JALLIANWALA BAGH MASSACRE – BITTER REMINDER OF INDIAN HISTORY

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ABSTRACT

This article re-examines one of the most infamous incidents in British imperial history: the Amritsar Massacre of 1919, and analyses it within the context of the British Army's minimum force philosophy. The massacre has long been regarded as the most catastrophic failure of minimum force in the history of the British Army. To the critics of Brigadier General Reginald Dyer, Amritsar seemed the aberrant actions of a blood-thirsty fool, but to Indians, the massacre marked the decisive shift in Indian opinion against the British Raj. The commonly held principle of both a civil magistrate and military officer together dealing with a riot implies that the theory of civil-military relations was well known at the time of the incident. However, either through a reluctance to be involved, a lack of understanding of responsibilities, or just an inability to act, the civil authorities present in Amritsar clearly handed control of the city over to the military without playing any subsequent part in the events that unfolded. This article reconsiders the arguments over the shooting at Amritsar and the role of Brigadier-General Dyer, and questions the accepted view that the massacre was such a failure of minimum force. It argues that the circumstances surrounding the massacre must be understood before judging the incident and given these factors it is possible to see it within a minimum force framework. Always behind the use of force lay the imperial logic that justified it in the name of law and order, or at least order.

***Keywords*:** Amritsar Massacre of 1919, Reginald Dyer, British Raj, civil-military relations.

INTRODUCTION

Ninety-Nine years back in history same day on April 13th, 1919, it was a bright sunny morning of Baisakhi, a holi day in Sikh religion. Over twenty thousand unarmed men, women and children from various parts of Punjab peacefully gathered at "Jallianwala Bagh", amidst tense political situation. They were to attend a public speech about the highly controversial Rowlatt Act, or as popularly known then and now, as "the Black Act", which essentially legalised jailing of Indians on any whimsical or baseless suspicion.

In twenty minutes and with 1650 rounds of ammunition, Jallianwala Bagh became a focal point in the collective conscience of India and the world. As a place of profound tragedy and instant political import, Jallianwala's fate as a commemorative space was almost tautological.

If you have read about Jallianwala Bagh massacre of 1919 in your high school text book, then you will start feeling chills when you realise this is the place where British troops under Major General Dyer shot hundreds of innocent protesters. There are plaques that show from where the shooting was ordered and also a plaque next to well which says over 140 dead bodies were taken out from this well, mostly of people who jumped trying to escape the shooting and its said the well was full till top.

A look at the bullet-pocked, five-feet wall of the garden, from where so many tried to climb up and escape, but were shot at... or a peer into the martyrs' well, where hundreds jumped to escape the bullets but drowned, thoroughly recollects this installment of Indian history – effectively rendering it back to life. We have all studied/read about the horrors of Jallianwala Bagh. Yet bald details of a historical event do not successfully take you on a passage back in time. It takes a visit to ground zero to absorb and form real empathy for the victims of an event. And to remember that they died for us, for our Independence and for the life we comfortably live out today.

After 68 years of Independence, as one looks back to the struggle for freedom, the heart still grieves for the massive loss of life that happened at that time. One of the most horrendous events that strikes the mind is the one that took place at the Jallianwala Bagh, Amritsar. It is the unfortunate site where thousands of innocents were brutally murdered by the British troops

under General Dyer on 13th April 1919. Today, the site houses a memorial of national importance in the memory of those killed during the Jallianwala Bagh Massacre. After the tragic incident of that day, a committee was formed to raise a memorial for the martyrs of the massacre. The 6.5 acre land was acquired by the nation in the year 1920 and the memorial in the form of a public garden was opened in the year 1961. The memorial was inaugurated by the first President of Independent India Dr Rajendra Prasad. A flush of grief strikes the heart as one enters the garden. The bullet laden walls, the burning lamp, the well and other surroundings symbolise India's struggle for freedom. The sacrifice of those killed is just inestimable. It served as a catalyst in India's freedom struggle.

At that time, the British thought that this was simply a passing incident. With time, people would forget about it and move on. However, this incident turned out to be a turning point. Beginning from the noncooperation movement and the Khilafat Movement, Indian nationalists began to demand the withdrawal of the British from India. Whereas an earlier breed of politicians wanted some share in government, equal rights and opportunities, after the Jallianwala Bagh massacre, leaders demanded *Purna Swaraj* — complete independence. What followed, as they say, is history.

As one walks through the Bagh on a morning, I kept thinking of the impact of such a small place — it is just about six acres — on the national psyche of India. How and why did people, in say, Bombay, Madras and Calcutta — all very distant cities — get charged by the happenings of this place? After all, most Indians were not related or even knew those who had died, and nor did a great number of them have any affinity or even first-hand knowledge of the people of Punjab or the Sikhs. But somehow, this one incident — and obviously, its magnitude — united the people in their struggle, and in less than 30 years, the greatest empire the world had ever seen came to an end.

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Those of us who grew up in a more prosperous post-Independence India cannot understand how utterly racist and bigoted our erstwhile British rulers were. Or how damaging their 200-year-long yoke was for our land. Indians were subjugated, merely on the basis of racism (that was as stunningly horrific as Hitler's master race scheme) to the rule of whites, who felt themselves more civilised merely for the colour of their skin.

Jallianwala Bagh is a killing field as representative of the scar the British inflicted on India, as say Auschwitz concentration camp, Poland, is of the scar the Germans inflicted on Jews, gypsies and communists.

The British actions after the massacre are certainly testimony to that. The facts of the tragedy were not heard of in England till December 1919! According to Tim Coates's *The Amritsar Massacre, 1919: General Dyer in the Punjab*, Michael Dwyer, Lieutenant Governor of Punjab telegraphed this message to Dyer: *Your action is correct. Lieutenant Governor approves*. Dyer continued to terrorise Amritsar even after the massacre, issuing even stronger edicts.

Dyer did not believe he needed to have the wounded attended to. He astonishingly declared: "Certainly not. It was not my job. Hospitals were open and they could have gone there."[1] The Commission did not take disciplinary action against Dyer but he was subsequently taken off duty. But he returned to Britain a conquering hero and not as the Butcher of Amritsar. He was considered the man who had prevented a revolution. Conservative, pro-Empire British daily *The Morning Post* organised a collection of 26,000 pounds for Dyer and it was presented to him by a committee of women, along with a sword, for being the Saviour of the Punjab and the Man who Saved India.[2]

No event galvanised India's freedom movement more than the Jallianwala Bagh massacre. It

[1] Collett, Nigel, *The Butcher of Amritsar: General Reginald Dyer*, Continuum International Publishing Group, 2006, p. 380; Sayer, Derek, "British Reaction of Amritsar massacre-1919–20", *Past & Present*, Issue 131, May 1991, p 45.
[2] Ibid.

finally made Indians realise that their rulers were both barbaric and dangerous and their notions of justice did not apply beyond themselves.

