



Jallianwal Bagh massacre: Legislative and political dimensions

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Abstract

Paper is focused on the political dimension of the Jallianwala Bagh massacre. Tragedy of the Jallianwala Bagh was the result of the various legislative measures and their heinous implementation in the last decade of nineteenth century and first two decades of twentieth century. Along with the British Empire's strategy to deploy the Indians soldiers for the First World War. Massacre reflects the British government's attitude towards the colonial people. During this period British society worldwide propagated liberal democratic values. In the colonized world they were least bothered about the implementation of the rule of law and natural rights the two pillars of the democracy. These concepts were advocated by the political thinkers like Locke, Rousseau in their own countries against the unlimited monarchy in UK and France. Jallianwala Bagh was an incident which was totally opposite to the democracy. This tragedy changed the nature of the Indian national movement. Jallianwala Bagh incident forced the national leadership to think about the undemocratic attitude of the British Empire. Afterwards movement became mass-movement. Leaders from all parts of the country began to develop awareness among the masses. Repercussions of the unfortunate event was all the sections of the society from different platforms opposed the British Raj's anti-Indian policy. Study is mainly based on the secondary sources. 'The Tribune' of 1919 & 20 was the main source of analyzing the massacre. On the basis anatomy of the Jallianwala Bagh it is concluded that British Administration had mal-intention to repress the Indian masses to overpower their feeling of insecurity due to consolidation of the national movement against the foreign rule.

Keywords: Jallianwal Bagh, martial law, massacre, natural rights, black law, Rowlatt act

Introduction

1919 is one of the most important years of Indian political history. First World War ended British government betrayed from its promises to felicitate the process of involving Indian in the governance. They mal-treated Indians, Rowalt Act and Jallianwal Bagh massacre was clear evidence of suppressing the Indians and its bad intentions. Indian leaders realized the fact that Britishers were not keen to consider the will of the Indians. To indicate their strength and intention it was a necessary to involve the masses in the national movement. In this chain of events Non-Cooperation Movement led by Gandhi and Hindu Muslim unity were important developments of the year. Jallianwala Bagh massacre was single incident which could explain the past, present and future narratives of the Indian Politics. Paper is an attempt to narrate the British imperialist psyche (racial superiority), rising national ethos and issues concerning the natural rights and democratic rights of the natives in the colonial period. Secondary sources, experiences narrated by the people and the newspaper The Tribune archives has been used as sources to conduct the study.

Legislative Background

Britishers were responsible to develop anti-British feelings among the Indian particularly in the political conscious and educated class in the last of nineteenth century and in the first two decades of twentieth century. In 1898 a law was passed making it an offence to excite "feeling of disaffection" towards the foreign government. In 1904 "The Indian Universities Act" was passed. Both the acts were seen by the nationalists as legislative

measures to restrict the Indians and instead of giving them wider political rights, the rulers were taking away even their few rights. Gokhale complained that "the bureaucracy was growing frankly selfish and openly hostile to national aspirations" (Chandra 2009:244). It was evident from the British policy to get money for War loan and to recruit the youth for military. 'Under "The Indian Defence Force Act"' in the Punjab and elsewhere the method adopted was to indent on each district and village for the number of recruits that it was considered it ought to produce and even leave it to the local officials to see that the complement was forthcoming using such methods "pressure and persuasion" as they thought fit...for the War loans bureaucracy and lower level officials were directed to follow the 'indent' method Local officials had to make returns of the lending capacity of the areas in their charge and subordinates feeling their reputation for efficiency depended on results entered the zest down to the police constable on the task of the extorting highest amount that pressure and persuasion could produce,' (Horniman 1980:12-13) [2]. Indian masses were still not able to realize the intentions of the British government. They were ignorant. The leaders who were leading the early national movement were convinced that changes in the governing institutions and more participation of the Indians would change the system in favour of the Indians. British government tactfully managed the situation. They passed Acts of 1892, 1909 and 1919 to convince the Indians that they were involving Indian in the governance in the phased manner. Behind these legislative measures British intention was 'divide and rule'. Morley- Minto Reforms of 1909 was also aimed to divide the

Indian society with the purpose of weakening the social fabric of the country. Proportional representation to the Muslims in the provincial legislature was to divide Indian nation on the communal lines. This process created confusion among the nationalist leaders and it was a step to check the unity among the Indians. Consolidation of the national movement formation of Muslim League and its support to the Congress (1906) treated by the Britishers as challenge to their authority. Mass awareness about the foreign rule and its dysfunctional aspects mesmerized the feeling of insecurity in the British Raj.

