NRB News 2016 01

60th Anniversary of Netaji Research Bureau: 10
A Photo-Documentary Presentation

NETAJI RESEARCH BUREAU: 30
Dr. Sisir Kumar Bose

Letters from Friends of Netaji Research Bureau 32

The Red Fort Trial: Justice by a Dying Colonialism 39
NETAJI ORATION by Leonard A. Gordon
NRB NEWS 2016

The 75th Anniversary of Netaji’s Great Escape (Mahanishkraman) was inaugurated by Mamata Banerjee, Hon’ble Chief Minister of West Bengal, on January 15, 2016, followed by a concert by “Rabi O Nabeen”. A special plaque commemorating the 75th anniversary of the Great Escape was unveiled in front of Netaji Bhawan. Sumantra Bose read excerpts from Sisir Kumar Bose’s first-hand account of the escape from the Elgin Road house and a poem by Sisir Kumar Bose. Sugata Bose spoke and also performed a few patriotic and INA songs at the request of the Chief Minister. Krishna Bose made a moving speech on Sisir Kumar Bose’s lifelong dedication in doing Netaji’s work.
On January 16, 2016, at 6.30 p.m., Krishna Bose’s book *Emilie and Subhas: A True Love Story* was ceremonially released. Leonard A. Gordon and Sugata Bose spoke on the occasion. Historic photographs of Emilie and Subhas were displayed.
On January 22, 2016, at 6.30 pm, the Netaji Oration was delivered by Professor Leonard A. Gordon on “The Red Fort Trial: Justice by a Dying Colonialism”. Professor Sumantra Bose was in the chair.

On January 23, 2016, at 10.30 am, the Traditional Netaji Birthday Assembly was held at Netaji Bhawan. Professor Amartya Sen was the Chief Guest and delivered a powerful speech underscoring that it was far more important to focus on Netaji’s life and ideals, pointing out that there is no real mystery surrounding his mortal end.
Those who claim Netaji became a sadhu have no understanding of Netaji, Sen said, and decried the current opportunistic politics using Netaji’s name. Sen recalled Netaji’s unswerving commitment to equity and justice and his great contribution in uniting all of India’s religious communities. Despite some differences, Sen argued Gandhiji and Netaji had criticized Japan’s aggression against China and later took the pragmatic course of seeking Japan’s help for the cause of India’s freedom. Sen urged Indians today to follow Netaji’s ideals that were more relevant than ever before.
On the occasion Sharmila Tagore released a special CD set of Subhas Chandra Bose’s favourite songs (*Netajir Priyo Gan*) that he had transcribed in his prison notebook in Mandalay. Krishna Bose spoke on the occasion and thanked Amartya Sen and Sharmila Tagore for taking part in a very meaningful observance of Netaji’s birth anniversary. Pramita Mallick, Saunak Chattopadhyay, Suman Bhattacharyya and Sugata Bose performed several of these songs as part of a Netaji Birthday Concert.
On January 23, 2016, at 5.30 pm Netaji Research Bureau and Bhowanipur Baikali Association presented a musical tribute to Netaji Subhas Chandra Bose featuring Parvathy Baul.

During his visit to Japan in June 2016 Sugata Bose visited the Renkoji temple to pay homage to Netaji Subhas Chandra Bose.
On July 10, 2016 at 6 pm NRB held a programme to celebrate the publication of Sisir Kumar Bose’s *Subhas and Sarat: An Intimate Memoir of the Bose Brothers*, the English version of the Bengali classic *Bosubari*. Krishna Bose released the book and presented the first copies to the honoured guests, Shyam Benegal and Nirendra Nath Chakrabarti. Readings by Sumantra Bose were accompanied by music and display of historic photographs.
On August 10, 2016, Hon’ble Shri M. Hamid Ansari, Vice-President of India, ceremonially released Sisir Kumar Bose’s *Subhas and Sarat: An Intimate Memoir of the Bose Brothers* in the main auditorium of the Parliament of India. Many parliamentarians and diplomats were present on the occasion.

Netaji Museum continued to be a major attraction for visitors from different parts of India and abroad. Many young students from disadvantaged backgrounds were allowed free entry. School students with their teachers visited the museum with great interest. Distinguished visitors who came to Netaji Bhawan during this year included Kenji Hiramatsu, Ambassador of Japan to India, on January 8, 2016 and Kailash Satyarthi, winner of the Nobel Peace Prize, on February 22, 2016. The work of conservation, restoration and renovation continued apace at Netaji Bhawan.
During the year 2016, the historic Wanderer car belonging to Sisir Kumar Bose in which he drove Subhas Chandra Bose from Calcutta to Gomoh during the great escape of January 1941, was restored to its original pristine condition in collaboration with Audi. The work of restoration was entrusted by Audi to Pallab Roy and Saurav Roy. A team of skilled mechanics did a wonderful job of restoring the most prized possession of the Netaji Museum.

The 60th anniversary of the Netaji Research Bureau will be observed with appropriate programs during 2017.
60th ANNIVERSARY OF NETAJI RESEARCH BUREAU
A Photo-Documentary Presentation
Jawaharlal Nehru arrives at Netaji Bhawan, 1961

Nehru being shown around the Netaji Museum, 1961

Nehru enters Netaji’s Bedroom with Sisir Bose, 1961
Nehru with Sisir Bose on the driveway of Netaji Bhawan, 1961

Sisir Bose receiving Netaji’s Sword from General Fujiwara, March 1967

Abdul Ghaffar Khan with Sisir Bose in Netaji’s Bedroom, December 1969
Inaugural Session of the First International Netaji Seminar, January 1973

Sisir Bose addressing the inaugural session, Dilip Kumar Roy listening, 1973

The Audience at the First International Netaji Seminar, 1973
International Delegates at the First International Netaji Seminar

Indira Gandhi and Sisir Bose at the release of *Netaji and India’s Freedom*, 1974

Pankaj Mallick singing at Sarat Bose’s Birth Anniversary, 1974
Ravi Shankar with Sisir Bose at Netaji Bhawan, January 1976

N.T. Rama Rao at the Netaji Museum with Sisir and Krishna Bose, 1983

Tony Benn, Sisir Bose and Jyotirindra Mullick Basu during the Sarat Bose Centenary, 1989
President Zail Singh at Netaji Bhawan with Sisir Bose, 1989

Sisir Bose presenting the Netaji Award, 1996, to Raja Mohammad Arshad

Edward Said delivering the Netaji Oration, 1997
Sisir Bose at the opening of the newly redesigned Netaji Museum, 1998

Yasin Malik and Mehbooba Mufti at Netaji Museum with Krishna Bose, 2001

Chris Bayly & Susan Bayly at the Sisir Bose conference series, 2001
President Abdul Kalam visiting Netaji Research Bureau, 2003

Prime Minister Manmohan Singh visiting Netaji Research Bureau, 2004

Amartya Sen visiting Netaji Research Bureau, 2005
The final volume twelve, Chalo Delhi, of Netaji’s Collected Works comprising his speeches and writings between 1943 and 1945, edited by Dr Sisir Kumar Bose and Sugata Bose, was ceremonially released by Shri Pranab Mukherjee, Union Minister of External Affairs, in New Delhi in the presence of Shri S. Jayakumar, Deputy Prime Minister of Singapore on 8th January 2007.
The traditional Netaji Birthday Assembly was held on the morning of 23rd January 2007 presided over by Shri Gopal Krishna Gandhi, the Governor of West Bengal. Professor Sugata Bose delivered the welcome address. Professor Christopher Bayly delivered the Netaji Oration that year.

President S.R. Nathan of Singapore hosted a lunch in honour of Professor Sugata Bose at the Istana and presented him a book on the Indian diaspora in 2007.
Prime Minister Shinzo Abe of Japan said he was very impressed and deeply moved to visit the Netaji Museum of the Netaji Research Bureau in Calcutta on 23rd August 2007. He expressed “strong admiration” for Netaji Subhas Chandra Bose and recalled Netaji’s bond and ties with Japan. He paid a floral tribute to Netaji in the room that Subhas Chandra Bose used as a study as President of the Indian National Congress.