The monstrous event that occurred in a quiet garden in Punjab, inexorably, put us on the road towards that red letter day in 1947 when India bravely attained her freedom. Ninety-six years after the massacre, Jallianwala Bagh remains the ultimate pilgrimage spot for nationalist Indians.

Despite the massacre's exceptional temporal singularity and the universal impulse to commemorate, Jallianwala's short life (less than 90 years) as a memorial and monumental space is complex and contradictory. Carefully considering these complexities and contradictions, we encounter difficult questions about the representation of the past in the present. What exactly does the Jallianwala Bagh Memorial represent, stand for, and make claims on? How is the memorial used today, and how do these uses relate to the past?

BACKGROUND

During World War I, British India contributed to the British war effort by providing men and resources. About 1.25 million Indian soldiers and labourers served in Europe, Africa, and the Middle East, while both the Indian administration and the princes sent large supplies of food, money, and ammunition. However, Bengal and Punjab remained sources of anti-colonial activities. Revolutionary attacks in Bengal, associated increasingly with disturbances in Punjab, were significant enough to nearly paralyse the regional administration.[3]

A pan-Indian mutiny in the British Indian Army, planned for February 1915, was the most prominent plan amongst a number of plots of the much larger Hindu–German Mutiny, formulated between 1914 and 1917 to initiate a Pan-Indian rebellion against the British Raj during World War I. The revolutionaries included the Indian nationalists in India, the United States and Germany, along with help from the Irish republicans and the German Foreign Office.

[3] Gupta, Amit K, "Defying Death: Nationalist Revolutionism in India, 1897–1938", *Social Scientist*, Vol. 25, No. 9/10, Sep.–Oct. 1997, pp. 12; Popplewell, Richard J, *Intelligence and Imperial Defence: British Intelligence and the Defence of the Indian Empire 1904–1924*, Routledge, 1995, p.201.

The plot originated on the onset of the World War, during the Ghadar Party in the United States, the Berlin Committee in Germany, the Indian revolutionary underground in British India and the German Foreign Office through the consulate in San Francisco. The planned February mutiny was ultimately thwarted when British intelligence infiltrated the Ghadarite movement, arresting key figures. Mutinies in smaller units and garrisons within India were also crushed.

During the First World War, high casualty rates, increasing inflation compounded by heavy taxation, the deadly 1918 flue pandemic, and the disruption of trade during the war escalated human suffering in India. The costs of the protracted war in both money and manpower were great. In India, long the "jewel in the crown" of the British Empire, Indians were restless for independence. More than 43,000 Indian soldiers had died fighting for Britain. Indian soldiers smuggled arms into India to fight British rule. The pre-war Indian Nationalist sentiment, revived as moderate and extremist groups of the Indian National Congress (INC), ended their differences to unify. In 1916, the Congress succeeded in establishing the Lucknow Pact, a temporary alliance with the All-India Muslim League.

Ever since the Rebellion of 1857 British officials in India lived in fear of native conspiracies and revolts; they warned each other that the natives were most suspicious when they seemed superficially innocent.[4] Investigators at the time and historians since have found no conspiratorial links whatever to the events in Amritsar, but the British fears animated their responses — General Dyer believed a violent thrashing would dampen conspiracies — and afterwards he was hailed in Britain for having pre-empted a terrorist attack. British Indian Army troops were returning from Europe and Mesopotamia to an economic depression in India.[5]

The attempts at mutiny during 1915 and the Lahore conspiracy trials were still causing fear among the British. Rumours of young Mohajirs, who fought on behalf of the Turkish Caliphate, and later, in the ranks of the Red Army during the Russian Civil War, were circulated in army circles. The Russian Revolution had also begun to influence Indians.[6] Ominously for the British, in 1919, the Third Anglo-Afghan War began and in India, Gandhi's call for protest

[4] Patterson, Steven, "The Imperial Idea: Ideas of Honour in British India", *Journal of Colonialism and Colonial History*, Vol. 8, No.1, 2007.
[5] Sarkar, Sumit, *Modern India, 1885–1947*, Macmillan, Delhi, 1983, pp. 169–172,176.
[6] *Ibid*, p.177.

against the Rowlatt Act achieved an unprecedented response of furious unrest and protests. The situation especially in Punjab was deteriorating rapidly, with disruptions of rail, telegraph and communication systems.

Many army officers believed revolt was possible, and they prepared for the worst. In Amritsar, more than 15,000 people gathered at Jallianwala Bagh. The British Lieutenant-Governor of Punjab, Michael O'Dwyer, is said to have believed that these were the early and ill-concealed signs of a conspiracy for a coordinated revolt around May, at a time when British troops would have withdrawn to the hills for the summer. The Amritsar massacre, as well as responses preceding and succeeding it, contrary to being an isolated incident, was the end result of a concerted plan of response from the Punjab administration to suppress such a conspiracy.[7] James Houssemayne Du Boulay is said to have ascribed a direct relationship between the fear of a Ghadarite uprising in the midst of an increasingly tense situation in Punjab, and the British response that ended in the massacre.[8]

ROWLATT COMMISSION

Before the First World War, the Indian Nationalist movement represented by the INC had been split by a division between the "extremists", who sought independence by violent means, and the "moderates" (later termed Liberals), who espoused "constitutional" methods of advance toward becoming a self-governing colony. Concurrently, a schism had developed between the INC and the leadership of the Muslim community, which insisted on separate electorates and a quota of public positions as against a general electorate and free competition between individuals. However, in 1916, these divisions were compromised by a new agreement between the INC and the Muslim League that pledged cooperation toward joint goals. Their expectations were expanded by the promise of the secretary of state for India, Edwin Montagu, in 1917 that His Majesty's Government and the Government of India were committed to "the gradual development of self-governing institutions with a view to the progressive realisation of responsible government in India as an integral part of the British Empire."[9]

[7] Cell, John W., *Hailey: A Study in British Imperialism, 1872–1969*, Cambridge University Press, 2002, p.67.
[8] Brown, Emily, *(in Book Reviews; South Asia). The Journal of Asian Studies*, Vol. 32, No. 3. (May, 1973), pp. 522–523, Pacific Affairs, University of British Columbia, 1973, p,523.
[9] Coupland, Reginald, *The Indian Problem*, Oxford University Press, New York, 1944, p.52.