National Leaders

In the early twentieth century rise of rational leadership in the Congress and their idea of *Swaraj* (Tilak) played significant role to start drive to convince the masses about the dignity of the natives and their right to self-rule. This trend was simmering among the organized way although it was not dominating during the period (1890-1905). Leaders like Tilak, Aurobindo Ghose and Bipin chander Pal preached the message of self-respect and asked the nationalist to rely on the character and capacities of the Indian people. They made every effort to popularize the notion of 'self' among the masses.' It was only remedy to their sad condition, lay in their own hands and they should become fearless and strong,' (Chandra2009:245). Gandhi who joined actively Indian national movement in 1916 also posed his faith in Indian masses. Gandhi after understanding the Indian condition realized the importance of the mass involvement in the national movement. Events during the First World War and Britain's dependence for the financial and military assistance on India played important role to boost the Indian morale. 'They believed the war was being waged for the freedom of all and reiterated declarations of one statesman after another and they expressed ideals with which President Wilson came into the war, encouraged them in high hope that their freedom as a full partner in the Empire must inevitably follow the winning of freedom for others' (Horniman1980:11' Vohra in Ramchandran: 2019xii). Indian leaders from different platforms raised their demand for self-rule. 'The Home Rule Leagues' was started under the leadership of Lokmanya Tilak and the other under the leadership of Annie Besant. The two Home Rule leagues worked in cooperation and carried out intense propaganda all over the country in favor of the demand for the grant of Home Rule or Self Rule to India after World War. Montagu-Chemsford Act (1919) was a legislative measure to cope up with the after effect of the War situation. Act crushed the expectations of all those who were fighting for self-determination...contrary to the aspirations of Indian leaders effective control over the administration of India would continue to remain entirely in the hands of the British Viceroy, British governors and British Ministers who had maneuvered to retain control over the key departments in the provincial governments. It was a manipulation to keep the Indian leaders trapped although Congress in a special session attended by record number of delegates, declared that it was "disappointing and unsatisfactory,"...they laid special stress on a "Declaration of Rights" guaranteeing to Indians freedom of person, speech and association, and equality of rights with all subjects of King and Emperor.' (Horniman1980:19). There was a big gap between the demands of the Indian leadership and the British Empire's proposals. Indian National Movement was fairly clear about their democratic goals and they consolidated their efforts to achieve

those. British government's feeling of insecurity to lose the control over its most effective colony in the Asia determined the post war strategy to restrain the natives. The Rowatt Act enacted in March 1919 to repress all the nationalist activities. 'This Act authorized the government to imprison any person without trial and conviction in a court of law. The Act would also enable the government to suspend the right of Habeas Corpus which had been the foundation of civil liberties in Britain. It was the reward of Imperial power to his subjects who made tremendous sacrifices for the Allied powers. Rowatt act was a drastic legislation, depriving people of their elementary human rights and unparalleled in the laws of any modern civilized state. In reference to the legislations enacted by the Imperial government to repress the natives in India in first two decades of twentieth century according to Horniman (1980:26) [2] 'the provisions were so iniquitous in themselves that it would be extremely difficult to represent them as anything worse they were'. Rowatt Act was a question mark on the democratic ethos of the British people where the Hobbes defended individual's right to life against the state and Locke advocated the natural rights of an individual (life, liberty and property). Country known as mother of the 'Modern Democracies' evaded all the democratic values. Against the human equality the Act was based on racial in-equality. It was against the right to life. Person was not given opportunity to defend himself in case of his trial. It was against the Habeas Corpus. Rowatt Act introduced which was against the civil law and civilized life. Post war economic, social conditions were grim and affected the masses. 'The economic situation in the post-world war years had taken a turn for the worse. There was a first in price rise and then depression in economic activity. Indian industrialists were not able to compete with their counterpart outside India. Government was least interested to protect the Indian Industries... The workers and artisans, facing unemployment and high prices, also turned actively towards the national movement...The peasantry, groaning under deepening poverty and high taxation, was waiting for lead. The urban, educated Indians faced increasing unemployment. All sections of the Indian society were suffering economic hardships, compounded by droughts, high prices and epidemics,' (Chander2009:277, Horniman1980:9-12) [2]. British agenda from the beginning was trade in favour of Britain. It had already reduced Indian economy to a dependent economy. Growing burden on agriculture, poor condition of the Indian cottage industry was responsible for rising unemployment and low living standard of the Indians. All these developments of the economy affected the society and sensitized all the sections of the Indian society. Its evidence was Satyagraha against the Rowatt Act. Satyagrah was basically a non-violent movement against the British atrocities. It was a mass movement relied mainly on the political support of the peasants, artisans and urban poor. Gandhi who held the beacon of this movement asked 'the nationalist workers to go to the villages... That is where India lives...He turned the face of Indian Nationalism towards the common man and the symbol' (Chandera2009:284). Beginning of the 1919 turned the Indian National movement a mass movement involving people from different strata in different parts of the country. It was at this juncture when Gandhi failed to persuade Viceroy to withdraw the discriminatory Act which was a stigma on the civilized world. On 6th April 1919 he launched an all India Satyagraha and called for hartal all over the country. Government