The Special Netaji Oration 2007 on the occasion of the Diamond Jubilee of India’s Independence and Golden Jubilee of Netaji Research Bureau was delivered by Amartya Sen, Lamont University Professor, Harvard University on “Is Nationalism a Curse or a Boon?” The Governor, Shri Gopalkrishna Gandhi, was the chief guest.
The Vice-President of India, Mr. Hamid Ansari, visited Netaji Bhawan on 18th January, 2008. He was shown around the museum by Professor Krishna Bose and Professor Sugata Bose.

A special four-volume CD and DVD-set entitled “Netaji and India’s Freedom” containing a documentary film on Netaji, Netaji’s speeches and INA music and songs published by Netaji Research Bureau was ceremonially released 23rd January, 2008. The Minister of External Affairs, Mr. Pranab Mukherjee, was the chief guest. The Governor of West Bengal, Mr. Gopal Krishna Gandhi presided. Professor Sugata Bose gave the welcome address and Professor Krishna Bose delivered the vote of thanks.
The Presidential speech was given once more by Shri Gopal Krishna Gandhi, the popular Governor of West Bengal. Traditional Netaji Birthday Assembly on 23rd January, 2009

A special Sarat Chandra Bose Memorial Lecture 2010 was delivered by Rajmohan Gandhi on “Why Partition Occurred: An Understanding” on March 6, 2010.
The traditional Netaji Birthday Assembly was held at Netaji Bhawan on the morning of January 23, 2011. Professor Sugata Bose gave the welcome address. Mr. N. R. Narayana Murthy, founder of Infosys, delivered the Netaji Oration 2011 on “If only Netaji had participated in post-independent India building”. Shri M.K. Narayanan, Governor of West Bengal presided over the prestigious assembly and paid rich tributes to Netaji.
Professor Amartya Sen released *His Majesty’s Opponent: Subhas Chandra Bose and India’s Struggle against Empire* by NRB Director Sugata Bose in the presence of the Chief Minister of West Bengal, Mamata Banerjee, at a special function in the Kolkata Town Hall on July 8, 2011. A large audience listened to the conversation between Amartya Sen and the author of the book.

The Traditional Netaji Birthday Assembly was held at Netaji Bhawan, *Bhoomi* presented a special Netaji Birthday Concert. The Chief Minister of West Bengal, Mamata Banerjee, paid her homage to Netaji at the conclusion of the concert on January 23, 2012.
On September 15, 2012, President Pranab Mukherjee visited Netaji Research Bureau to pay his homage to Netaji on his first trip to Kolkata as President. NRB Chairperson Krishna Bose welcomed him and showed him round the museum. After seeing the museum the President made a short speech in the Sarat Bose Hall. The President remarked: "It was a great privilege to visit this place of historic importance which symbolizes sacrifice and dedication to the cause of our great nation."

On January 20, 2013, Shri Pranab Mukherjee, President of India, inaugurated Netaji’s 116th birth anniversary celebrations at Netaji Bhawan. Netaji’s daughter Professor Anita Pfaff released the Bengali edition of Sugata Bose’s biography *His Majesty’s Opponent* titled *Deshanayak*. 

Smt. Mamata Banerjee, Chief Minister of West Bengal, with Professor Krishna Bose on January 23, 2012.
On January 24, 2014, Gayatri Chakravorty Spivak, University Professor, Columbia University, delivered the Netaji Oration on the subject “Freedom After Independence?” Professor Sugata Bose was in the chair. A large audience gathered in the grounds behind Netaji Bhawan to hear her speak.

On August 25, 2014, Shri Pranab Mukherjee, President of India formally received the first copy of the book “Sarat Chandra Bose: Remembering My Father” by Sisir Kumar Bose at Rashtrapati Bhavan, New Delhi, from the hands of Professor Mrs. Krishna Bose, Chairperson, Netaji Research Bureau. Other distinguished persons were present at the ceremony: Professor Sugata Bose, Member of Parliament, Gardiner Professor of History, Harvard University, Professor Sumantra Bose, Professor of Comparative and International Politics, London School of Economics, Mr. Bikash Niyogi, Managing Director, Niyogi Books, Mrs. Tutul Niyogi, Mr. Nirmal Bhattacherjee, Niyogi Books, Mr. Ronen Sen, former Indian Ambassador to the USA, Mrs. Kalpana Sen, Mr. Tarun Das, former Chief Mentor, CII and Ms. Kiran Pasricha, Director, Aspen India.

On January 23, 2015, the Traditional Netaji Birthday Assembly. Col. Dara of the INA was honoured in the presence of his daughter Neelam Hussain and son Iqtidar Hussain.

Professor Homi Bhabha, Anne F. Rothenberg Professor of the Humanities, Harvard University, delivered the Netaji Oration 2015 on the subject “Pessimism of the Intellect, Optimism of the Will: Auden, Bose, Fanon, Gramsci” on January 24, 2015
Netaji Research Bureau
Sisir Kumar Bose

(On the occasion of the Silver Jubilee of Netaji Research Bureau, Dr. Sisir Kumar Bose, who founded NRB in 1957, wrote this editorial in The Oracle, January 1982)

Twenty-five years ago Netaji Research Bureau was just an idea. There was no certainty then that the idea would ever fulfil itself. The only positive factor was the firm resolve and dedication of its founders. They were a small band of socially conscious youth inspired to their bones by the ideals and historic achievements of Subhas Chandra Bose.

The idea was born of the realization that India’s national struggle for emancipation stretching from the rising of 1857 to the Battle of Imphal was one of the most significant phenomena in contemporary world history and that its lessons and experiences must not be lost on us as a nation or the humanity at large. Further, we felt deeply that no proper or total understanding of this world phenomenon was possible without a full understanding of the historical role of Subhas Chandra Bose. We therefore planned a comprehensive, scientific and non-sectarian plan of studies and research on a long-term basis on the entire course of our struggle for freedom. Subhas Chandra Bose, the leader of the last war of Indian independence, served very rightly as the starting point of such studies and research.

The task was indeed difficult. First, we as a people are not particularly distinguished for a keen sense of history even though we are an ancient people whose history is measured not in centuries but in tens of centuries. Secondly, as political independence was a recent phenomenon, the demands of recently acquired power and the great problems of partition of the subcontinent so overwhelmed the intelligentsia as well as the people in general that a dispassionate view of the needs of scientific historical studies was just not possible. Thirdly, there was for us an added problem. There was so much of mystification and myth-making around Subhas Chandra Bose that any attempt at analytical and objective assessment was looked upon even by some of his adherents with indifference and often with hostility. Fourthly, as we embarked upon the adventure we discovered that we had taken a very difficult initial assignment. Materials on Subhas Chandra Bose were strewn and scattered over three or four continents and to gather them together was by itself the work of a lifetime. Lastly, lack of material and financial resources so essential for initiating and
maintaining a project such as the Netaji Research Bureau dogged us at every step. Regardless of all negative forces we laboured on. We ultimately succeeded in bringing into existence a stable and purposeful national institution. Behind the Netaji archives, the Netaji museum, the Freedom library, the great many publications and the outstanding conferences and seminars held at Netaji Bhawan over the years which have become an integral part of the academic and cultural life of this metropolis, lie the silent and dedicated day-to-day labours of a small band of men and women over the past quarter of a century.

But now, although twenty-five years constitute the usual creative span of one generation, they are a small period of time in the history of a nation. We reject all sense of personal self-fulfilment for whatever has been achieved. It is our belief that Netaji Research Bureau has so far fulfilled a small part of its distinctive role as a path-finder in studies in contemporary Indian history. It has to go forward with its mission resolutely as before so that India’s great struggle for liberation gains acceptance as one of the greatest experiments in human progress in contemporary world history.

The task does not end there. We have now reached a stage when, thanks to historical studies and to phenomenal advances in science and technology, we are in a position to look into the twenty-first century with some degree of prescience and objectivity and plan for the future of the human family. In order to play its due role in fashioning the future of humanity at this turning point of world history, India must search and discover her own soul and mind in the light of her travails and experiences of the past. In other words, India must find and define her national ideology. In this task, Netaji Research Bureau can play a leading role. To do so, Netaji Research Bureau has to establish itself as a national ideological centre for the Indian people.