On 20th August 1917, Montagu announced that the British government desired the gradual development of self-governing institutions with a view to the progressive realisation of responsible government in India, as an integral part of the British Empire.[10] Most Indians saw this as a recognition and reward for the cooperation, money and men their country had given towards the British war effort. In the summer of 1918, the Montagu-Chelmsford Reforms were published. These greatly anticipated the moves were soon found to be very disappointing. Around the same time, the findings of the Rowlatt Committee were published. This committee proposed two bills, the first of which was passed into law on 21st March 1919. It allowed judges to try political cases without juries in specified cases and gave provincial governments powers of internment. The First World War was over, but the British still thought it necessary to bring in these repressive measures. Many Indians were outraged, seeing the Rowlatt Bills as an insult, after the loyalty they had shown Britain during the war. So, anti-Rowlatt agitations began to appear and Mahatma Gandhi stepped in to provide the movement with leadership. It was the first nationwide protest he ever had. He announced his satyagraha campaign and suggested hartals as a suitable means of demonstration.

The Rowlatt committee was a Sedition Committee appointed in 1918 by the British Indian Government with Mr Justice S.A. T. Rowlatt, an English judge, as its president. Other members of Committee were Sir Basil Scoot, the Chief Justice of Bombay, Dewan Bahadur C.V. Kumarswami Sastri, judge of the high court in Madras, Sir Verney Lovett member of the Board of Revenue of the United Province and Pravesh Chandra Mitter, vakil of the High Court Calcutta.[11] The purpose of the committee was to evaluate political terrorism in India, especially Bengal and Punjab, its impact, and the links with the German government and the Bolsheviks in Russia.[12] It was instituted towards the end of World War I when the Indian Revolutionary movement had been especially active and had achieved considerable success, potency and momentum and massive assistance was received from Germany which planned to

[10] Narain, Sunita, *The Jallianwala Bagh Massacre*, Lancer Publishers LLC, October 18, 2013, pp.2-3.
[11] Datta, V.N., *Jallianwala Bagh*, Lyall Book Depot and VK Arora, Kurukshera University Books, Ludhiana, 1969, p. 31.
[12] Tinker, Hugh, "India in the First World War and after. 1918-19: From War to Peace", *Journal of Contemporary History*, Sage Publications, Vol.3, No.4, October 1968, p.92; Lovett, Sir Verney, *A History of the Indian Nationalist Movement*, Frederick A. Stokes Company, New York, 1920, pp. pp. 94, 187–191; Sarkar, B.K., "A History of the Indian Nationalist Movement", *Political Science Quarterly*, Academy of Political Science, Vol. 36, No.1, March 1921, p.137; Gordon, Leonard A., "Portrait of A Bengal Revolutionary", *The Journal of Asian Studies*, Vol. 27, No. 2, Feb. 1968, pp. 197-216 .

destabilise British India.[13] These included supporting and financing Indian seditionist organisations in Germany and in United States as well as a destabilisation in the political situation in neighbouring Afghanistan following a diplomatic mission that had attempted to rally the Amir of Afghanistan against British India. Attempts were also made by the Provisional Government of India established in Afghanistan following the mission to establish contacts with the Bolsheviks. A further reason for institution of the committee was emerging civil and labour unrest in India around the post-war recession, e.g., the Bombay mill worker's strikes and unrests in Punjab, and the 1918 flu pandemic that killed nearly 13 million people in the country.[14]

Gandhi's call for protest against the Rowlatt Act achieved an unprecedented response of furious unrest and protests. The situation especially in Punjab was deteriorating rapidly, with disruptions of rail, telegraph and communication systems. Many army officers believed revolt was possible, and they prepared for the worst. In Amritsar, more than 15,000 people gathered at Jallianwala Bagh. The British Lieutenant-Governor of Punjab, Michael O'Dwyer, is said to have believed that these were the early and ill-concealed signs of a conspiracy for a coordinated revolt around May, at a time when British troops would have withdrawn to the hills for the summer. The Amritsar massacre, as well as responses preceding and succeeding it, contrary to being an isolated incident, was the end result of a concerted plan of response from the Punjab administration to suppress such a conspiracy.[15]

The Punjab was an important region of British India, partly because of its religious diversity, which incorporated substantial numbers of Muslims, Hindus and Sikhs. It also had to be the strategic strong point as the province bordered on to Afghanistan. During the war, disaffection had visibly grown in the Punjab. Some blame this on the tough administration of Sir Michael O' Dwyer, the Lieutenant Governor of the Punjab. He ruthlessly suppressed the Ghadr movement, which had been launched by the Sikhs in North America and severely restricted the Indian Press. During the war, about a third of all Indian army recruits came from Punjab, a figure which is suspiciously high. O' Dyer's recruitment methods were often criticised.

[13] Lovett, Sir Verney, Note 12, pp. 94, 187–191; Sarkar, B.K., Note 12, p.137; Collett, Nigel, note 1, p. 218.
[14] Chandler, Malcolm and Wright, John, *Modern World History*, Heinemann Educational Publishers, 2nd Review edition, 2001, p.179.
[15] Cell, John W., note 7 , p.67

A great number of reasons for discontent and confrontation within the Punjab existed in 1919 but most importantly, a fundamental changed had occurred within Indian politics. As Helen Fein says, "Not until the second decade of the twentieth century was the British Raj challenged by a concerted drive for self-government on the part of the Indian political elite."[16]

The doctrine of self-determination, the future of the remains of the Ottoman Empire, the new Government of India Act and other subjects served to encourage political feeling and expectation of great change; while other consequences of the war, such as the rising cost of living and wartime restrictions caused discontent. The conditions were favourable for agitation. In order to contain the unrest across the country, the British Indian authorities enacted two key pieces of legislation. In response to German and Turkish efforts at subversion, the 1915 wartime Defence of India Act was placed on the statues, providing the civil and security agencies stronger powers in dealing with insurgency and unrest. Due to increased violence in Bengal, specifically assassinations, bombings and increased burglary, the British Indian Government believed something more had to be done. In 1919, these wartime powers were continued in peacetime under the Rowlatt Act, much to the concern of Indian nationalists. Gandhi began his 'Satyagraha' or civil disobedience campaign in response to the Act and widespread unrest resulted. The British response to the Rowlatt agitation signifies that they were unaware of the changed political atmosphere. Their use of force and repression instilled in the new political elite even more determination and gave all Indians a reason to unite against the British Raj.