was determined to suppress the mass agitation. It repeatedly lathi-charged and fired upon unarmed demonstrators at Bombay, Calcutta, Ahmedabad, Delhi and other cities,' (Chandra 2009:284). These developments enhanced the bargaining power of the Indians. On the international level the movement also attracted the people from developed countries and Diaspora. Indian revolutionaries in the United States of America and Canada had already organized the Ghadar (Rebellion) Party in 1913.

Punjab

Ghadar party organized in 1913 in Canada. Most of the members of the party were ex- soldiers from Punjab, who had migrated there in search of livelihood, and who faced the full brunt of racial and economic discrimination' (Chandra 2009; 271). People of the Punjab had borne the brunt of the ruthless coercion employed by the British for extracting loans, enlisting recruits and securing varied support for the 'war effort'. Having faced the acute economic distress for many years, they had cherished high hopes—much more than their compatriots in other parts of the country—of receiving compensations and rewards once War was over. But this was not to be' (Vohra in Ramchandran: xii). In Punjab Empire made every effort to restrict the patriot activities. Gandhi was arrested before he entered the Punjab in the chain of activities to oppose in peaceful manner the Rowalt Act. Government's this gesture aggravated the feeling resentment among the leaders of the Punjab. Sir Michel O' Dwyer, who was one of the most ruthless officials of the British administration, had control over the Amritsar. On 9th April O'Dwyer in the obsession to repress the native's genuine demands ordered the arrest and deportation, without trial, of Dr. Saifudin Kitchlew and Dr. Satyapal, who were among the most prominent leaders in this procession. This act of the government was against the principle of the natural justice which provides every individual right to defend oneself. It was barb ours actions of the government. The next day 10th April, a group of citizens peacefully marched to the Deputy Commissioner's residence to appeal for the release of their arrested leaders. They were fired upon; three were killed and several injured. Peaceful protests having failed, the angry citizens resorted to arson and looting of offices and banks. In these riots, many were wounded and several killed, including three Britons' (Vohra in Ramchandran 2019: xiv).

Jallianwala Massacre

British government ruthlessly used power to create havoc among the Indian masses. '(A) NY proposal to place larger powers in the hands of police are sufficient to create panic in the minds of Indian populace, and they have had plenty of experience of the ruthlessness. Cruel use which can be and made of repressive legislation, which of course, is always passed for purpose of temporary emergency and to deal with particular classes of persons, but has habit of becoming permanent and applying itself in a generous and widespread fashion to all sorts of purposes and people' (Horniman 1980:26) ^[2]. Gandhiji was restricted to enter the Punjab to oppose the Rowalt Act by passive resistance as well as on 9th April orders for deportation of two most prominent Hindu and Muslim leaders Dr. Satyapal and Dr. Saifudin Kitchlew respectively agitated both the communities. Masses expressed their grievance by coming out of their houses and on 10th & 11th April police was unable to control the crowds, the city was placed