We pray that Providence may bless our work and help us redeem our pledge to Subhas Chandra Bose and to the Indian people.

Jai Hind!
Dear friend Sisir,

Just now I return from the hospital where have been for 3 months. Tomorrow I go to recover my health in the fresh air! I had heart attack, inflammation of the lungs and fish-poisoning!
If I return you get news from me!

Always yours sincerely
Heddy Fulop-Miller

(Before she died Mrs. Fulop Miller sent valuable archival material to Netaji Research Bureau. She was a great friend of Netaji and India and visited India in 1937. – Ed.)

Dear Dr. Sisir,

Let me thank you for your most kind two last letters the latter of which arrived here in my absence. I returned two days ago from a prolonged journey to Spain, and after that from a stay in a faraway mountain-village where no message could reach me. I hasten to let you have my photo which I hope will answer your purposes. Furthermore let me assure you that you are troubling me not in the least and that anything I could do to help you in your plans to describe or enlarge the knowledge about famous Netaji’s life would correspond with my own modest endeavours in that direction. I hope you have meanwhile received the short biographical note about my late husband, and this was the thing you wanted. I am quite out of contact with anything Indian. There are no more meetings arranged by the Indian Embassy or Indian students Associations to which many years ago I without exception always kindly was asked. Perhaps they altogether are no more arranged and do not take place.

Is there anything else you wish to have? Please just let me know. It would not mean any trouble for me, but I esteem it an honour for me to be allowed to be of any use to you.

It is a great pleasure and satisfaction for me that you, dear Dr. Sisir, still remember me. I am getting old, and so necessarily lose my old friends who leave life for Eternity.

Wishing you and your family success and all good things, health and happiness,
I always remain yours truly and cordially.

Naomi C. Vetter

(Mrs. Vetter donated her entire collection of Netaji’s letters to archives of Netaji Research Bureau. She interpreted Netaji during his tour of Central Europe in 1933-36, was deeply interested in Indian history and culture. –Ed.)
From S.A. Ayer

Bombay 19.2.73

My dear Sisir Babu,

I have just received the two publications, “The International Netaji Seminar – official souvenir” and “The International Netaji Seminar – Abstracts for papers programme”. Please accept my sincerest and heartiest congratulations. If you had worked on them full time for the last few months, you couldn’t have done better. And, everybody knows that they were only a small part of the many things that claimed your attention in connection with the celebrations of Netaji’s Birthday from 23/1/73 to 26/1/73. God bless you and your family and spare you for many long years to carry on this good work for the nation and the world. The photo folder in the souvenir is a splendid production. The reading matter in the Souvenir and papers produced will serve as rich research material for further scholars. To put it briefly, you may be extraordinarily proud of your achievement. My only regret is that, although my name appears in so many places in the publications, I have not been able to lift my little finger to help you and do my duty. I am sorry for myself. Well, it is no use regretting what one cannot help.

Sugata called on me again the day before he left for Calcutta. I hope he had a comfortable journey and reported to you about my brief heart-to-heart talk with him. He brought with him his copy “A Beacon Across Asia” In the meanwhile, Mr. Jog had sent me his copy for a look–see and return. I don’t think Longmans will send me a copy. Once again let me heartily congratulate you on this publication also. Sometimes I really feel that it is a pity that you were not in East Asia in 1943 and so Netaji could not make you his … on 21st Oct. You would have made an extraordinary success of the job.

Well once again, God bless you and your family. My kindest regards to you and Krishnaji and blessings to the children.
Jai Hind

S A Ayer

(Ed.)

From M.A.H Ispahani

Reay Road
Karachi 4
6th April, 1977

Dear Dr. Bose,

It gives me unbounded pleasure to receive your letter of 21st March 1977 and some of the literature printed on the activities of your great uncle, Subhas Chandra Bose, which I have read with concentration. I need not express myself by indulging in superlatives because Subhas was one of the great men in our sub-continent. He was a brave and bold-hearted soldier of the freedom movement of India and for his greatness of heart and imagination not only my generation but posterity too will always remember him and his services with gratitude. I wish the Netaji Research Bureau success in its undertaking to perpetuate the name of a great freedom fighter. May his soul rest in eternal peace and may he remain the guiding star of the youth of India.

Thank you once again for writing to me and I shall appreciate if you will convey my regards to Subhas’ nieces and nephews.

With kindest regards,

Sincerely yours,

M.A.H Ispahani

(Ed.)
From A.C.N. Nambiar

Zurich
19th April, 1979

My dear Dr. Bose,

I thank you for your letter (No. IB-346-79) of the 6th April.

With great interest I read the news of your planning to bring out Netaji’s Collected Works in ten volumes facilitated by a grant of the Government. This will undoubtedly constitute a work of considerable historic value. The satisfactory execution of it will involve much labour and rightful expertness. For this your sense of dedication and spirit of service, I am sure, will stand in good stead. It is considerate of you to have thought of associating myself in a small way with the planned big job.

I had with me in Prague round sixty letters of your uncle written during his stay in Europe when a new world war, so to say, was in the offing. They were of historic interest, some, carried too prophetic import. All these got lost to me when I had to leave my flat in Prague in great hurry in March 1939. My flat in Prague and all that it contained I was not to see again. I also lost, never to trace again, a long and interesting letter I got from your uncle in Foix (France) in the period of the second world war, as well as, a letter I got from Tokyo somewhat later.

I shall try and let you have reports of some interesting talks I had with your uncle for your information, if also, they may not fit for inclusion in a collection of his “letters and speeches”. At present I am in a very unsatisfactory state of health. However I shall remain attentive to completing these reports before long when in a relatively improved state of health.

With warm regards and best wishes,

Yours sincerely,

A.C.N. Nambiar

Dr. Sisir K. Bose
Executive Director
Netaji Research Bureau
38/2 Lala Lajpat Rai Road
Calcutta 700 020

(Mr. Nambiar had deep personal friendship with both Subhas Chandra Bose and Jawaharlal Nehru and worked with them closely in Europe in the cause of India’s freedom. He was a member of the Editorial Advisory Board of Netaji’s Collected Works.-Ed.)
From Mohammad Zaman Kiani

My dear Doctor Sisir K. Bose,

I am very glad to be able to write to you for the first time. I have been wanting to do so for a long while, but somehow it did not come about. You might perhaps remember me slightly from the time I stayed for a couple of days at your house 1, Woodburn Park at the invitation of your dear deceased father during the troubled days of August 1946. I think you were quite young then.

Because of my very close association with Netaji for whom I had deep respect and admiration, you all have often been in my thoughts, but circumstances we such that we could not maintain contact. My effort recently to put down on paper my reminiscences has now offered me an opportunity to get in touch with you.

Our very good mutual friend General Fujiwara has informed me that you have already received my M.S. titled “India’s Freedom and the Great I.N.A. Movement”….

If you find the M.S. suitable, I will appreciate if you kindly have it published in India … I have two maps and some ten photos which I would like included. I have got the maps and will send copies when required … My own collection was taken away by the British on capture and I have arranged a few from here and there… Some of these may perhaps have been included in The Pictorial Biography of Netaji that you have published …

I am most grateful for your having sent me a copy of “The Oracle” which I thoroughly enjoyed reading. It was great reading “The Indian Struggle: A Survey”, “The Great Asian Dreamer” by Dr. Ba Maw; the article by Janaki Thaver (as we knew her) and the profoundly analytical and thought-provoking editorial written by you. I was quite thrilled to know that Mr. S.A. Ayer is still active and also closely associated with the Research Bureau as its Chairman. If you ever contact him kindly convey to him my best regards.

Incidentally, I have made slight additions here and there which I would be anxious to have incorporated in my M.S. … These are detailed on a separate sheet. I am sorry to put you to this trouble but I think these will improve the text. …………..

