World War II was many things to many people. For a group of Indians in Southeast Asia, it was the chance to try to free India militarily from British imperial subjugation. To do this, they formed the Indian National Army (INA) and secured imperial Japan’s sponsorship. Taking the INA court-martial of 1945–1946 as an entry point, this article will briefly assess: the INA’s history and combat performance; the leadership of Subhas Chandra Bose; the political use and misuse of the INA; and British perceptions of the effect of the “INA trial” upon the loyalty of the British-Indian Army. I argue that the impact of the INA court-martial of 1945–1946 significantly helped hasten the British exit from India in 1947.

If the [Indian soldier] had to fight for democracy and freedom, it was much better to fight for his own democracy and freedom.
—Shah Nawaz Khan, 1946

Certain dates in history leap out at you, so seared are they into the national or international consciousness. For the US, these include July 4, 1776; June 19, 1865; December 7, 1941; November 22, 1963; and September 11, 2001. Similarly, everyone in the United Kingdom knows that November 5th is Guy Fawkes day. Revellers light bonfires and fireworks to commemorate the foiling of the Gunpowder Plot of 1605, when Guy Fawkes and his fellow conspirators tried to blow up Parliament, with the King in it.

But November 5 should be commemorated in India as well, for on the first Guy Fawkes Day after the end of the Second World War, in Delhi, the capital of British colonial India, an event began which helped signal the end of Britain’s subjugation of India. On that brisk winter day, all eyes were trained on the Lal Qila (pronounced ‘laal killaah’), or Red Fort, an impressive pile of red sandstone which still stands in Delhi. Once, it had been a glittering palace of the Mughal Emperors. But the British, who ruled the whole of India since 1858, converted it into a rather shabby military headquarters.

In the Lal Qila at ten o’clock on that day, a court-martial, or military trial, began. Three men, Indians all, stood accused. Their crime? The rather serious one of treason, which the Indian Penal Code of the day framed as waging war against the British King, who was also at this time Emperor of India. What’s more, the three men had all been officers of the British-Indian Army, which was to many British minds the ultimate safeguard—when push came to shove—of their
rule over the Indian vastness and its many brown people. The three Indian Commissioned Officers (ICOs), Captain Shah Nawaz Khan and Lieutenant Gurbaksh Singh Dhillon of the 1st battalion, 14th Punjab Regiment, and Captain Prem Kumar Sahgal (pronounced “Prame Kumaar Saygull”), of the 2nd battalion, 10th Baluch Regiment, knowingly deserted the British-Indian Army to join the Indian National Army (INA), where they became senior battlefield commanders. Dhillon, Shah Nawaz and Sahgal were also accused of murder and abetment to murder, and of torturing and executing five INA jawans (soldiers; pronounced ‘jawahns’) in March 1945. These men had unsuccessfully tried to ‘re-desert’ back to the British.2

The INA was born in the white-hot crucible of World War II. Its core consisted of Indian Army jawans who became prisoners-of-war as a result of the wildly successful Japanese conquest of Malaya and Singapore in late 1941–early 1942. This was eventually augmented by civilian Indians living in Japanese-occupied Southeast Asia. With the aid and sponsorship of Japan, the INA fought against British imperial armed forces in northeastern India and central Burma in 1944–1945, in an attempt to end the British Raj militarily. As a liberation army, the INA was handicapped because it was not based in India itself. It was as if George Washington had had to fight the American Revolution from Mexico.

During its brief history, the INA went through two incarnations. The first INA formally existed from September to December 1942. It was the brainchild of Major Fujiwara Iwaichi, an intelligence officer of the Imperial Japanese Army (IJA), and Captain Mohan Singh, an ICO of the 1st Battalion, 14th Punjab Regiment, who was appointed the INA’s commander with the rank of General. The INA was placed under the Indian Independence League (ILL), the political organization of Indians in Japanese-occupied Southeast Asia. Rash Behari Bose, a Bengali revolutionary who had fled to Japan after attempting to assassinate the Viceroy of India in 1912, headed the ILL.3

Mohan Singh had grand plans for the INA. At one point, he wanted to raise and train a 200,000-man Indian force. The Japanese, who did not have that many soldiers in the whole of Southeast Asia, sharply curtailed such ideas. Reluctantly, they allowed only one INA division of 16,000 men. Eventually, disagreements, plus the IJAs refusal to respect the INAs operational autonomy, led to Mohan Singh’s arrest and detainment in December 1942. The INA seemed dead.4

