

Statement of the Undefended Accused

Bhagat Singh

May 5, 1930

To
The Commissioner,
The Special Tribunal
Lahore Conspiracy Case, Lahore.

SIRS,

On behalf of the five of my comrades, including myself, I feel it necessary to make the following statement at the very commencement of the trial and wish that it be retained on the record.

We do not propose to take any part in the proceedings of this case because we do not recognise this Govt. which is said to be based on justice or established by law.

We believe and do hereby declare that

“Man being the source of all the authority, no individual or govt. can be entitled to any authority unless and until it is directly derived from the people.”

Since this Govt. is an utter negative of these principles, its very existence is not justifiable. Such govts. Which are organized to exploit the oppressed nations, have no right to exist except by the right of the sword (i.e., brute force) with which they try to curb all the ideas of liberty and freedom and the legitimate aspirations of the people.

We believe all such govts., and particularly this British Govt. thrust upon the helpless but unwilling Indian nation, to be no better than an organized gang of robbers, and a pack of exploiters equipped with all the means of carnage and devastation. In the name of “law and order”, they crush all those who dare to expose or oppose them.

We believe that imperialism is nothing but a vast conspiracy organized with predatory motives. Imperialism is the last stage of development of insidious exploitation of man by man and of nation by nation. The imperialists, with a view to further their piratical designs, not only commit judicial murders through their law courts but also organize general massacres, devastations and other horrible crimes like war. They feel no hesitation in shooting down innocent and unarmed people who refuse to yield to their depredatory demands or to acquiesce in their ruinous and abominable designs. Under the garb of custodians of ‘law and order’, they break peace, create disorder, kill people and commit all conceivable crimes.

We believe that freedom is an undeniable birth-right of all people, that every man has the inalienable right of enjoying the fruits of his labour, and that every nation is indisputably the master of its resources. If any govt. deprives them of these primary rights, it is the right of the

people — nay, it is their duty — to destroy that govt. Since the British Govt. is a negation of these principles for which we stand, it is our firm conviction that every effort made, every method adopted to bring about a revolution and to destroy this Govt. is morally justified. We stand for a change, a radical change in the existing order of affairs in social, political and economic spheres, and the complete replacement of the existing order by a new one rendering the exploitation of man by man impossible and thus guaranteeing full liberty to all the people in all the spheres. We feel that unless the whole social order is changed and socialistic society is established, the whole world is in danger of a disastrous catastrophe.

As regards the methods, peaceful or otherwise, to be adopted for the consummation of the revolutionary ideal, let us declare that the choice rests with those who hold power. Revolutionaries, by virtue of their altruistic principles, are lovers of peace — a genuine and permanent peace based on justice and equality, not the illusory peace resulting from cowardice and maintained at the point of bayonets. If the revolutionaries take to bombs and pistols, it is only as a measure of terrible necessity, as a last recourse.

We believe that “Law and Order is for man and not man for Law and Order.”

As the supreme juristic council of Revolutionary France has well expressed:

“The end of law is not to abolish or restrain but to preserve and enlarge freedom. The legitimate power is required to govern by promulgated laws established for the common good alone and resting ultimately on the consent and the authority of the people, from which law no one is exempted — not even the legislators.”

The sanctity of law can be maintained only so long as it is the expression of the will of the people. When it becomes a mere instrument in the hands of an oppressing class, it loses its sanctity and significance, for the fundamental preliminary condition for administration of justice is the elimination of every interest. As soon as the law ceases to correspond to the popular social needs, it becomes the means for perpetration of injustice and tyranny. The maintaining of such a law is nothing but a hypocritical assertion of a special interest against the common interest.

The law of the present Govt. exist for the interest of the alien rulers, against the interest of our people, and as such they have no moral binding whatsoever. It is therefore incumbent duty of all Indians of defy and disobey these laws. The British law courts, as part and parcel of the machinery of exploitation, cannot administer justice — especially in political cases where there is a clash between the interests of the Govt. and the people. We know that these courts are nothing but the stages for the performance of mockery of justice.

For these reasons we decline to be a party to this farcical show and, henceforth, we shall not take any part in the proceedings of this case.

Yours

J.N. Sanyal,

B.K. Dutt,

Dr. Gayal Prasad,

Kundan Lal

May 5, 1930

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[For propaganda purpose the LCC accused had divided themselves into three groups. The first group consisted of comrades who were represented through a lowyer. This was a small group of comrades against whom there was not much evidence and who had chances of getting acquitted.

The second group consisted of the unrepresented accused. Bhagat Singh belonged to this group. Comrades of this group were generally vocal in the court. They cross-examined the prosecution witnesses, challenged the prosecution, challenge the rulings of the court, delivered political speeches, and made every effort to prolong the proceedings.

The third group consisted of the undefended accused. They were to challenge the bonafides of the court and the government. It consisted of five comrades. On the very first day they submitted a written statement before the Tribunal, saying that they did not recognise the alien government and the court appointed by it, and that they did not expect any justice from the enemy court. The statement was prepared by Bhagat Singh and was read in the court by Jitendra Nath Sanyal. The other four signatories were Mahabir Singh, Gaya Prashad Kaitiyar, Kundal Lal and Batukeshwar Dutt. Thr Tribunal declared it as seditious, banned it and refused to record it as part of the proceedings.]

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