Hoping that you are keeping well and wishing you all – including Madam Bose, your wife, and your sisters and others of the family who may remember me – the very best of health and happiness.

With kind regards and best wishes.

Yours sincerely,

M.Z. Kiani

P.S. I am sorry for the typing mistakes but such is the quality of work, and I did not want to delay this by having it retyped.

MZK

30/7/80

(General Kiani was the Commander of the First Division of the INA which fought in the battle of Imphal in 1944. He passed away in June 1981-Ed.)
From Niharranjan Ray

Prasad Bhavan
68/4A, Purna Das
Calcutta – 700 029
21 July, 1981

Dear Dr. Bose,

I am delighted to have your letter of 17 July last and a complimentary copy of the January, 1979 issue of The Oracle. Thank you ever so much. I had seen this particular issue of the journal before and knew the themes of the 3rd International Netaji Seminar which provided indeed a very rich intellectual fare.

If I happen to be present in Calcutta on Sunday, the 6th September next, which I hope to, I shall certainly attend the lecture associated with the memory of your illustrious father. Therefore, I should also be witnessing the release of the 3rd volume of Netaji’s collected works in English. But since I am not very sure of my movements, I would request you not to announce my name as President.

Though I am no regular participant in the activities of the Netaji Research Bureau I do keep myself in touch and admire the work you have been doing. I only wish I could be of some use more particularly in regard to your academic programmes. Let me keep on hoping that this should be possible in not too distant a future.

Warm greetings,

Yours sincerely,

Niharranjan Ray

Dr. Sisir Kumar Bose
Executive Director
Netaji Research Bureau
38/2 Lala Lajpat Rai Road
Calcutta 700 020

(Dr. Ray was a great well-wisher of Netaji Research Bureau and was planning to participate actively in its activities when he passed away in August 1981.-Ed.)
Dear Prof.(Smt.) Krishna Bose,

I was shocked to learn of the sudden and unexpected demise of your Husband, Dr. Sisir Kumar Bose at Calcutta, yesterday.

As a scion of an illustrious family of India’s freedom fighters and as a Highly politically motivated young man, he was a witness and a participant in our glorious freedom movement. As Netaji’s nephew and the one who drove him from captivity during his romantic escape, he became part of the history-making event and had a memorable share in the whole saga. Later, as a renowned medical practitioner and as the leading light behind Neaji Research Bureau, Dr. Bose has been active both in the social and political life of the country.

I have had the good fortune of knowing Dr. Sisir Bose for long and interacting with him at close intervals and visiting the great institution that he has set up and nurtured at Calcutta.

At this moment of great sorrow and irreparable personal loss to you, my wife and I extend our deepest condolences and pray for the repose of the departed soul. We also extend our condolences to all the members of your family and the large circle of his friends and associates spread all over the country and abroad.

Yours sincerely,

(K.R. Narayanan)

Prof.(Smt.) Krishna Bose, MP
90 Sarat Bose Road,
Calcutta 700026
Dearest Sugata,

Stunned at the sudden passing away of your illustrious father Dr. Sisir Kumar Bose into eternity, I can only console you, your mother, all the members of BOSE family, Netaji Research Bureau and our friends all over the GLOBE and myself by reminding us all of Netaji’s Political Testament which open with words:

“What greater solace can there be than the feeling that one has lived and died for a principle what higher satisfaction can a man possess that the knowledge that his spirit will beget kindred spirits to carry on his unfinished task? What better reward can a soul desire than the certainty that his message will be waffled over hills and dales and over the broad plains to every corner of his land and across the seas to distant lands?”

I know that at the moment even the above lofty and laudable words will bring little solace to the bereaved family, only the time with heal the wounds. Meanwhile we have a duty to do of choosing a leader to carry on the task which was being performed by the departed leader. I feel and earnestly propose the name of Professor KRISHNA BOSE to be our CHAIRPERSON in the seat vacated by her illustrious husband Dr. Sisir Kumar Bose and carry on the work from glory to glory.

Jai Hind, G.S. Dhillon

Member of the Council of N.R.B.

10/10/2000
The Red Fort Trial: Justice by a Dying Colonialism

By Leonard A. Gordon

Introduction

In the summer of 1975, I was lucky enough to arrange an interview with Lord Mountbatten. It was to be a brief half hour, conducted in a military car riding to Heathrow Airport from his flat in Belgravia, and the questions had to be submitted in advance. Most of the interchange was about the partition of India, but I did mention Netaji Subhas Chandra Bose. Mountbatten stiffened and made it clear how much he despised him. Subhas Bose and his Indian National Army—largely composed of men formerly in the Indian Army and captured by the Japanese at Singapore—were traitors and almost unspeakable to a career military man who thought military men had to stand by their loyalty oaths until death. He also explained that his aversion to the Indian National Army (INA) meant that he would not see Sarat Bose during the crucial months in 1947 when the question of partition was being decided. Upon reflection, I understood more clearly why there had been an INA trial. British civil and military authorities saw the INA as a repudiation of their basic values. You take an oath, you stand by your word. They believed that most Indians would share their views. But, Indians by 1945 no longer believed in the legitimacy of the British Raj. Indians of all political persuasions were nationalists and knew that it was time for the British to leave. The three INA officers on trial were representatives of Indian nationalism.

I was a very small boy during the Second World War. I remember the blackout shades on our windows in case of German air raids on New York. A few of their submarines did come close to our Atlantic coast. By the last year of the war, young as I was, I had a world map on my bedroom wall and put pushpins in to mark the advances of the Allies. The other side was evil and we were the good guys fighting what Americans thought of as “the good war”. That there could be any legitimate ideas, and passions embodied by any on the other side was inconceivable.
However, as I started to learn about the INA, and also some of the other nationalist forces that joined the Japanese, I began to glimpse some of the complexities of this great war. So it is my task and that of all historians of the war to burrow into its complications and ramifications.

Why should we remember the INA trial of 1945-6? Because it was immensely important in mobilizing Indians against the British Raj and undoubtedly played a role in the determination of the British to leave India in 1947. And as we shall see, the results as they played out were different from the three other post-war trials. We must all be world or global historians now and pay some attention to three other trials held in the aftermath of the most global war in human history...so far. Among the hundreds of trials and tribunals, thousands tried, many executed in aftermath of the war, these were probably the best-known trials following in a tradition of trials in the wake of wars through centuries of the post-war steps past conflicts. These are the Tokyo Trial of Japanese officials and military men; the Nurenberg Trial of German leaders of the Third Reich; and the Israeli trial of Adoph Eichmann in 1961 after he was captured in Argentina by Israeli intelligence. The Japanese trial is also noteworthy for the dissent of the Indian judge, Radha Binod Pal. All of these trials raise questions about how the victors settle war scores and what constituted war crimes; and why the Indian trial had results much different from the other three. Looking at the INA trial in the wider context of the aftermath of war, will give us an idea of how unique it was. In all of these trials it is important to trace the educational elements involved and especially how Indian military men and later the Indian public was educated about the British Raj; One must, as K.K. Ghosh noted in the introduction to his book on the INA, tread carefully between patriotic Indian accounts and hostile British ones. And we have to remember, as Gary Bass in his survey of war crimes trials or aborted trials since the early 19th century points out, concern for these matters goes back as far as the ancient Greeks. War, power, revenge, and justice have a long and continuing history. And, he argues, it is those countries that consider themselves liberal that have conducted trials in which there is a semblance of judicial process which he labels ‘legalism’. We have to see for ourselves, but the guide on this particular trip is an historian, not a lawyer.
The Red Fort Trial
The British Raj and the Indian Army

As the British expanded their rule in India, they gradually built up an Indian Army composed to a great extent of British officers and Indian troops. For some time they also narrowed their recruitment focus on what they called ‘the martial races’ excluding men from many regions and strata of the society from participation. These ‘martial races’ included all groups from the Punjab, though they seemed to like the Sikhs the best, and also brought in Gurkhas from Nepal. In the decades before the Second World War, they expanded possibilities for Indians to become officers, though as in the Government of India almost all posts above a certain rank were reserved for Europeans. There were, as well, even with so-called ‘Indianization’, disparities in pay and privileges which did not endear the rulers to thoughtful Indians in the army.