Within the context of the growing unrest in India as a whole, the city of Amritsar was known as a location where discontent was particularly rife. Amritsar was at the forefront of disobedience against British rule and possessing an All Indian Congress Committee since 1917. Additionally, it had been selected as the location of the All India Congress in December 1919. In March 1919, Mohandas 'Mahatma' Gandhi, by now the defined leader of the Indian Independence movement, called on the people of India to begin 'Hartal', something close to a general workers strike. The first of these was held March 30 1919, reinforced by a second on April 6 1919. On 10th April, 1919, the Hartals in Amritsar organized by Doctor Saifudin

[16] Fein, Helen, *Imperial Crime and Punishment: The Massacre At Jallianwala Bagh and British Judgment, 1919-1920*, University Press of Hawaii, Honolulu, 1977, p.33.

Kitchlew and Doctor Satyapal proved particularly effective. Their arrest and disappearance led to outrage among the masses.

The news of Gandhi's arrest and the deportations of Dr. Kitchlew and Dr. Satyapal spread quickly to other cities and the satellite towns and villages located along the western and northern circuits of the railway line.[17] Both large cities and about half the towns and villages had observed hartals against the Rowlatt Act. These hartals were usually organized by a local Congress Committee, the Arya Samaj, or a group of local lawyers. After the news spread, hartals were renewed or organized in communities where they had either previously failed or had not been initiated. Students were reported to be particularly active in spontaneous attempts to close down shops.

On 11 April, Miss Marcella Sherwood, an English missionary, fearing for the safety of her pupils, was on her way to shut the schools and send the roughly 600 Indian children home.[18] While cycling through a narrow street called the Kucha Kurrichhan, she was caught by a mob, pulled to the ground by her hair, beaten, kicked, and left for dead. She was rescued by some local Indians, including the father of one of her pupils, who hid her from the mob and then smuggled her to the safety of Gobindgarh fort.[19] After visiting Sherwood on 19 April, the Raj's local commander, General Dyer, issued an order requiring every Indian man using that street to crawl its length on his hands and knees.[20] General Dyer later explained to a British inspector: "*Some Indians crawl face downwards in front of their gods. I wanted them to know that a British woman is as sacred as a Hindu god and therefore they have to crawl in front of her, too*."[21] He also authorised the indiscriminate, public whipping of locals who came within lathi length of British policemen. Miss Marcella Sherwood later defended General Dyer, describing him "as the 'saviour' of the Punjab".[22]

[17] *Ibid*, pp.34-35.
[18] Singh, Jaswant, "Bloodbath on the Baisakhi", *The Tribune*, 13th April 2002; Ferguson, Niall, *Empire: How Britain Made the Modern World*, Penguin Books, London, 2003, p. 326.
[19] Ferguson, Niall, *Empire: How Britain Made the Modern World*, Penguin Books, London, 2003, p. 326; Collett, Nigel, Note 1, p. 234.
[20] Singh, Jaswant, Note 18; Banerjee, Sikata, *Muscular Nationalism: Gender, Violence, and Empire in India and Ireland, 1914-2004*, New York University, New York and London, 2012, p. 24.
[21] Talbott, Strobe, *Engaging India: Diplomacy, Democracy, and the Bomb*, Brookings Institution Press, 2004, p. 245.
[22] Banerjee, Sikata, Note 18, p. 24.

The Amritsar riot of 10 April was afterward construed by General Dyer and others as part of a rebellion because a race riot was not a recognized event. It triggered a chilling fear among the colonial class that anyone might be killed now because of his or her nationality or race, evoking the mutiny syndrome of hatred and dread. No single assassination or revolutionary conspiracy before that time was comparable. Anybody, they could understand, could become a target because of the role they played; but in this case the crowd seemed to have selected their victims at random. The symbolic assault was more radical because of the attack on Miss Sherwood. Although there was no evidence to support this, as late as 1930 a British journalist in India familiar socially with the colonial class reports that they still talked of Miss Sherwood's rape.[23] Americans are familiar with how the allegation of rape of a white woman served as a justification for lynching: such an assault-white women being the highest form of property of the governing class-represents and attack on the whole system of domination.

To the Indian rioters, burning British victims must have been viewed as collective retaliation for the British soldiers shooting twenty to thirty unarmed Indians. (The Hunter Report is very casual as to the figure, indicating little administrative concern at the time over counting the victims.) That is, it was a retaliation, if the shooting provoked the mob rampage. But, at this point, there is a critical disagreement between sources and among historians as to whether the second shooting preceded or succeeded the beginning of the mob's rampage in the city. The Hunter Report declares that the banks were burned before the shooting. Witnesses and circumstantial evidence are inconclusive but seem to me to support the Congress Report's contention that the confrontation did provoke the rampage; this conclusion gains credibility from the British officials' initial willingness to negotiate with the two pleaders at the footbridge.[24]

For the next two days, the city of Amritsar was quiet, but violence continued in other parts of the Punjab. Railway lines were cut, telegraph posts destroyed, government buildings burnt, and three Europeans murdered. By 13 April, the British government had decided to put most of the

[23] H. L. Singh, *Problems and Policies of the British in India, 1885-1898*, Asia Publishing House, Mumbai, 1963, cites Parliamentary Command Paper 4956 as his source; Philip Mason [Philip Woodruff] bases his figures on anonymous official records reported in *The Men Who Ruled India*, vol. 2, *The Guardians*, p. 363.
[24] Cited in C. H. Philips (ed.), *The Evolution of India and Pakistan, 1858 to 1947: Select Documents*, Oxford University Press, 1962, p. 548.

