other legal cases happen, especially the officials and those deciding if someone is guilty	His court duties were presumably over now that the case was settled.
19.	Counsel	A barrister or other legal adviser conducting a case.	The man decided to find a new legal counsel as his current attorney doesn't seem to care about his case.

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20.	Compromise	Settle a dispute by mutual concessions.	The land dispute was compromised and both the parties get equal
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			rights to that land.
21.	Coercion	The practice of persuading someone to do something by using force or threats.	The coercive gangster promised to come after Lar's family if they didn't obey him.
22.	Claim	State or assert that something is the case, typically without providing evidence or proof.	The wife claimed 50% of her husband's property.
23.	Damages	A sum of money claimed or awarded in compensation for a loss or an injury.	The accused is hereby ordered to pay for the damages.
24.	Decree	An official order that has the force of law	You are hereby decree to serve 20 years in jail.
25.	Defamation	The action of damaging the good reputation of someone; slander or libel.	The newspaper was sued for defamation after publishing lies about a celebrity.
26.	Defendant	An individual, company or institution sued or accused in a court of law.	When a divorce is granted, the defendant is not permitted to marry other than the plaintiff for three years, unless the plaintiff dies.
27.	Defence	The case presented by or on behalf of the party accused of a crime or being sued in a civil lawsuit.	His only attempt at defence had been to tell Josh that things aren't as they appeared.
28.	Document	A piece of written, printed, or electronic matter that provides information or evidence or that serves as an official record.	Jayant gave this document to the press to publish the news.
29.	Distress	The act or process of	He was evidently

		distraining.	distressed, and breathed painfully, but could not restrain the wild laughter that convulsed out of him.
30.	Divorce	The legal dissolution of a marriage by a court or other competent body.	They went through a lengthy divorce process.
31.	Evidence	The available body of facts or information indicating whether a belief or proposition is true or valid.	The evidence brought forward to the court proved that the accused was guilty.
32.	Estoppel	Is a legal principle that prevents someone from arguing something or asserting a right that contradicts what they previously said or agreed to by law.	The Rees claimed that the court should apply the doctrine of promissory estoppel, which can make promises binding even when unsupported by consideration.
33.	Equity	The quality of being fair and impartial.	The rules of common law and equity are both, in essence, systems of private law.
34.	Execution	The carrying out of a sentence of death on a condemned person.	He is in prison awaiting his execution.
35.	Fraud	Wrongful or criminal deception intended to result in financial or personal gain.	He was found guilty of bank fraud by the court.
36.	Hearsay	The report of another person's words by a witness, which is usually disallowed as evidence in a court of law.	You cannot judge a person solely based on hearsay.

37.	Homicide	A homicide requires only a volitional act by another person that results in death. It may result from an accidental, reckless or negligent act even if there is no intent to cause harm.	Even the homicide detectives were surprised by the macabre level of this crime.
38.	Injunction	A judicial order restraining a person from beginning or continuing an action, threatening or invading the legal right of another.	The court has issued an injunction to prevent the distribution of the book.
39.	Insolvency	State of financial distress in which a person or business is unable to pay their debts.	When satisfied that a bank has become insolvent, the commissioner may take possession of it and wind up its affairs.

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40.	Instrument	Is a legal term of art that is used for any formally executed written document that can be formally attributed to its author, records and formally expresses a legally enforceable act, process or contractual duty, obligation or right and therefore evidence that act, process or agreement.	It is the first legal instrument designed to reduce tobacco related death and disease around the world.
41.	Issue	A dispute in court in which the application of law is contested.	I will issue an alert to the police.
42.	Judgement	A decision by a court or other tribunal that resolves a controversy and determines the rights and obligations of the party.	The supreme court has passed the judgment on the accused man.