It is salient to understand the British army view of the Indian Army. Here is the gifted novelist John Masters, from a military family with a 150-year connection to India, a retired lieutenant-colonel and veteran of World War II, writing about the army from his point of view,

I and my forefathers, and hundreds like us, had worked for generations in India. Certainly we had been masters, and imperialists, but we had not been afraid to die with these men and we always loved them and their country, usually with an intense, blind passion which could ignore all theoretical considerations of right and wrong. Once we had obviously been their superiors in many qualities beside fighting ability, and we had dominated them, but the domination had seemed almost immaterial to the heart of the matter, which was love and understanding, or loyalty to each other, or faith in each other’s intentions, or whatever you like to call an almost mystical sense of dependence. (Masters, Road Past Mandalay, 312)

In addition to his overall view of the army, Masters, through two volumes of his memoirs stresses the loyalty of the officers and soldiers to their regiment. His was a Gurkha regiment and he expounds often on this regiment as a band of brothers, a family, etc., and on his love for his Gurkha troops. He himself learned their songs, dances, customs, and language. (Masters, Bugles, 68-76, 121-22, 135, 166) He writes,
Every army—every human organization of any kind—hopes to inculcate a spirit of some kind in its members. In an army the most usual rallying point is the flag—or the emperor, the national ideal. Call it by any name, it is still a form of wide patriotism...in the King's armies, men were shielded from disturbing doubts by the interposition of a smaller cause, which no one could cavil at, between themselves and the great national cause. Their spirit was and is built on the regiment. (Masters, Bugles, 122)

Look at the themes in Masters’ memoirs: we are the imperialists and we rule, but “dominion had seemed almost immaterial”. What the masters wanted, expected from the ruled was loyalty, understanding, even love for regiment, empire, and King. Similar themes are to be found in Philip Mason’s history of the Indian Army, A Matter of Honour. Mason introducing his book writes: “...it is about Indian soldiers and about certain virtues—loyalty to comrades, fidelity to an oath, courage under stress.” (Mason, Honour, 13) Please remember that these are not Colonel Blimps or Winston Churchill. These are two of the most intelligent among the British who served in India, each not only a servant of the Raj, but a very talented writer. To understand why there was a Red Fort trial, it is important to keep this British view in mind. It was probably widely shared by British officers and soldiers, and even some of the Indian and Nepalese troops. But by the 1930s certainly there were some, perhaps more, questioners especially among the Indian officers of the Indian Army. Masters himself was not unaware of this: as his regiment deployed to the Middle East in early 1941, their doctor, Santa Padhaya Dutt, “...said blandly that he wasn’t fighting to maintain England’s rule over India, only to ensure that it was not replaced by Germany’s.” (Masters, Mandalay, 26) Colonel Dhillon, one of the three tried in the Red Fort, wrote in his memoirs that as he was going off to war an elderly Indian woman asked him, “What for? For the country or for the British who are keeping us in bondage, or only for the few coins they give to you?” (Dhillon, From My Bones, 63). Still in Lahore, he wanted to join the officers’ club. A senior Indian officer told him that it was just for the British, and told him, “All said and done, socially we are bloody niggers and you better be careful.” (Dhillon, From My Bones, 67) That the race prejudice was spread widely through the Indian Army is clear from Raghu Karnad’s account of experiences of family members in the army in World War II. (Karnad, Field, 70, 79, 84-7) General Auchinleck’s awareness of this, and efforts to combat it once he became commander-in-chief of the Indian Army in 1943, will also enter into the story later. (Karnad, Field, 95; Mansergh, Transfer, VI, 425, his Memo to the army, after the Red Fort trial ) But for many Indians, his efforts were a little late.
World War II and the Indian National Army

For the British, and consequently for their empire, World War II started in September 1939 when German forces invaded Poland. No “peace in our time,” and a generation after World War I, Europe, later the world, was at war again. This war became even more global, and more deadly than the first. As a protest against the Raj’s involving India in this war without consulting Indians, the Congress ministries resigned, and slowly the Congress turned to direct action. This was limited in 1940, widespread in 1942. At some point Subhas Chandra Bose, Congress leader, determined to leave India to see if he could get assistance from Britain’s enemies in driving them from India.

At the same time, the British rulers of India moved to greatly expand the Indian Army and make India a base from which to fight their war. For two years it was a war fought in Europe and North Africa and parts of the Middle East. But on December 7 (and 8), 1941, a day, U.S. President Franklin Roosevelt said, “would live in infamy”, Japanese forces attacked the United States and colonial possessions of the European empires, British, French, and Dutch, in Asia. The Japanese drove down the Malay peninsula with remarkable speed, hitting the British and Indian armies hard, bewildering them by the suddenness of their blows.

The Japanese had been planning for war for some time and among their secretive efforts was to send a young intelligence officer, Major Fujiwara Iwaichi, to Southeast Asia to make contact with leaders of the Indian communities living outside India. When the British and Indian armies capitulated in Singapore on February 15, 1942, the Indian prisoners, perhaps 45,000, were separated from the British, and turned over to the direction of Fujiwara. He chose a young officer, Colonel Mohan Singh, to help him organize a force of Indians, the Indian National Army, which would ally with the Japanese as they moved toward and perhaps into India. (Fujiwara, F.Kikan, passim)

Several of the Indian officers captured in the surrender of Singapore wrote that the path to the capitulation and its aftermath were traumatic for them. They felt abandoned especially when all the British officers, their superiors, told them that they were now in the hands of the Japanese and must follow Japanese instructions. Once deprived of the cover of the Raj, its army leaders and mystique, they felt free, at least some of them, to make new connections. When Mohan Singh called them to arms to fight for their freedom and for the end of the Raj, quite a few agreed, and took this step into the dark. It is likely that they did so for a variety of reasons: patriotic feeling for India, resentment against their treatment in the
Indian Army, hopes or fears that the British would lose the war, desire to escape rigorous imprisonment, or a desire to protect the large Indian community in Southeast Asia from the severities of Japanese rule. Some also saw it as a path to escape back to British/Indian lines. There is no way to know how these motivations were distributed. Mason, trying to understand why some joined and some did not, focused, as Masters had, on small units with the army:

Perhaps in the end the degree of credulity was the dividing factor. They had no means of checking what they were told and, if they believed it, must have seemed a vain scruple to persevere in loyalty to a vanished empire. The wonder is rather that so many did refuse to believe. Many stuck to their oath, perhaps to some irrational faith that the British always did win in the end, perhaps to the memory of an officer, perhaps to a steadfast personal integrity, perhaps to a deep religious conviction. Personal influence of course played a large part; sometimes almost the whole of a battalion stood firm, sometimes almost a whole battalion went over. Hardly any Gurkhas went over... (Mason, Honour, 515)

But for those who joined, a process began: let us call it the re-education within the Indian Army. I want to quote from and summarize the statement to the court in the Red Fort trial by Shah Nawaz. He said that we “...felt that our British brother officers were leaving us in the lurch.” It was, he felt, a parting of the ways. Colonel Hunt said he was turning them over to the Japanese. This meant Major Fujiwara who spoke to the assembled prisoners. He, in turn, said he was turning them over to Mohan Singh, who would have power of “life and death” over them. (Two Trials, 104)

Shah Nawaz wrote, “I was brought up in an atmosphere which was purely military...I was politically almost uneducated. I was brought up to see India through the eyes of a young British officer, and all that I was interested in was soldiering and sport.” He was among Singh’s recruits who would fight for India’s freedom, but were ready to sabotage this effort if they were exploited by the Japanese. The Indian National Army would be “a genuine army of liberation”. (Two Trials, 104) To paraphrase his fellow defendant, Colonel Dhillon: we defended the slavery of India until we became enlightened. (From My Bones, 63)

The history of the Indian National Army cannot be told in great detail here. I have written about it at some length in Brothers against the Raj, and there are excellent accounts by Joyce Lebra, K.K. Ghosh, and Hugh Toye, upon which I
built using their work, many documents, and my own interviews. I can only give a brief version here.