But the Japanese kept the INA alive for its propaganda value against the British, and parachuted in Subhas Chandra Bose (no relation to Rash Behari Bose) to lead it. Bose was a renowned Indian nationalist leader with wide name-recognition among Indians and a political status on par with that of other major Indian leaders, like Jawaharlal Nehru. Bose

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had famously broken with them over ideology and tactics—he favored using armed violence. He saw himself in the same light as romantic European nationalists of the previous century, such as Giuseppe Garibaldi of Italy, and seized upon the principle devised by the ancient Indian philosopher Kautilya (fl. fourth century BCE) that "the enemy of your enemy is your friend." Bose fled to Nazi Germany in 1940, and formed the Legion Freies Indien (Free India Legion) to liberate India. For this legion, he recruited Indian prisoners of war (IPOWs) whom the Germans had captured in North Africa. By mid-1942, Bose sensed that Nazi support was lukewarm. Seeing the INA as offering more scope for his ambitions, he now actively sought to be transported to Southeast Asia, where he could become its leader.

Arriving in Singapore in mid-1943, Bose used his considerable charisma and political skills to form the Provisional Government of Azad Hind (Free India). He greatly expanded the INA to about 40,000—three INA divisions—and extended recruitment to the mainly Tamil community of Malaya and Singapore. Bose also styled himself Netaji (pronounced "Nay-thaa-je") or "revered leader" in Hindi. By this time, the IJA was planning offensives into northeastern India to strengthen its defensive perimeter. Bose began lobbying the IJA for a battlefield role for the INA in these offensives, which were to be launched in early 1944. It took all of Bose’s persuasive powers to secure the deployment of a single INA formation—the Bose brigade—to the front, on a trial basis. It is not hard to see why. The core of the INA was composed of men who had surrendered to the IJA. Surrender was shameful to the IJA’s bushidō code, which forbade it, preferring death instead. Given this, IJA commanders seriously doubted that the INA would be of any use in frontline combat.

Units of the Bose brigade were deployed piecemeal, mostly in minor sectors of the Japanese offensive, where they performed light patrolling, raiding and military labor. Bose fully expected INA units to win over any Indian Army jawans they encountered. He was sadly mistaken, for the British-Indian Army’s training and morale had been greatly improved since the dark days of 1942. A large part of this morale-boosting had to do with the “joash” ("feel-good" in Hindi) program of lectures and pamphlets designed to inoculate Indian Army jawans from INA and Japanese propaganda. Instead of welcoming INA raiding parties as brothers, and joining them, British-Indian
In central Burma, the INA suffered a complete rout. INA jawans began surrenderring to the Allied forces in droves.

it withdrew because of the general Japanese retreat. The regiment lost one-third of its men through disease, enemy action and starvation—the Japanese did not care much about adequately supplying even their own soldiers, much less the INA—but only two of its men had re-deserted to the British.12

Bose must have now been painfully aware that his hopes of driving the British out of India by force had been dashed, and that the Japanese had mostly treated the INA, not as frontline troops, but as laborers. He nevertheless incessantly pressed for, and actually secured, an INA role in the Japanese defense of central Burma in early 1945. Perhaps he was thinking, not of the safety of his men, as a responsible military commander would do, but of optics, of how a doomed gesture of heroic martyrdom would inspire Indian imaginations. Perhaps too, he was already creating an INA mythology which is unfortunately alive and well today, and is now being appropriated by the Hindu right as a culture-war issue in India.13

In central Burma, the INA suffered a complete rout. INA jawans began surrendering to the Allied forces in droves. As a fighting force, the INA was finished.14 Nevertheless, “A Brief Chronological and Factual History of the INA” produced by British intelligence in 1946 acknowledged that a “measure of courage cannot be denied to the leaders and men of INA frontline units in Burma . . . when in Feb [19]45 they faced . . . British equipment, tanks, guns, and aircraft with rifles and bullock-carts and empty stomachs.”15