43.	Jurisdiction	The limit of a judicial authority or the extent to which a court of law can exercise its authority over suits, cases, appeals, etc.	The court has jurisdiction over most criminal offenses.
44.	Jurisprudence	The study, knowledge or science of law.	He has a basic respect for American jurisprudence and its traditions.
45.	Jury	A group of usually 12 people sworn to deliver a true verdict according to the evidence upon a case presented in the court of law.	The jury failed to reach a verdict.
46.	Justice	Basically, means being just, impartial, fair and right also means the implementation of concepts like equality and liberty.	I saw no justice in the court's decision.
47.	Juvenile	It is enlisted in the law for relating to a young person who is not yet old enough to be considered an adult as per the Cambridge dictionary.	He works to keep juveniles away from drugs.
48.	Kidnap	The crime of unlawfully seizing and carrying away a person by force or fraud or seizing and detaining a person against his or her will with an intent to marry that person away at a later time.	The police balked the attempt to kidnap the child.
49.	Lawyer	A person who through a regular programme of study I learned in legal matters and had been licensed to practise his	A man is his own lawyer has a fool for his client.

		or her profession.	
50.	Liability	Describes the condition of being actually or potentially a subject to a legal obligation.	Once you contact the card protection scheme your liability for any loss ends.
51.	Litigation	The process of taking legal action.	The company wishes to avoid litigation.
52.	Maintenance	Financial support provided for a person's living expenses.	We support local initiatives that ensure the maintenance of community spirit.
53.	Minor	A person under the age of full legal responsibility.	The law prohibits minors from smoking.
54.	Murder	The unlawful premeditated killing of one human being by another.	Most jurisdictions authorize a sentence for murder ranging up to life imprisonment, and a minimum sentence of imprisonment for a substantial number of years.
55.	Mortgage	A legal agreement by which a bank, building, society, etc lends money at interest in exchange for taking title of the debtor's property, with the condition that the conveyance of title becomes void upon the payment of debt.	He will have to take mortgage in order to buy the house.
56.	Negligence	Breach of a duty of care which results in damage.	His negligence was remarked by his colleagues.
57.	Notification	The action of notifying	I was given no

		someone or something.	notification that you received my paymen.
58.	Notice	Notification or warning of something, especially to allow preparations to be made.	Notices was sent to the parents about the school trip.
59.	Oath	A statement or promise strengthened by such an appeal.	Soldiers take an oath to defend the nation.

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60.	Objection	The action of challenging or disagreeing with something.	He said he had no objection to the plan.
61.	Partnership	It is a formal arrangement by two or more to manage and operate a business.	A marriage is a partnership among two people.
62.	Partition	A division into or distribution in portions or shares.	We will use a partition to divide our living area into a living space and a workspace.
63.	Perjury	Giving false testimony after swearing to state the truth.	During his testimony, Jim committed perjury when he misled the court about his wife's whereabouts
64.	Petition	An official document that makes a request and is signed by supporters.	A nonviolent way to protest a law is by signing a petition requesting the annulment of the law.
65.	Petitioner	A person who creates a petition or signs a petition in order to change or ask for something.	The petitioners discovered that there was nothing sacred about property rights when altering them was

			thought to be in public interest.
66.	Plaintiff	In court the individual who claims someone else is responsible for a misdeed.	After the plaintiff fell on the grocery stores wet floor, she filed a lawsuit hoping the damages would cover her medical bills.
67.	Plaint	An accusation or charge.	There was only one plaint in the district court but two appeals in the court of appeal.
68.	Pleadings	A formal statement of the cause of an action or defence.	The lawyer presented the pleading for his client.
69.	Privity	A relation between two parties that is recognised by law, such as that of blood, lease or service.	There is no privity of contract between the manufacturer and the consumer.
70.	Pre emption	The action of pre-empting or forestalling, especially of making a pre-emptive attack.	The commission had the right of pre-emption.
71.	Proviso	A condition or qualification attached to an agreement or statement.	He was released from prison with the proviso that he doesn't leave the country.
72.	Prosecutor	A person, especially a public official who institutes legal proceedings against someone.	The defence and prosecutors agreed to recommend a one-year jail sentence
73.	Prosecution	The act or process of holding a trial against a person who is accused of a crime to see if that person is guilty.	Prosecution of the defendant will be difficult since the evidence against him is

			all circumstantial.
74.	Procedure	An established or official way of doing something.	I have no acquaintance with court procedure.
75.	Presumption	An idea that is taken to be true on the basis of probability.	There was a presumption that the pair was in a relationship, even though they denied it.
76.	Punishment	The infliction or imposition of a penalty as a retribution for an offense.	The punishment for murder is life imprisonment.
77.	Right	A moral or legal entitlement to have or do something.	The criminals were deprived of their civil rights.
78.	Remedy	The legal means to recover a right or to prevent or obtain redress for a wrong.	The Presidents advisor suggested that the remedy for the economic problems is the tax cut.
79.	Redemption	The action of regaining or gaining position of something in exchange for payment, or clearing a debt.	The peasants found the terms of redemption unpleasant.