The Japanese advanced through Malaya and reached as far as the Chindwin River in Burma where they halted in 1942. Fujiwara urged senior Japanese army officials who had unexpectedly stopped in Burma to expand the Indian nationalist operation beyond a mere propaganda and espionage scheme. He envisioned a substantial revolutionary army, and wanted to bring Chandra Bose, as he called him, to East Asia.

On September 1, 1942, the First Division of the INA, numbering 16,300 men, came into existence. They were given inadequate weapons by the Japanese, who were beginning to be hard pressed. Some of the officers who joined did so for mixed motives, even including destroying the INA from within. The whole structure was rickety. Later in the same year antagonisms grew between Mohan Singh and the civilian Indians, and between Mohan Singh and the Japanese. By the end of the year he was ‘dethroned,’ and imprisoned for the remainder of the war.

The ground shifted again in the first half of 1943. Although the tide of war was moving against the Axis both in Europe and the Pacific, Subhas Bose, finally getting the agreement of the Axis powers, was enabled to travel to Asia. With one companion, Abid Hasan, he made the perilous voyage via German and Japanese submarines to Southeast Asia, and then on to Japan by air. He met Japanese leaders and by mid-1943 took command of a revitalized INA and also organized a Provisional Government of Azad Hind or free India. Speaking to gatherings of Indian troops and officers, Bose gave them the slogan, ‘Chalo Delhi! To Delhi—To Delhi!’ Tojo pledged to work with Bose for their common goals. Bose renamed the INA the ‘Azad Hind Fauj’ and said to Southeast Asia civilians that their slogan should be ‘Total Mobilization for a Total War’. To the military men he described the hardships to come. (Sivaram, Road to Delhi, 124)

The steps Bose took indicate the shape he wished an independent India to take. One of his innovations in the INA had to do with the role of women. Bose proposed a women’s regiment trained to fight alongside Indian men, also believing that seeing Indian women fighting at their side, the men would fight even more fiercely. He found some remarkable women who were willing to participate. In Singapore, a young Indian doctor Lakshmi Swaminathan (also written Swaminadhan), who had been active in the women’s section of the IIL, met him on July 12. She soon became the leader of the newly-formed Rani of Jhansi Regiment, and later minister for women’s affairs in his cabinet. (Saghal, Revolutionary Life, 47ff)
Bose became the supreme commander of the INA, but did not take a military rank, although he wore military-style clothing. After the crisis of late 1942, the number in the INA had fallen to about 12,000. Another 10,000 or so were recruited from amongst the prisoners by what the British called ‘the demagogic oratory of S.C. Bose,’ and during 1943 to 1945 about 18,000 Indian civilians in Southeast Asia were recruited. The total number may have been in the 40,000 range. They would, nonetheless, he declared, lead the way in the reconquest of India from its foreign occupiers. An agreement was worked out so that the provisional government was given ‘jurisdiction’ of the Andaman and Nicobar Islands in the Indian Ocean, while actual control remained throughout with the Japanese military who had occupied the islands since 1942. Bose made a visit to Port Blair in the Andamans in December and a ceremonial transfer took place.

Encouraged by Bose’s optimism of a rising in India, Tojo agreed to an invasion of India in 1944. Their goal was to capture Imphal, the largest center in eastern Assam, set on a plain, and the smaller town of Kohima to the north. General Slim had chosen the strongest possible defensible position — Imphal itself — withdrawing two of his divisions from the west bank of the Chindwin. If he could draw the main Japanese forces into the Imphal plain, their supply routes would be stretched across the nearly impassable frontier territory, whereas his would be more compact. Slim also counted on air superiority and his well-trained and well-prepared troops, who outnumbered the Japanese attackers.

The Japanese were risk-takers: they carried an absolute minimum of supplies, believing that they would overrun the British and Indian troops and capture the enemy’s supplies as they had done when advancing in 1942. The Japanese generals doubted that the INA numbering 8,000 could hold their own in a Japanese-INA force of 95,000, which was to attack positions held by about 155,000 British-led forces. When Shah Nawaz Khan — commanding the Nehru Regiment, one of the guerrilla regiments which constituted the First division of the INA — reported to General Mutaguchi for his orders, he was told that his regiment was to hold a defensive position and protect Japanese supply lines. This assignment, far from the key Japanese thrust forward, was a blow to INA morale. His troops were given no field supplies by the Japanese and shortly they were reduced to eating dry-field rice and jungle grass. In April, this regiment was ordered to help in the assault on Kohima which was already faltering, and when they arrived, the Japanese were retreating. Near Kohima, in India, Shah Nawaz’s men raised the Indian tricolor. The INA entered India briefly. Shortly the Japanese were forced to give up the
sieges at Kohima and Imphal. It was the beginning of the end for them in Burma and in Southeast Asia. In 1944, the Japanese fell back from one defensive position to another, fighting fiercely, rarely surrendering — but they were beaten badly. In writing of the INA, Slim condescendingly referred to them as ‘Jiffs’ (Japanese-influenced forces) of whom he thought little. Masters called them the ‘Indian Traitor Army’. (Masters, Mandalay, 152) Slim was somewhat concerned when they were employed in ‘attempts to confuse and suborn our Indian troops.’ (Slim, Defeat, 265) This effort, Slim said, was ‘unavailing’ because the Indian troops fighting with the British had a long period of indoctrination in their imperial mission. They were kept from knowledge of the nationalist rationale of the INA by the British ‘policy of silence’ which blacked out information about it in India. Bose knew that the British were engaged in anti-INA propaganda, but could do little about it. A great majority of the Japanese and INA troops who had braved the Indo-Burma frontier died in the fighting for Imphal and Kohima, or in the retreat.

During this campaign, some INA men surrendered, some deserted, and some fought to the death, with inadequate equipment. Several of their commanders who fought on, Shah Nawaz Khan, Sahgal, and Dhillon—these three later tried for treason together—all say most of their men strove valiantly and that many died during the long retreat. Shah Nawaz and his men, overwhelmed by the odds, finally surrendered in May, not wishing to die a futile death. Mason and Masters and Wavell, the Viceroy, all stressed the courage and skill of the loyal Indian troops, and usually derided the INA troops. Slim wrote, “My Indian divisions after 1943 were among the best in the world. They would go anywhere, do anything, go on doing it and do it on very little.” (Slim, quoted in Mason, Honour, 509) Mason said some INA soldiers fought bravely but stressed how many deserted.

The Retreat and Death of Subhas Bose

During the retreat, Bose took extraordinary chances, exposing himself to enemy attack on several occasions. Finally, Bose agreed that he should not die uselessly in a local skirmish against vastly superior forces and deprive the movement of its leader. In April, he agreed to withdraw with his forces to Bangkok, and then Malaya, as the British pressed hard on their heels. Bose’s party for the retreat from Rangoon to Bangkok included members of Bose’s military and civilian staff, and some Japanese personnel.
Although he talked of other battles, a new offensive, the next round of struggle, Bose understood by June 1945 that the Germans were already finished, the Japanese could offer him no further help, and were negotiating their surrender terms. He hoped to go to the Soviet Union, though all through the 1930s and 1940s, he had never received any positive encouragement from them. On August 16, Bose flew to Bangkok (Thailand), then on to Saigon (Vietnam) on August 17, where he gathered together several of those closest to him. Bose hoped to take these supporters with him as he took his step into the unknown. But in Saigon Bose learned that no special plane was available for his party. He also came to know that Lieutenant General Shidei, a Japanese expert on the Soviets, was to fly to Dairen, Manchuria, where he was to take command of the Kwantung Army and work out the surrender there. Bose had to accept the two seats on this plane or stay in Saigon. He decided to take them, and selected INA Colonel Habibur Rahman to accompany him.