under the de-facto martial law. The Martial Law regime was extremely harsh. The mail was censored. Temples and mosques were closed to worshippers. Water and electricity was cut off from the homes of those whose political affiliations were suspect...during this period protesters remained defiant. They called the meeting General Dyer proceeded with an armed force to the Jallianwala Bagh and opened fire without warning on large mass meeting of a wholly peaceful character, shooting down in cold blood without the word of warning two Thousand of them, leaving the dead and wounding lying on the ground. He had no evidence at all to justify his assumption that this was a seditious assembly. In 2 June, 1920 in the Tribune It was mentioned that people like General Dyer have fixed that the effective way of governing in India is force. It is the same idea that General Drako Brookman of Delhi gave expression to in his written statement at Delhi: Force is the only thing that an Asiatic has any respect for (documented in Ramchandran 2019:171). British administration was ruthless. They treated colonial people like animals. They were least bothered about the rights of natives. From the times of Clive these administrators were treated by the British government well and rewarded for their ruthless gestures. General Dyer in his plea in front of the Hunter Committee asserted that there was revolt against the British Empire. Hunter Committee Report, Government of India perusal of both reflected that the inquiry by Hunter Committee was an eyewash to satisfy the Indians. On 10th June 1919 'Congress opinion on the Hunter Report' explained the view point of the largest political identity 'the inquiry was itself one-sided, it deplores the report was tainted with racial bias, and too evident desire and justify manifest, proved and great acts of omission and commission on the part of Government of India and the Punjab, and many acts of inhumanity perpetrated by martial law officers and that it accentuates the tendency that exists in some quarters to count Indian life and honour as of little consequences.

Afterwards N.N. Vohra who experienced the scars of the massacre remarked 'This horrific event, which demonstrated the brutality to which the empire could descend, had unleashed a wave of revolutionary fervor which gave a tremendous boost to the battle for self-determination and marked the beginning of a chain of events which ultimately led to India gaining liberation from the colonial yoke,' (Vohra in Ramchandran 2019:i). Different ideological groups became active and strengthened their nationalist agenda. Communist, regional parties and Muslim all had consensus to liberate India. These ideological groups organized into the Parties in different parts of the country. Akali Dal in Punjab 1919, Justice Party in Madras, Swaraj party in 1923, Communist party of India maintain 26th January 1925 as its foundation day. In twenties masses became aware about the intention of the British Empire to keep India under its control to retain its imperialist power. Masses joined various organized or semi organized institutions to be part of the national movement. Arya Samaj, Sanatan Dharan and Khalasa educational institutions played important role during this period. After the developments of 1919 Indian national movement became a living movement which observed and reacted to the every government's gesture which was against the national interest. According to Vohra (2019: xvi) (T) He Jallianwala Bagh massacre had several consequences. It marked the end of India's cooperation and support to the British; promoted Hindu Muslim understanding and gave the boost to 'revolutionary groups'

whose activities aimed to 'terrorize' and destabilize the administration with the ultimate objective of 'overthrowing British administration'. And Gandhi's Satyagraha, post Jallianawala Bagh is a crucial landmark in the history of Indian freedom movement. Democratization of the decision-making process in Congress: According to Chandra (2008:26) Debate and discussions were the feature of Congress functioning. He gave evidence of the Congress resolutions after 1919 those were voted and decisions were taken according to the majority opinion '(t) He decision in 1920 to start the Non-cooperaton Movement was taken with 1,336 voting for and 884 voting against Gandhiji's resolution. Similarly at the same time Lahore Congress in 1929, where Gandhiji was asked to take charge of the coming Civil Dis-obedience Movement, a resolution sponsored by him condemning the bomb attack on the Viceroy's train by revolutionary nationalists was passed by narrow majority of 924 to 794'. These developments of the national movement after 1919 indicate that the Jallianwala Bagh massacre was a turning point in political history. Ramachandran (2019:4) ^[3] revisited the Jallianwala Bagh through the Tribune of that period and concluded '(T) US story of Jallianwals Bagh massacre, the national movement and The Tribune are the strands that made this nation's DNA.

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