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80.	Remand	Place (a defendant) on bail or in custody, especially when a trial is adjourned.	The prosecutor applied for a remand to allow forensic evidence to be investigated.
81.	Respondent	A party against whom a petition is filed, especially one in an appeal or a divorced case.	The first respondent had to make an appeal against the regulations.
82.	Regulation	A rule or directive made and maintained by an authority.	The FCI plans to set new food processing regulations.

83.	Rule	Pronounce authoritatively and legally to be the case.	The rule of law is mandatory in all scenarios.
84.	Sentence	The punishment assigned to the defendant found guilty by a court, or fixed by law for a particular offense.	The man had to face a three- year sentence in prison.
85.	Settlement	The act of adjusting or determining the dealings or dispute between persons without pursuing the matter through a trial.	The parties have not been able to reach a settlement in the case.
86.	Statute	A law enacted by the legislative branch of a government.	The state legislature passed the statute by an overwhelming margin.
87.	Summon	A law enacted by the legislative branch of a government.	The queen summoned him back to the palace.
88.	Summons	A call by the authority to appear at a place named or to attend a duty.	The judge issued a summons.
89.	Surety	A formal engagement (such as a pledge) given for the fulfilment of an undertaking.	As sureties, they will be liable in his place.
90.	Title	The right or proof of ownership.	There are several problems with titles in real estate.
91.	Transfer	It is the movement of assets, funds or ownership rights from one place to another	They demanded a transfer of power into new hands.
92.	Tort	A wrongful act or an	Judge Gardener awarded

		infringement of a right (other than under contract) leading to legal liability.	the plaintiffs the whole amount that they requested for tort against the men who harassed them.
93.	Trespass	Entry to a person's land or property without permission.	Authorities had previously warned the people not to trespass on the property.
94.	Trial	A formal examination of evidence by a judge, typically before a jury in order to decide guilt in a case of criminal or civil proceedings.	The man was on trial for murder.
95.	Vicarious	Acting or done for another.	My paralyzed uncle takes vicarious pride in his son's running achievements.
96.	Verdict	A decision on an issue or fact in a civil or criminal case or an inquest.	The critical verdict about the show was positive.
97.	Void	Not valid or legally binding.	The Supreme Court declared the lower court's decision void and overturned the ruling.
98.	Voidable	Is a transaction or action that is valid but may be annulled by one of the parties to the transaction.	For the void contract or voidable contract, the possible remedies include restitution and paying for the damages.
99.	Warrant	A document issued by a legal or a government official authorizing the police or another body to make an arrest, search premises or carry out	The judges of Amiens, however, perused him with a warrant for his arrest, which took place in Brumaire of the year

		some other action relating to the administration of justice.	11.
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100.	Witness	A person who sees an event typically to a crime or accident, takes place.	The lawyers are trying to convince the unwilling witness to testify.
101.	Will	Legal declaration intended to dispose of property.	In her will, she asked that her money be donated to the church.

**All and sundry**

Meaning: all, everyone

Example: The movie star had a big wedding and all and sundry from the film industry were invited.

**Alpha and omega**

Meaning: beginning and the end

Example: He knows the alpha and omega of his job.

**Apple of discord**

Meaning: the cause of anger, tension, and disagreement

Example: The right to host the next Olympics has become an apple of discord between the two countries

**Apple of one's eye**

Meaning: a favourite or beloved thing

Example: His new baby girl was the apple of his eye.

**As a matter of fact**

Meaning: a fact as distinct from an opinion or conjecture

Example: As a matter of fact, the teacher taught us this topic yesterday itself.

**At sixes and sevens**

Meaning: in a state of confusion and disarray

Example: We have been at sixes and sevens in the office this week.

**At one's fingertips**

Meaning: readily available or accessible

Example: All the word-meanings of the chapter were at her fingertips.

**Bone of contention**

Meaning: the subject of continuous disagreement

Example: The ongoing court case has been a bone of contention between the two brothers.