The plane, a twin-engined heavy bomber of the 97-2 (Sally) type, was overloaded. On the plane, besides Bose, and Shidei, also several Japanese military and air staff officers, among them Lt. Col. Tadeo Sakai, a staff officer of the Burma Army; Lt. Col. Shiro Nonogaki, an air staff officer; Major Taro Kono, an air staff officer, who was sitting behind the pilot and assisting him; and Major Ihaho Takahashi, a staff officer. The crew was in the front of the aircraft and the passengers were wedged in behind, some, like Bose, with cushions, because there were no proper seats on this aircraft. The plane finally took off between 5.00 and 5.30 p.m. on August 17, 1945. Since they were so late in starting, the pilot decided to land for the night at Tourane (later Da Nang), Vietnam, then start early the next morning. The take-off from Tourane at about 5 a.m. on August 18, 1945, was normal and they flew at about 12,000 feet. It was quite cold in the plane, but the weather was favorable and they flew to Taipei (Taiwan; Japanese: Taihoku).

At Taipei, Major Kono, the pilot, and ground personnel checked the engines and noticed some problem with the left one. There was some unusual vibration, but they did not know the source or what to do about it. The crew and passengers took their places as before and they were ready to go at about 2:30. As on previous take-offs, the heavy aircraft needed the full 1,500 meters of the airstrip to negotiate this one. Just as they left the ground—barely thirty meters up and near the edge of the airfield—there was a loud noise. Part or all of the left engine including the propeller had fallen off. The pilot could not control the aircraft. As the ground peered up at him faster and faster, he tried to switch off the engine. Major Kono
seated behind him also tried, but failed. With an enormous crash they hit the ground and the airplane broke into two large parts. Within seconds there was a fire raging. Major Kono released a lock on the canopy, opened it, and slid out. As he was getting out, some gasoline splashed on him and he caught on fire. Once on the ground, he rolled around and Colonel Nonogaki helped him. (Interviews, Kono; Nonogaki)

When the crash took place, Rahman, seated near Bose, was momentarily knocked unconscious. This is what he told S. A. Ayer, a few weeks later, about what happened next:

When I recovered consciousness… I realised that all the luggage had crashed on top of me and a fire had started in front of me. So exit by the rear was blocked by the packages and exit by the front was possible only through the fire. Netaji was injured in the head but he had struggled to his feet and was about to move in my direction to get away from the fire and to get out of the plane through the rear. But this was out of the question…. Then he tried to make his way through the nose of the plane which was already smashed and burning. With both his hands he fought his way through the fire…. When the plane crashed, Netaji got a splash of petrol all over his cotton khaki and it caught fire when he struggled through the nose of the plane. So he stood with his clothes burning and himself making desperate efforts to unbuckle the belts of his bushcoat and round his waist. I dashed up to him and tried to help him remove the belts. My hands were burnt in the process. As I was fumbling with his belts I looked up and my heart nearly stopped when I saw his face, battered by iron and burnt by fire. A few minutes later he collapsed and lay on the ground of the Taihoku aerodrome. (Ayer, Witness, 111-14)

Major Kono, who was lying on the ground a short distance from the plane, and saw Bose on fire, described him as a ‘living Fudomyoo’, a Japanese Buddhist temple guardian who is usually represented with ‘fierce visage… hair aflame, face contorted and weapons in hand’. (Interview, Kono) According to the accounts of all the survivors, Bose was very badly burnt. The pilot and General Shidei were killed on impact. Major Kono, though burnt on his hands and face, did not pass out. He watched and waited ten minutes before a car and an open truck were brought out to the field where the crash had taken place.
The injured, including Bose and Rahman and the surviving Japanese officers, were taken to Nanmon Army Hospital. Dr Taneyoshi Yoshimi, the surgeon in charge of the hospital, prepared to receive the injured. Dr Yoshimi was told that he was ‘Chandra Bose’, of whom he had heard, and that Rahman was the only other Indian. Upon arrival the doctor noticed that Bose was naked except for the blanket wrapped around him. He had third degree burns all over his body, but they were worst on his chest. His body ‘... had taken on a greyish colour like ash. Even his heart had burns. His face was swollen… His eyes were also swollen. He could see, but had difficulty in opening them. He was in his senses when he was brought in…’ Dr. Yoshimi doubted that he would live. (Interview, Dr. Yoshimi)

The other patients who were conscious learned that Bose was likely to die. What, if anything, did he say in these last hours? Private Mitsui says that Bose did talk briefly to Nakamura, his translator, in English, but he himself only heard Bose ask for water. Private Mitsui and Rahman thought that Bose talked about India’s independence before he died between 9.00 and 10.00 p.m., August 18, 1945, succumbing to his terrible burns. (Interview, Mitsui) Dr Yoshimi filled out a death certificate and put the cause of death of ‘Chandra Bose’ as ‘burns of third degree’. He says that this certificate, filled out in Japanese, was filed with the municipal office. (details from Interview, Dr. Yoshimi) This certificate has not been located and most Japanese records for that period of Taiwanese history seem to have been destroyed. No photographs were taken of Bose at the end or just after his death. The body was taken to the main Taipei crematorium and cremated. Rahman told Ayer that the cremation took place on August 20 and that the ashes were kept in an urn in the shrine attached to the hospital. Later they were taken to Tokyo and have been kept in a Buddhist temple there ever since. (Ayer, Witness, 114; Harin Shah, Verdict, 106ff)

I may have been the last researcher to interview several Japanese survivors of the plane crash. To me as well as to Anita Bose Pfaff, Subhas Bose’s daughter, and General Fujiwara who were present at most of the interviews, conducted in 1979, these interviewees were completely convincing. Colonel, Sir John Figgess, the British intelligence officer who investigated in 1946, says he was entirely convinced of Bose’s death following the air crash. (Figgess letter to me, 20 September 1979). I published extracts from the Figgess Report in The Times, Higher Education Supplement, London, 15 September, 1997, after it was finally available in the India Office Records. The British documents of the period note that he was ‘presumed dead’. If found alive, he would have been the only civilian tried. To the best of my knowledge, he was not found. Subhas Bose was no more, cremated,
with his ashes in a Buddhist temple in Tokyo. Among those with whom I have discussed his death over the decade, I have never found a British, Japanese, or INA officer who thinks he did not die as a result of burns suffered in the August 1945 plane crash. I believe this evidence is persuasive, but researchers, including me, are always open to new evidence. If it is provided in government files from India, Russia, or elsewhere, it can always be sifted and judged. Those who have presented ‘evidence’ as his later life as a sadhu here or there or life in China or Russia, have not convinced me that there is something substantial in the evidence adduced so far.

The Charges and the Red Fort Trial

The Allied powers had decided during the war that there would be consequences for the enemy once defeated. They did not spell out specifics then for fear of harm to prisoners held by the Axis. Privately they were discussing what was to be done. Wavell, his private secretary Jenkins wrote, asked what to do about Bose, who was “one of the bigger war criminals and has offended against His Majesty’s Government quite as much as against India.” (Mansergh, Transfer, V, 1297) With the war’s end in mid-August 1945, and with thousands of INA prisoners held by British and Indian forces, more concrete decisions had to be made. The prisoners were interrogated, and they were separated into white, grey, and black groups. The white were to be retained by the army if possible, the grey, to be discharged, the black were officers to be tried for treason and a variety of war crimes by military tribunals. Since these officers were educated, the British thought more was expected of them. Their sins were greatest. Auchinleck, the commander-in-chief of the Indian Army and a crucial player in this story, expected at least 20 death sentences and many to get lengthy prison terms. (Mansergh to Wavell, 1 Nov 45, Mansergh, Transfer, VI, #185) Some 16,000 INA members were captured, and 11,300 interrogated by British intelligence. (Mansergh, Transfer, VI, #154) Wavell, who had moved from general to viceroy during the war, had strong views on the matter as he explained to Petick-Lawrence, the Secretary of State for India:

The Congress case is built up on a misrepresentation of the status of Subhas Chandra Bose’s provisional Government and of the character and efficiency of the I.N.A. They will compare Bose’s Government to the Governments of the Occupied European countries in the U.K. during the war, and the I.N.A. of de Gaulle’s Free French. It sounds absurd but they are already putting this across with a considerable part of the Public...I hope we may at the trials be able to
bring out the true character of the I.N.A., who with a few exceptions were not patriots, but the cowards and weaklings who could not stand up to pressure as did their stouter fellow prisoners—more than two-thirds of the total. (Mansergh, Transfer, VI, 157)

Wavell went to allege that they murdered, and flogged with extreme brutality. He worried about the suborning of the army if they were let off, and saw danger in the near future if the Congress line spread widely.