Bose had, by this time, fled, dying in a fiery plane-crash in Formosa (now Taiwan). What are we to make of Bose’s leadership? Despite his talents as a politician, his organizing skills, and his wide appeal to Indians, objectively speaking, it was flawed. By going to Germany, Bose deliberately took himself out of the arena of the Indian nationalist struggle which mattered most: India itself. He was also naive in thinking that he could effectively sway the Germans and the Japanese, who certainly did not play by the relatively polite and parliamentary ground rules of the British. Despite an early ambition to be an army officer, Bose was not a very keen student of military affairs; otherwise, he would have known that, as the British had deployed their Indian forces mostly in the Far East, that was the place to raise an IPOW-based liberation army. In the end, he comes across as a misguided, tragic figure, diplomatically and militarily out of his depth. Although he had some progressive ideas, such as the all-female Rani of Jhansi Regiment, the Germans and the Japanese regarded Bose as a puppet, a characterization he was never able to overcome.16 Had he never left India, he might have played a pivotal role in the endgame of empire there. Had he actually survived after leading the INA, he might have offered the Indian people a viable alternative to Nehru’s dominance in independent India’s formative years.17

As a site for the INA court-martial, the Red Fort held symbolic meaning for both the British and the Indians. From the British perspective, it was where that other “great rebel” Bahadur Shah Zafar, the last Mughal Emperor, had been tried for his part in the 1857 “mutiny”—the most serious and emblematic anti-colonial uprising the British faced in the nineteenth century. Thus, they believed that holding another treason trial there would display the continued and undiminished prestige and power of the Raj to bring any of its Indian subjects to heel for all to see. They also believed that putting INA officers on trial would show Indians the seriousness of the crimes these officers had committed.
A trial would also show the “fairness” of British justice. This was why, contrary to the usual procedure for court-martial, this one was held in the brightest possible glare of publicity. And, because the issues involved were deemed too complex and political to be handled competently by military officers, as would have been the case in an ordinary court-martial, British officials deputed Noshirwan P. Engineer, who, as Advocate General, was the highest legal officer of the Raj, to prosecute the case.18

For Indian nationalist supporters of the INA, and the ex-INA men themselves, the Red Fort trial was a victory and a culmination of sorts. The INA’s war cry had been Chalo Delhi (on to Delhi). Now the INA members had actually reached Delhi, the capital of the mighty Raj, though in prisoner’s chains. In the process, they had twisted the British lion’s tail, performing dangerous feats of cunning and daring for a noble cause against impossible odds!

Perhaps to demonstrate that they were meting out their justice impartially, playing no favorites; perhaps because of miscalculation borne of imperial arrogance about which whole volumes could be written; perhaps because of just plain circumstances; or perhaps because of a combination of all three, the three INA officers the Raj decided to try were members of the three religions followed by about 98 percent of Indians. Shah Nawaz was a Muslim, Dhillon a Sikh, and Sahgal a Hindu. Thus, Indian outrage was immediate and above all, unified—no mean feat, considering that, at that time, political and religious differences were dividing them. Another complicating factor was the Punjabi ethnicity of all three. The Punjab was long regarded by the Raj as the main recruiting ground of the British-Indian Army. Before the war, fully seventy-five percent of the British-Indian Army’s jawans had been Punjabi. Since the Indian Army of the Raj was an all-volunteer force, this potentially raised concerns about the Raj’s security.19

All of this did not escape the notice of Indian political parties. Most prominent among these was the Indian National Congress (INC). In 1945, Congress had been around for sixty years, and had been at the forefront of India’s struggle to free itself from British rule for almost all that time. Since 1920, the INC was led by Mohandas K. Gandhi, who transformed it from an exclusive club of frock-coated brown lawyers “politely” requesting reform, into an inclusive party of the Indian masses, agitating for swaraj (self-rule).20 Gandhi, also known
as “Mahatma,” or great soul, developed a novel method of countering the Raj through strictly non-violent civil disobedience and non-cooperation, something which he called Satyagraha (truth-force).21

During the war, the Congress party did not back the INA even a bit. In June 1942, Jawaharlal Nehru, the Congress second-in-command and Gandhi’s chosen successor, was asked what he would do if India were invaded by a liberation army aided by either Germany or Japan. He vehemently responded: “Hitler and Japan can go to hell. I shall fight them to the end and this is my policy. I shall also fight Mr. Subhas Bose and his party along with Japan if he comes to India.”22 Even in mid-1945, Nehru’s mind remained unchanged. “I am still of the opinion [he declared] that the leaders and others of this . . . [INA] . . . had been misguided in many ways and had failed to appreciate the larger consequences of their unfortunate association with the Japanese . . . Therefore, whatever the motive of these people, they had to be resisted in India or outside.”23