Punjab under martial law. The legislation restricted a number of civil liberties, including freedom of assembly; gatherings of more than four people were banned.[25]

JALLIANWALA BAGH MASSACRE (OR THE AMRITSAR MASSACRE)

On April 13, 1919, several thousand unarmed Indians, mainly Sikhs, peacefully assembled in Jallianwala Bagh, Amritsar, to listen to several prominent local leaders speak out against British colonial rule in India and against the arrest and deportation of Dr. Satya Pal, Dr. Saif-ud-Din Kitchlew, and few others under the unpopular Rowlatt Act. Udham Singh and his friends from the orphanage were serving water to the crowd. O'Dwyer had declared a martial law which not announced. He probably made some announcements about it in some localities of the city beforehand, but the general population was not aware of it. The political instability made it very difficult for him to stay in Punjab much longer after the Amritsar massacre. He says, "I arrived in India in November, 1885, and was posted to Lahore, the capital of the Punjab. I left Lahore and the Punjab for good in May, 1919."[26]

General Dyer received the news that a huge meeting was to be held at Jallianwala Bagh at on the same day. People had started pouring into the Bagh after 2 p.m. At 4 p.m. he received definite information from Rehill (Superintendent of Police) that a crowd of 1,000 had assembled at Bagh. Thereafter, the news was confirmed by Mr. Lewis, Manager of Crown Cinema.[27] Dyer thought it as a challenge to his authority. Dyer at once gave orders to his striking force to fall in. He took two armoured cars arrayed with machine guns along with him. Dyer with the company of his favourite officers Briggs and Anderson, fifty rifle men, forty Gurkhas armed with their traditional weapons, the Kukris,[28] marched towards the Jallianwala Bagh.

[25] Townshend, Charles, *Britain's Civil Wars: Counterinsurgency in the Twentieth Century*, Faber and Faber, 1986, p137.
[26] O'Dwyer, Sir Michael, *India As I Knew It*, Constable & Company, London, 1925, p.27.
[27] *The Tribune*, 13 April 1966.
[28] Command. Papers, 771, Report of Captain F.C. Briggs Appendix A to Statement by Dyer, 1920 quoted in Datta, V.N., note 11, pp. 97-98.

Seeing a vast crowd gathered in the Bagh, General Dyer had nothing to wait for. He had gone to the Bagh with a fixed mind and an iron determination. According to Briggs "it was very hard to estimate the size of the crowd. The General asked me what I thought the numbers were and I said about 5,000 or so but I believe it has been estimated at more like 25,000."[29] Dyer, standing on a raised platform inside the entrance, was struck by the diverse nature of the crowd. Dyer did not think it necessary to give any warning to the people. Dyer deployed his troops, 25 the Gurkhas riflemen on the left and 25 the Baluchis on the right. All this happened within thirty seconds. The ground on which the soldiers stood was at a higher level than the rest of the area. The General then instantly ordered them to open fire.[30] Immediately, the crowd shouted but authority uttered no need to worry; the troops were firing blanks. But they quickly lost their illusions, however, as people began to crumple and fall. The firing continued for ten minutes and in that time 1650 rounds of 303 marks, VI ammunition were fired i.e. 33 rounds per rifle per man.[31] The firing ceased only after the ammunition ran out.

When the firing ceased, nothing expected dead bodies was visible in each and every corner of the Bagh. The Bagh was full of dead bodies. Hundred persons were badly wounded and they were crying for help. Some dead bodies were lying outside the Bagh. It so happened that the wounded persons who tried to run, could not survive and fell dead after a vain attempt to save themselves. According to Dyer's statement on 25th August 1919 to the General staff, he stated, "I fired and continued to fire until the crowd dispersed".[32] There was nobody to give them water. No medical aid was available for the people. Even those residents of Amritsar whose relatives had come to Bagh did not dare to enter the Bagh for quite some time to search for them. The Bagh thus looked like a mini battle-field which was full of numerous corpses and wounded persons. General Dyer left the Bagh, along with his force, leaving behind a scene which was like a hell on earth. According to Girdhari Lal, who saw the scene closely: "I saw hundreds of persons killed on the spot. The worst part of the whole thing was that firing was directed towards the gates through which people were running out. There were small outlets, four or five in all, and bullets actually rained over the people at all these gates….and many got trampled under the feet of rushing crowds and thus lost their lives….blood was pouring in

[29] *Ibid*, p.97.
[30] Datta, V.N., note 11, p.99.
[31] Draper, Alfred, *Amritsar: The Massacre That Ended the Raj*, Littlehampton Book Services Ltd, First Edition, July 1981, p. 90.
[32] Disorders Inquiry Committee, Vol. III, 1920, p. 203.

profusion…..even those who lay flat on the ground were shot…..some had their heads cut open, other had eyes shot and nose, chest, arms and legs shattered".[33]

When the news of the tragic incident percolated out of Punjab, India was convulsed and there was an outbreak of criticism and condemnation and a serious expression of sense of discontent and fury against the British rule for its failure to maintain perfect law and order without using illegal, vastly questionable, heartless, treacherous and horrible means. Dyer's action was criticized in various meetings and conferences. Brutal and strong punishments were called for General Dyer and other administrators of Martial Law and the urgent release of political and other prisoners' arrests and convicted before and during the Martial Law.

In comparison to the 1857 Mutiny, historian Percival Spear comments that with the Jallianwala Bagh massacre, "a scar was drawn across Indo-British relations deeper than any which had been inflicted since the Mutiny".[34] The tragic event had far-reaching consequences – for example Rabindranath Tagore renounced his British knighthood in the wake of the massacre. Tagore wrote to Viceroy: "The time has come when badges of honour make our shame glaring in their incongruous context of humiliation and I for my part wish to stand shorn of all special distinctions by the side of my country."[35] It became a remarkable signpost on the way towards Indian independence.

The many disputes which exist in connection with Dyer's action in Amritsar began to manifest themselves almost immediately and are evident in the *Majority and Minority Reports* of the Hunter Committee, the Parliamentary Debates on Dyer and in the Congress Report on the Punjab Disturbances.

Individual sanctioning of collective violence is a function of moral inclusiveness on the part of the judge and tolerance of its contrary, moral exclusiveness. However, tolerance of General Dyer's conduct was not one individual's act but was determined by a chain of organizational actions (or inaction).

[33] Report and Evidence of the Sub-Committee of the Indian National Congress, 1920, p.55.
[34] Spear, Percival, *The Oxford History of Modern India 1740–1947*, Clarendon Press, Oxford, 1965, p.341.
[35] *The Statesman*, 5 June 1919.