**Be a party to**

Meaning: be involved in

Example: Rohit was a party to all the corruption going on in the department.

**Bear a grudge**

Meaning: maintain anger or resentment

Sentence: My boss still bears a grudge against me for getting complimented by the management, on the annual report

**Beat about the bush**

Meaning: discuss a point without coming to a point

Example: He did not prepare for the presentation, so he continued to beat about the bush.

**Blow hot and cold**

Meaning: alternate inconsistently between two moods, attitudes, or courses of action

Example: She keeps blowing hot and cold about the wedding.

**Blow one's own trumpet**

Meaning: to talk about one's achievements, to boast

Example: The crew tried to blow their own trumpet, but the manager did not buy their story.

**Bring a book**

Meaning: to punish someone or to make them explain their behaviour publicly  
Example: None of those responsible have been brought to book thus far in this case.

### **Bring to the ground**

Meaning: to reduce something to a lower level

Example: It took a bulldozer fifteen seconds to bring it to the ground.

### **Bring to a standstill**

Meaning: to cause a process to reach to a point where it must stop

Example: The operation was brought to a standstill because one of the members got hurt.

### **Burn one's fingers**

Meaning: to harm oneself

Example: He burned his fingers in the stock market by investing too early.

### **Burn the midnight oil**

Meaning: work late into the night

Example: To score well in the exams, we need to burn the midnight oil to study.

### **Build castles in the air**

Meaning: to make plans with a little chance of them happening

Example: Let us not build castles in the air but be practical.

### **By leaps and bounds**

Meaning: with startlingly rapid progress

Example: The recovery rate of Covid cases has increased by leaps and bounds.

### **Cast a spell**

Meaning: to use magic to change someone or something

Example: She cast a spell on him to become a wise person.

### **Caught red handed**

Meaning: apprehend someone in the course of wrongdoing

Example: Ram was caught red handed stealing his friend's lunch.

### **Every now and then**

Meaning: from time to time, occasionally

Example: Every now and then I visit the orphanage.

### **Fair and square**

Meaning: with absolute accuracy and honesty

Example: The judgement of the Supreme Court was fair and square.

### **Far and near**

Meaning: everywhere

Example: We searched far and near for his dog.

### **Far and wide**

Meaning: over a large area

Example: Corona Virus has spread far and wide.

### **Fight tooth and nail**

Meaning: engage in vigorous combat with strenuous effort, with all resources

Example: She fought tooth and nail for the job.

### **Get off scot free**

Meaning: to not get the punishment that they deserve

Example: I went scot free even after riding a bike without a helmet.

### **Get rid of**

Meaning: act to be free

Example: Everyone must take precautions to get rid of coronavirus.

### **Give one's word**

Meaning: to make a serious promise or vow

Example: I give you my word that I will return your books this Sunday.

### **Go astray**

Meaning: become lost, misled

Example: The money had gone astray.

### **Hand in hand**

Meaning: connected or associated, with affection

Example: Everyone must work hand in hand for the grand success of this event.

### **Hand in glove**

Meaning: in close collusion or association

Example: She worked hand in glove with the opponent team.

### **Hang in balance**

Meaning: to be in a precarious situation, unsure of the future

Example: The match was hanging in the balance till the last over.

### **To turn a deaf ear**

Meaning: refuse to listen or respond to a statement or request.

Example: The police turned a deaf ear to all the pleas made by the girl's family.

### **Turn a new leaf**

Meaning: to alter your behaviour in a positive way

Example: He promised to turn over a new leaf and study harder.

### **Under the pretext of**

Meaning: to reveal the true identity

Example: The day before he carried out the bomb attack, he left the house under the pretext he was going to visit friends.

### **Under lock and key**

Meaning: securely locked up

Example: The rifle was stored under lock and key.

### **Yeoman's service**

Meaning: hard and valuable work one does to support a cause

Example: He did a yeoman service to develop the school.

### **Take a bird's eye view**

Meaning: To look at something from a broad view

Example: One should have a bird's eye view while making a decision

### **Take up arms**

Meaning: To take up weapons to defend oneself

Origin: The term came up in 1400s in the sense of war

Example: Sometimes there is no option but to take up arms against the enemy.