Scant months later, the same Nehru donned his long-neglected lawyer’s robe and wig, as one of the seventeen-member “dream team” of prominent lawyers defending Shah Nawaz, Sahgal, and Dhillon at the first INA court-martial. Two words explain why: political expediency. Consider this: in September 1945, most of the Congress leaders had just emerged from three years of jail, where they had been held following the swift British crackdown of Gandhi’s “Quit India” agitation of August 1942. In these years, Congress leaders sensed that they had made a strategic blunder in the independence stakes, losing much ground and bargaining power, especially in relation to the Muslim League, their main rival that was bent on carving out a substantial portion of India to form a separate Muslim homeland, Pakistan. This was the last thing Congress wanted, since it prided itself on its commitment to secularism and the unity of undivided India almost as much as it did on its pledge to non-violence. Congress now needed an issue, and fast, a cause to propel them back into the political and popular limelight across India—especially since elections to the Indian central and provincial assemblies were due to be held in late 1945—early 1946. The INA’s heroic derring-do fit Congress’ needs perfectly.24

So, it was not surprising that in September 1945 Congress formed an INA Relief Committee, and approved a resolution calling for the immediate release and exoneration of ex-INA personnel, who, though “misguidedly” falling in with Axis Japan, had struggled valiantly for the noble cause of India’s freedom. When this demand fell on predictably deaf British ears, the INA Relief Committee decided to appear for the INA’s defense. Because Shah Nawaz was Muslim, Congress’ Muslim League rivals also called for the accused to be immediately released, though Shah Nawaz’s religion did not make them join Congress in appearing for the defense at the court-martial. Making common cause with Congress, even on an issue with as India-wide an appeal as the INA’s defense, was not a risk the leaders of the League wanted to make, especially as they sensed that they were on the cusp of achieving Pakistan—their ultimate goal.25

During the war, strict British censorship mostly kept the Indian public in the dark about the INA. Understandably, British wartime propaganda wanted to deny the INA any agency, and so referred to it as “Japanese Indian forces” (JIFs).26 But such restrictions were lifted after the Japanese surrender, and the INA’s exploits became common knowledge right across India. The Hindu, a notable nationalist English-language daily, carried articles extolling the INA’s role in the Imphal-Kohima battle that was the climax of the Japanese invasion. Turning the tables in a way only a visual could do, the pro-Congress Hindustan Times published a biting editorial cartoon depicting then Viceroy Wavell in the defendant’s dock, being tried by a court martial board composed of Sahgal, Dhillon, and Shah Nawaz! Only Dawn, the Muslim League’s unofficial mouthpiece, dared to run stories alleging INA brutality.27

These and other similar images and pieces in the English- and Indian-language nationalist press fanned the fires of pro-INA support. Soon, pro-INA marches and protests, called “INA days,” erupted in major Indian cities and towns. At these, protesters waved banners bearing slogans such as “Save INA Patriots,” “They are Patriots, not Traitors,” and Jai Hind (victory to India). In Delhi, a huge and angry crowd gathered...
British wartime propaganda wanted to deny the INA any agency, and so referred to it as “Japanese Indian forces” (JIFs)


outside the Red Fort on November 5, 1945 waving similar banners. Some daring agitators draped a few of these across the Red Fort’s ramparts. Police in the South Indian town of Madurai actually opened fire on pro-INA protesters, killing five. Calcutta (now Kolkata), became the epicentre of the pro-INA protests, as it was the home of Bose. Here, students from various political factions and religions took to the streets in marches and demonstrations that lasted four days (November 21–24). As factory workers and Sikh taxi drivers joined in, rioting occurred, and the police was called out. By November 23, 1945, ninety-seven protesters were dead as a result of police shootings.30

At the court-martial itself, Bhulabhai Desai, the lead defense counsel, argued along the following lines. The crucial issue which the defense turned on was whether the accused were in fact traitors under the Indian Army Act, or soldiers under the INA Act and citizens of a state able to declare and conduct war on its own behalf. “What is now on trial before the court is the right to wage war with immunity on the part of a subject race for their liberation. I shall be able to cite authorities on international law that a nation or part of a nation does reach a stage where it is entitled to wage war for its liberation.”29 The INA, he said, grew from a spontaneous desire for freedom, in the best traditions of Anglo-American liberty. Moreover, the INA and its parent body, the Provisional Government of Azad Hind were fully constituted as an army and a state under international law. This authorized INA to conduct military operations, and the Provisional Government to engage in administration and diplomacy. Therefore, contended Desai, they were “independent agents, free of any Japanese control and entitled to be regarded as an army and a State in international law which conducted its warfare, and its governmental and diplomatic activities fully in accordance with international law and state practice.”30