General Dyer asked for and received the approval of his immediate superior, Major General Beynon, and the provincial lieutenant governor of the Punjab, Sir Michael O'Dwyer. The massacre was apparently overlooked by the Government of India for five months before it was debated in the Imperial Legislative Council in September 1919. At that time, they agreed to postpone judgment of General Dyer until after the Hunter Committee's hearing, even though the statement requested from Dyer by the commander in chief of the Indian Army had been received on 25 August 1919 and the Hunter Committee was not a judicial body qualified to make a legal indictment or judgment. This succession of lapsed opportunities for judgment led Lord Midleton, a "deviant" supporter of the motion, to denounce that government: "After all the facts were known the Government of India extended his [Dyer's] autocratic power in the Punjab. A month later they sent him to the front. In October they promoted him, and in January this year they promoted him again; and then, in March, they tell him that they cannot give him further employment. If anybody is to be accused of favouring racial humiliation or frightfulness, it surely is those to whom all these facts were known, who took no action on them, and allowed it to be believed that they were condoned, so long as the emergency was hot, but are to be condemned now that public opinion has got cool."[36]

Secretary of State for India Montagu pressed the Government of India for an inquiry into the case of the disorders, first recommending such an inquiry in his budget speech of 22 May 1919. Montagu's initial impressions based on that ambiguous wire from Delhi were clarified by two conversations with the retired lieutenant governor of the Punjab, Sir Michael O'Dwyer, in London in June. What could be done? If he had unilaterally condemned Dyer on O'Dwyer's second-hand report that Dyer fired without warning and without being threatened, or even demanded a court-martial for him, he would become the butt of attack by the whole imperial class in India and Britain and risk rejection of the proposed Government of India Act incorporating reforms at the hands of their allies in Parliament. And he would be censured for prejudging the issue without the accused being heard if he attempted to have Dyer quietly removed from command. On the other hand, he was pressed by the Indian delegation in London whose support he also needed for the reforms he had spent three years in developing from the government's 1917 promise to legislation. To avoid both risks and develop a joint resolution, what better method was there than to appoint a committee composed of official Britishers and

[36] Fein, Helen, Note 16, p.186.

Indians (loyal to the government, of course)? He wired the viceroy on 18 July that he was making "a statement in Parliament to the effect that you are going to appoint a committee and have asked me to select a chairman....It would sooth the Indian delegation here."[37]

On 14 October 1919, after orders issued by the Secretary of State for India, Edwin Montagu, the Government of India announced the formation of a committee of inquiry into the events in Punjab. Referred to as the Disorders Inquiry Committee, it was later more widely known as the Hunter Commission. It was named after the name of chairman, Lord William Hunter, former Solicitor-General for Scotland and Senator of the College of Justice in Scotland. The stated purpose of the commission was to "investigate the recent disturbances in Bombay, Delhi and Punjab, about their causes, and the measures taken to cope with them".[38] The members of the commission were[39]:

- Lord Hunter, Chairman of the Commission
- Justice George C. Rankin of Calcutta
- Sir Chimanlal Harilal Setalvad, Vice-Chancellor of Bombay University and advocate of the Bombay High Court
- W.F. Rice, member of the Home Department
- Major-General Sir George Barrow, KCB, KCMG, GOC Peshawar Division
- Pandit Jagat Narayan, lawyer and Member of the Legislative Council of the United Provinces
- Thomas Smith, Member of the Legislative Council of the United Provinces
- Sardar Sahibzada Sultan Ahmad Khan, lawyer from Gwalior State
- H.C. Stokes, Secretary of the Commission and member of the Home Department

The Majority Report of the Hunter Committee was the basis for the decision by the Government of India to remove General Dyer from his post-this action was, as Winston Churchill, the secretary of state for war, told the House of Commons in July 1920, the lightest sanction that could have been employed.[40] The Government of India's censure of Dyer's action, reaffirmed subsequently by both the British Cabinet and the Army Council, provoked motions by Dyer's

[37] Datta, V.N., note 11, p. 137.
[38] Collett, Nigel, Note 1, pp.333-334.
[39] *Ibid*.
[40] Fein, Helen, Note 16, p.xiv.

defenders in both Houses of Parliament in July 1920, passage of which would have symbolically condemned the government's sanction, thus condoning Dyer's action and the imperial policy it was recognized to represent. The motion passed the House of Lords that the government's conduct of the Dyer case was "establishing a precedent dangerous to the preservation of order in the face of rebellion."[41]

In testifying to the Hunter Committee, the committee officially appointed by the British Government to investigate the massacre and what was quaintly known as other "disturbances" in north India, Dyer foregrounds his identity as a military officer, legitimising his authority on the basis of military expertise and access to conditions on the ground.[42] He narrates his intentions by stressing that his objectives were calculated from a military perspective. Believing that there was evidence of a widespread rebellion which was not confined to Amritsar alone, he felt that his duty at Jallianwala Bagh was not limited to dispersing the crowd, but was "to produce a moral effect in the Punjab". Dyer had ascertained, in his words that the situation was very serious and had made up his mind...to do all men to death if they were going to continue the meeting. "It was no longer a question of merely dispersing the crowd," he added, "but one of producing a sufficient moral effect, from a military point of view, not only on those who were present but more specifically throughout the Punjab. There would be no question of undue severity."

Dyer's statement regarding the massacre is an admission of what is known in jurisprudential discourse as "constructive intent": a reasonable expectation that casualties, or the "wilful and wanton" infliction of injuries to others, would result from his actions.[43] His testimony indicates that a crucial aspect of maintaining the peace in Amritsar and in the Punjab included upholding British military prestige, thereby asserting colonial masculinity and dominance over the natives through the exercise of force. For example, after admitting that he could have dispersed the crowd without firing on it, Dyer explains that he rejected this opinion out of the anxiety that the crowd could make a laughingstock out of him. "I could disperse them for sometime", he reveals, "then they would all come back and laugh at me, and I considered I would making myself a fool". This possibility would have been all the more personally abhorrent to Dyer

[41] *Ibid*.
[42] Bose, Purnima, *Organizing Empire: Individualism, Collective Agency, and India*, Zubaan, 2003, pp.35-37.
[43] *Ibid*.

considering that he subscribed to the adult-child paradigm of colonial relations. In response to the suggestions that he had done "a great disservice to the British Raj" by firing on the crowd, Dyer asserts, "I thought it would be doing a jolly lot of good and they would realise that they were not to be wicked."[44]