### **To the best of one's ability**

Meaning: To do something with all the available skills, resources or energy

Example: When taking up a job, we should do it to the best of our ability.

### **To the letter**

Meaning: Exactly or precisely obey the law to the word

Origin: The French equivalent of this phrase is au pied de la lettre, which has been used in English since the late 18th century.

Example: Instructions, especially during the exam, should be followed to the letter.

### **To the point:**

Meaning: Relevant to the matter at hand

Example: Instead of rambling unnecessarily, we should talk to the point.

### **Part and Parcel:**

Meaning: An essential or integral component.

Origin- Used since the 15th century as a Legal term, with 'part' meaning a portion and 'parcel' something integral with a whole.

Example: Dealing with angry customers is a part and parcel of the job.

### **Put to paper:**

Meaning: Start writing something.

Example: The judge announced the verdict and put it to paper.

**Rain cats and Dogs:**

Meaning: Rain heavily.

Origin- Cats and Dogs may come from the Greek expression cata doxa, “which means contrary to experience or belief”

Example: It was raining cats and dogs earlier this afternoon.

**To stand in One’s way:**

Meaning: To prevent someone from doing something.

Example: The only thing standing in my way is my low self-esteem.

**Swim with the tide:**

Meaning: To follow what everyone else is doing.

Origin- In the late 1600’s this idiom was also put as ‘swim down the stream’, a usage not much heard today.

Example: She never gives her own opinions. Instead, she always swims with the tide.

**Null and void:**

Meaning: No longer valid, legitimate, or enforceable.

Example: No longer valid, legitimate, or enforceable.

**Nook and corner:**

Meaning: Every corner

Example: He traced my missing ring in every nook and corner of the house

**Of one’s own accord:**

Meaning: Voluntarily, without prompting or coercion

Example: The entire audience rose of their own accord to appreciate the singer

**On the verge of**

Meaning: anything that’s on the verge of happening

Example: The country was on the verge of becoming prosperous and successful

**Over and over again:**

Meaning: doing something that has been done before.

Example; I have told him over and over again that I would not be going to the party

**Make a mountain out of a mole-hill**

Meaning: To exaggerate or put too much focus on a minor issue and make it seem like a major one.

Example: You're making a mountain out of a mole-hill for just losing 2 marks in the test.

### **Make both ends meet**

Meaning: To have just enough money.

Example: It was impossible for the family to make both ends meet.

### **Move heaven and Earth**

Meaning: To do everything you can to achieve something.

Example: He had to move heaven and Earth to get the job.

### **Nip in the bud**

Meaning: To stop something from becoming serious by dealing with it as soon as you notice it.

Example: Many serious illnesses can be nipped in the bud if they are detected early enough.

### **Now and then**

Meaning: From time to time

Example: Every now and then she regretted her decision.

### **In the twinkling of an eye**

Meaning: If something happens in the twinkling of an eye, it happens very quickly

Example: Microprocessors do calculation in twinkling of an eye

### **Keep aloof from**

Meaning: Emotionally or physically distant from someone

Example: I have never seen the CEO before, he stays pretty aloof from rest of us

### **Keep in the dark**

Meaning: Keep someone unaware, not informed, keep somebody off from my any act

Example: My best friend kept me in the dark about his plan of starting new business with my brother

### **Keep one's promise**

Meaning: Make good on something you have agreed

Be faithful to your words

Example: Her boss cannot keep the promise he made about a pay rise

### **Leave no stone unturned**

Meaning: Try every possible course of action in order to achieve something

Example: The doctor said he will leave no stone unturned to find a cure for his illness.

### **Heart and soul**

Meaning: With all the effort you can put into it

Example: The sculptor put his heart and soul into the statue to impress the king.

### **In a nutshell**

Meaning: A concise summary of whatever has been said

Example: The crowd wanted the politician to explain his plans in a nutshell.

### **In black and white**

Meaning: Either correct or incorrect, good or bad

Example: He is used to seeing situations in black and white and that's why he ignores the grey areas.

### **In full swing**

Meaning: At the peak of its operation

Example: The preparations for the festival were in full swing

### **In the midst of**

Meaning: During an event

Example: Holding exams in the midst of this pandemic is proving to be tough.

Dr Anita Raghavendra.