Desai denied outright the charge that the accused officers had committed atrocities against their own men. He held that whatever “atrocities” had occurred were in fact punishments under the “Indian National Army Act.” An Army Act or its equivalent, like the Uniform Code of Military Justice of the USA, is the hallmark of any legally-constituted military force. The INA Act was, in fact, closely modeled on the Indian Army’s own act. Put bluntly, Desai declared that nothing less than the INA’s own “honor and law” were on trial before the court.31 In order to appeal to anti-colonial American observers, Desai argued that the INA’s aim was the same as that of George Washington’s Continental Army: freedom from British subjugation32

The court-martial of Sahgal, Shah Nawaz, and Dhillon ended on January 3, 1946. Despite Desai’s deft and imaginative arguments, all three defendants were found guilty of waging war against then-British King George VI. Dhillon and Sehgal were acquitted of murder, but Shah Nawaz wasn’t.33 The Raj had the option of either sentencing them to transportation for life, basically exile with no possibility of return, or execution by firing squad. Mindful of Indian public opinion, which was still very concerned about the fate of the accused, threatened violence and disorder should something untoward happen to them, transportation for life was chosen. Even this lesser sentence angered Indians. Initially, British officials believed that a hard line against the INA would mollify Indian jawans and Indian Commissioned Officers (ICOs), who had been loyal to the Raj, reassuring them that their efforts had not been disrespected. But again, they misread the situation. Contrary to their belief, they now detected a growing sympathy for the INA among Indian personnel. Signs of this were apparent even before the end of hostilities. When Rangoon fell to the Allies, for instance, ICOs sang the praises of INA troops for maintaining civil order in the city until the British arrived.34

The unexpected unfavorable Indian reaction caused British-Indian Army’s Commander-in-Chief, Field-Marshal Sir Claude Auchinleck, to intervene. Remarkably for a high “white” military officer of the Raj, Auchinleck had a deep empathy for Indian aspirations, stating that “every Indian worthy of the name is today a ‘Nationalist’, though . . . not necessarily anti-British.”35 Furthermore, as a career officer of the Indian Army with progressive ideas, he realized that “[e]very Indian Commissioned Officer is a Nationalist, and rightly so.” Auchinleck thus felt that it was extremely important for the Raj to keep the Indian Army loyal, so he suspended all sentences. Dhillon, Sahgal, and Shah Nawaz were freed, but “cashiered for life”—that is, permanently expelled.

Shah Nawaz, Dhillon, and Sahgal shortly after they were released.
Source: Awaz the Voice at https://tinyurl.com/24dsbm8d.
from the army.36 Indians across the country celebrated, and in some places, probably set off fireworks.

The Raj officials had disastrously misperceived the reaction of Indians, and especially of Indian Army jawans, to the first INA trial. The Royal Indian Navy mutiny of February 1946, which involved 20,000 men, did not help matters either.37 These events made the Raj realize that it could no longer count on the steadfast loyalty of its Indian armed forces to prop-up its position in the India it had ruled for so long. Whatever some historians may contend with the benefit of 20/20 hindsight, what mattered in those vital moments of uncertainty was how the British perceived the situation.38 It is worth remembering the words of Clement Attlee, the British Prime Minister at the time of Indian independence in 1947, who remarked in 1956 that the INA, and not Gandhi’s various civil disobedience campaigns, was the decisive factor forcing the British pullout.39

The INA, and not Gandhi’s various civil disobedience campaigns, was the decisive factor forcing the British pullout.
Suggestions. I dedicate this article to the memory of Professor Roger Buckley, my mentor, friend and inspiration.

NOTES

7. Tamils are a distinct Indian ethnicity, with their own state within today’s Indian Union. During British rule, Tamils migrated to Burma, Malaya, and Singapore.
9. Ibid., 40, and Meiron and Susie Harries, Soldiers of the Sun, (New York: Random House, 1991), 481, argue that this was a perversion of the original concept.

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