After reporting to the General Headquarters in Delhi, he was shown not to the Military Secretary's office in Delhi, but to that of the Commander-in-Chief.[45] Outside in the anteroom, he was met by General Hudson, who told him that he was to be deprived of his command, as the Commander-in-Chief agreed with the censure of the Hunter Committee. Dyer objected that as he had not been tried, he should not be condemned, but Hudson told him that it was too late and asked Dyer to not make any difficulties with the Commander in Chief as he is very much upset. Dyer agreed that he would not do this. He entered the Commander-in-Chief's office and was told briefly by Monroe to resign his post and that he would not be re-employed. Dyer left without speaking a word.[46]

The Hunter Committee split down the middle, with its three Indian members, Jagat Narayan, C.H. Setalvad and Sultan Ahmad, authoring a dissent. The majority condemned Dyer, arguing that in "continuing firing as long as he did, it appears to us that General Dyer committed a grave error." The dissenting members, understandably, argued that the martial law regime's use of force was wholly unjustified. "General Dyer thought he had crushed the rebellion and Sir Michael O'Dwyer was of the same view", they wrote, "(but) there was no rebellion which required to be crushed."[47]

Both Secretary of State for War Winston Churchill and former Prime Minister H. H. Asquith however, openly condemned the attack. Churchill referring to it as "monstrous", while Asquith called it "one of the worst outrages in the whole of our history."[48] Winston Churchill, in the House of Commons debate of 8 July 1920, said, "The crowd was unarmed, except with bludgeons. It was not attacking anybody or anything… When fire had been opened upon it to disperse it, it tried to run away. Pinned up in a narrow place considerably smaller than Trafalgar

[44] *Ibid.*
[45] Collett, Nigel, note 1, p.347.
[46] *Ibid.*
[47] *Ibid.*
[48] Sayer, Derek, Note 1, p.142.

Square, with hardly any exits, and packed together so that one bullet would drive through three or four bodies, the people ran madly this way and the other. When the fire was directed upon the centre, they ran to the sides. The fire was then directed to the sides. Many threw themselves down on the ground, the fire was then directed down on the ground. This was continued to 8 to 10 minutes, and it stopped only when the ammunition had reached the point of exhaustion."[49] After Churchill's speech in the House of Commons debate, MPs voted 247 to 37 against Dyer and in support of the Government.[50]

Rabindranath Tagore received the news of the massacre by 22 May 1919. He tried to arrange a protest meeting in Calcutta and finally decided to renounce his knighthood as "a symbolic act of protest."[51] In the repudiation letter, dated 30 May 1919 and addressed to the Viceroy, Lord Chelmsford, he wrote "I ... wish to stand, shorn, of all special distinctions, by the side of those of my countrymen who, for their so called insignificance, are liable to suffer degradation not fit for human beings."[52]

The possibility of a court-martial was rejected because the Army Act stated that an offence of murder or manslaughter could not be tried by court martial, unless it was committed on active service.[53] Whilst it was arguable that duty in Amritsar had indeed been an active service, it was the Government's view that the Army Act's intension was that both offences must always be dealt with by the civil power if civil courts were available. The Legal Advisor Edward des Chamier warned, however, that there was nothing to stop any private person bringing up a case against Dyer. If this happened, the Government was entitled to take over, then drop the case. Montagu accepted this, but still wished to take the matter further than what had been done so far, the removal of Dyer to the unemployed list by the Commander-in-Chief in India. In a note he drew up to clear his mind, he wrote: "The Government of India is right to suggest not to try Dyer, but to suggest dismissal. Condemnation of his use of principle of terrorism must be stronger than Hunter. His Majesty can have no further use for the services of General Dyer....He

[49] Collett, Nigel, Note 1, 372.
[50] Sayer, Derek, Note 1, p.131.
[51] Das, Sisir Kumar, *Rabindranath Tagore: A miscellany*, Sahitya Akademi, January 1996, pp. 982.
[52] "Tagore renounced his Knighthood in protest for Jallianwala Bagh mass killing", *The Times of India*, 13 April 2011.
[53] Collett, Nigel, Note 1, p.352.

leaves the service a brave soldier whose fault is the misconception of the principles which govern his profession."[54]

Montagu was also advised by his Military Secretary Lieutenant General AS Cobb of Dyer's personal circumstances. As an officer without employment, Dyer was entitled to unemployed pay of 700 pounds per annum, which he was entitled to draw for up to five years.[55] Cobb presumed, however, that Dyer would elect to retire, in this case or in the case of compulsory retirement, he would receive a pension. Dismissal from the service, which could only be effected by the sentence of a court martial or by the King, on the advice of the Secretary of State for War, would mean the loss of his pension. Advice given to the Secretary of State for War still intent on having him compulsorily retired. The committee agreed that it was undesirable to allow a trial in India or the United Kingdom and that it would be impossible to try Dyer by court-martial. The members accepted that they should condemn Dyer's failure to make a proclamation or exhibit a notice at the Jallianwala Bagh when he heard of the meeting, as well as his actions of opening fire without warning and continuing to fire for ten minutes. The committee met again, though made no progress as Montagu had not been able to prepare a draft resolution condemning Dyer. He was still discussing with Chelmsford the Government of India's draft resolutions, and the committee's draft would have to await the outcome of this.[56]

Eventually, the agreement over the resolution was reached. The Government of India published their first findings on the Hunter Report in a letter to Montagu dated 3rd May, 1920. This was their first public pronouncement upon the Hunter Report, which was by now some two months old. In their letter, they accepted that the civilian authorities had been at some fault in handing over control of Amritsar to the military 'in such terms as to suggest that they did not intend to exercise supervision or guidance over the action of the military commander'. They censured Dyer severely, finding that "Orders prohibiting assemblies should have been promulgated more widely and in particular that notices might have been posted up in Jallianwala Bagh....The Government of India agree with the Committee that General Dyer should have given warning to the crowd before opening fire....General Dyer's action in continuing to fire on the crowd

[54] *Ibid.*
[55] *Ibid.*
[56] *Ibid.*

after it had begun to disperse was, in the opinion of the Government of India, indefensible. [They] cannot accept this [Dyer's intention to intimidate lawless elements in the population] as a justification of the continued firing, which greatly exercised the necessity of the occasion....General Dyer exceeded the reasonable requirements of the case and showed a misconception of his duty which resulted in a lamentable and unnecessary loss of life....We must express our great regret that no action was taken by the civil or the military authorities to remove the dead or give aid to the wounded."[57]

The Dyer story was now beginning to leak into the press. The letter of which Joynson-Hicks had forewarned Montagu was published in the Sunday Times on 23rd May, under the heading 'Amritsar – Hunter Commission Report: Shall General Dyer Be Sacrificed?'.[58] The letter reflected the briefings of Joynson-Hicks had from Sir Michael O' Dwyer during his visit to India, which had excused Dyer's firing without warning on the grounds that there was fear that the crowd would surge forward, and which claimed he carried on firing until it dispersed. The letter, clearly aimed at the Army Council, concluded: "Do not condemn this man too hastily." The Morning Post went further the next day. In an article headed, 'The Amritsar Episode. Some Sidelines on the Event', wrote that the appointment of the Hunter Committee had been a great mistake. It blamed Chelmsford for giving way to Indian nationalists. The Post, which published considerable detail of Dyer's actions, had also been fed the O' Dwyer Line.[59] Dyer, the article maintained, had gone down a blind alley where he found himself faced with a mob that could have rushed his force. He had fired on the mob, which broke, ran, couldn't get out and surged back.

These were the signs that the opposition was becoming more organised and Montagu pressed on with the revisions to the committee's conclusions as fast as possible. On 26th May, 1919, he published both the Viceroy's letter of 3rd May and his own despatch, which replied to Chelmsford and embodied the Cabinet's decision.[60] Both documents were published as Command Paper 705 and the Hunter Report was published at the same time. This was now the published policy of the British Government.[61]

[57] *Ibid.*
[58] *Ibid.*
[59] *Ibid.*
[60] *Ibid.*
[61] *Ibid.*

Had it not been for the massacre, General Dyer's name surely would not have become an issue, a public symbol, a flag, and later an epithet - "Dyerism". Most British historians have concentrated exclusively on explaining how the firing occurred, as if it were a singular event and as if Dyer had not intended to do exactly what he did. They assess the sincerity of Dyer's motives in terms of the threat he perceived in Amritsar in those days. Exploring the contradictory defense statements made under threat of incriminations, the after-dinner remarks indicating boastfulness or penitence, and the physical symptoms displayed by Dyer after the firing has been a singularly vacuous academic exercise, considering that Dyer clearly asserted what his motives were in his response to the commander in chief of the Indian Army's request for a written account. In his report of 25 August 1919, he wrote the following: "I fired and continued to fire till the crowd dispersed, and I considered that this is the least amount of firing which would produce the necessary moral and widespread effect it was my duty to produce if I was to justify my action. If more troops had been at hand the casualties would have been greater in proportion. It was no longer a question of merely dispersing the crowd, but one of producing a sufficient moral effect, from a military point of view, not only on those who were present, but more specially throughout the Punjab."[62]

While factual clarity is rarely an aspect of the international disputes such as colonial massacres, with the Amritsar massacre the factual details of the event were not disputed; yet these details caused less of a reaction from the British public than less of the Dyer's explanation of his intentions in ordering the attack on civilians. Both Dyer's critics and supporters drew on the concept of intentionality, nuancing it in different ways, either to condemn his actions or to validate them. The invocation of intentionality functioned on two different registers, namely the individual and the collective. Dyer and his partisans justified the massacre by arguing that he had acted out of anticipatory self-defence, maintaining that the collective intent of the crowd was to initiate a second mutiny. His critics, in contrast, insisted on limiting the discussion to questions of Dyer's individual intent and responsibility, to distance him from military establishment and the colonial rule of law. That intentionality could be used to rationalise fundamentally contradictory stances on Dyer's conduct is symptomatic of its lack of clarity as a legal category.

[62] "Hunter Committee, 1919-1920", in Riddick, John F., *The History of British India: A Chronology*, Greenwood Publishing Group, 1st January 2006, p.104. General Dyer later claimed to have been misquoted by this printed line; however, at least two members of the Hunter Committee, one English general and one Indian member, recalled his saying this.

Reviewing the judgment and processing of the Dyer case illustrates above all that toleration or sanctioning against collective violence in bureaucracies is an organizational response; and organizations tend to sustain morale by protecting their members despite the rulebook and limits on their authority. An organization, such as the Government of India, indebted to the class which theoretically serves it, is bound by the class's universe of obligation. While individual violence against Indians was not formally condoned, rarely, as Curzon found during his viceroyalty, was it condemned and scarcely ever punished. Was it any wonder that when Dyer reacted at Jallianwala Bagh to express the rage of his class, they should support him?

The Government of India's policy in this case was neither to authorize slaughter nor to subject its servants to trial in either the military or civil courts, just as it had been toward the deputy inspector who shot the sixty-five captured Kuka rebels out of cannons in 1872. By evading the issue to placate the British Indian bureaucracy, the government had made it possible for Dyer's defenders to attempt to legitimate a policy which *The Times* indicated was called by Indians "preventive massacre" in 1920. Dyer's defenders exploited the sympathy for him by focusing on the alleged denial of his rights of due process before the Hunter Committee (which was not a judicial body) and the antipathy to Secretary of State Montagu. They portrayed Dyer as a scapegoat. Their policy, known metaphorically by its supporters as one of the "firm" hand or "forceful" action, was contrary to both the prescriptions and the usual practices of the British military in India. Had it been approved, it would have marked a radical departure in British imperialism.

Once one explicates the state's understanding of this "real" need for martial law, the logic of its violent actions becomes clearer: not the punishment of the guilty, not the end to specific transgressions, but the restoration of a general condition. Moreover, it is crucial to once again remind ourselves that this general condition cannot be reduced to notions of public peace and order. In fact, in each explanation for an action by an officer, there is a will to generality — an order whose obedience will itself teach the subject about general rules. Both General Dyer's explanation for his actions and the official response to his explanation are saturated with this ambivalence about specific tasks and general ends. In General Dyer's statement, we get an uncanny reflection of the relation between performative violence and a return to legality, and the distinction between such violence and mere mechanical notions of force and the preservation of order.

The Amritsar massacre may be seen as the last assault in a cycle of collective self-defense by British and Indians. It was a response to the first modern race riot in India, which itself was sparked by British response to the first threatened use of mass nonviolence by Gandhi. This movement was a response to a perceived British assault on Indian freedoms signified by the Rowlatt Bills, which were a response to previous Indian criminal conspiracy against the raj (British rule).

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