The British officers, atop the Indian Army, after a few fumbles, decided to showcase the trial of three officers. They formulated charges against them not only of treason against the King-Emperor, but also murder or accessory to murder for involvement in the execution of deserters from the INA. The men they chose were actively involved in the military actions on the Burmese-Indian frontier in 1944-45, and were also involved in the recruitment of Indian troops to the INA. A more fine-grained study, which I have not made, is necessary to understand why the British choose these three officers and the Red Fort in Delhi as the venue for the trial. The three, Captain Shah Nawaz Khan, Captain P.K. Sahgal, and Lieutenant G. S. Dhillon, were educated and articulate, committed to Bose and the INA mission. And the first was a Muslim, the second a Hindu, the third a Sikh. And the Red Fort had been the center of the Mughal Empire, the last Indian dynasty before the British conquest of India, and where the British had tried the last Mughal Emperor, Bahadur Shah. These choices would come back to haunt the British.

The Education of the Indian Public

Through these same post-war months when the Government of India and the Indian Army were choosing the defendants and framing the charges, the Indian public was being educated about the Indian National Army. The Raj had skillfully blacked out news of the INA both from the army and the Indian public during the war. But once the war was over and the media was freer and as news flowed from Indians in Southeast Asia and from returning INA men, the story of the INA spread far and wide. The army and its commander loomed larger than life and any shortcomings were ignored. They were an Indian Army who had fought for Indian freedom. Almost all political organizations in India adopted the three defendants, supported them, called for the halting of any trial. The Hindu Mahasabha and the Muslim League came on board belatedly, but they joined as well. As the Indian
public became aroused, the officials in the Raj responsible for this trial and any to follow slowly dropped the number of those they might try and suggested limiting the sentences, particularly possible death sentences. Auchinleck realized that his earlier suggestions about death sentences and long prison terms were unduly optimistic and slowly backed away: there would be fewer trials and less harsh sentences, even though there were many in the Indian Army who were angry about “this hero worship of traitors”. (Mansergh, Transfer, VI, #246) But also opinion amongst the Indian troops and officers in the army was changing as they too were touched by nationalist fervor. (Mansergh, Transfer, VI, #252)

The Trial

The trial before the Military Tribunal was led by a panel of military officers as judges, Judge-Advocate Col. Kerin, the prosecutor and Advocate-General of India, N.P. Engineer, and Bhulabhai Desai, head of the defense team with a large panel of defense counselors. The charges had been laid before the defendants, with “waging war against the King” as the primary one, but with additional charges of murder and abetment of murder. The three accused offered their own written statements to the court which give vivid accounts of why they joined the INA and what they did once in it.

The Prosecution Case

Prosecutor Engineer put forth the case against the three men insisting that they had violated the Indian Army Act and that, “The motive with which the war is waged is immaterial.” (Ram, Two Trials, 5) He then proceeded to give his version of the history of the INA, including what he said was forcible and brutal efforts to recruit soldiers to it. Among the active recruiters were Capt. Shah Nawaz and Lt. Dhillon. Though they may not have committed or organized the torture of other Indian prisoners, they knew of it, and implicitly approved of it.

He gradually shifted his focus to the warfare on the Burma-Indian frontier in 1944 and 1945 explaining how the three charged officers had played significant roles in the campaign and were involved in the execution of deserters from the INA. These acts, he said, “amounted to murder and abetment of murder.” (Ram, Two Trials, 19). Following his opening salvos, he called witnesses, mostly Indian soldiers and officers who had resisted recruitment, or had deserted from the INA, or had come to oppose the INA from within. Some testified to torture during the recruitment process, some said they witnessed the execution of deserters.
Crucial to Engineer’s case was that international law, any international law or concepts, had no relevance to the case. What counted were provisions of the Indian Army Act and the Indian Penal Code. The INA was not an independent army and the Provisional Government of Azad Hind was not a recognized belligerent government. The army never conquered any territory for the provisional government to rule over. They were both tools of the Japanese employing Indians, traitors to their army and to the Raj. The prosecution endeavored to narrow the legal focus.

However, even Engineer admitted that,

There is a good deal of evidence to the effect that what the accused did was done by them not with any mercenary motive, but out of what the accused bona fide consider to be patriotic motives and impelled by a sense, whether wise or misguided, of doing service to India. This, while not affording any defence to the accused in law, may legitimately be taken into consideration on the question of punishment...(Ram, Two Trials, 265)

With this sop to the defense, the prosecution rested.

The Defense

In contrast to the prosecution’s effort to narrow the legal focus, Bhulabhai Desai made every effort in his lengthy presentation to widen the legal focus and show the relevance of international law and history. Although he was to the right of the Boses in the Congress spectrum, he mounted a keen defense backed by legal and political precedents and parallels from British, American, French, Latin American, and Asian history.

The kernel of Desai’s defense was that,

There was at one time the old idea that you had to be an independent State or a sovereign State in order to be able to declare War. Of course that created a vicious circle, that a subject race will remain in perpetuity a subject race. It can never make a legitimate war for the purpose of liberating itself. Hence modern international law has now recognized the right of subject races which are not for the time being or at the moment independent, to be so organized, and if they are organized and fight an organized war through an organized army, the individual members of that army are unanswerable before any municipal court for what was done in due prosecution of that war.... you do reach a stage where the organisation, call it rebel if you like, call it insurgent; insurgents or rebels may reach a stage of organisation for the purpose of liberating themselves
when what they do after declaring war is subject to the laws of war... in view of the fact that a state of war existed between the Provisional Government of Azad Hind and the British, any act done in prosecution of that war has not the consequences which the Crown claims ... in the case of a private individual. (Ram, Two Trials, 144)

Desai pressed his case that the Government of Azad Hind was a recognized belligerent opposing Britain and the British Raj; and, that the Azad Hind Fauj or army was operating under the Indian National Army Act. He claimed that the British had turned over the Indian prisoners in Malaya and Singapore to the Japanese and that these Indians could then take an oath to a new Indian government which superseded their oath to the King-Emperor. He differentiated Indian subjects of the King from British subjects and said that Bose’s government claimed and received the loyalty of Indians resident in Southeast Asia. Many of those Indians took an oath to the Provisional Government of Azad Hind. Among the precedents for insurgents becoming a recognized belligerent power, Desai cited the former American colonies in North America and included a recitation of virtually all of the Declaration of Independence in his final speech along with a host of legal citations. He cited many British precedents including the revolt and execution of the king in the 17th century, and gave quotations from Anthony Eden and even Winston Churchill about the necessity of recognizing belligerents in certain situations.

Although he did not cite, the writings of Aurobindo Ghose, some might recall that in the latter’s articles on “The Doctrine of Passive Resistance,” written almost 40 years earlier, he had ruled out armed warfare by nationalists against a foreign government like the Raj simply because the resources to organize such a violent effort were not yet available. But Subhas Bose had grown up at the time of Aurobindo’s political career and noted in his autobiography and letters how inspired he had been by Aurobindo’s ideas.

Following his opening remarks, Desai called Indian and Japanese witnesses in an effort to prove that the INA was an independent army allied with, but not subservient to the Japanese. And also said that the Provisional Government was an independent government, that it had ruled over parts of the Andaman Islands, and that it had its own financial and propaganda sections, in no way under Japanese control. The Japanese who testified included Teruo Hachiya, who was a diplomat sent by the Japanese Empire to represent it to the Provisional Government. Subhas Bose at first refused to see him when he could not present the proper credentials. Several others from the Japanese foreign office and S.A. Ayer, Propaganda
Minister of the Azad Hind Government also testified. Major, later Lt.-General Fujiwara, a founding father of the INA was summoned to Delhi, but did not testify. He and the other Japanese attending the trial lived in a tent colony within the Red Fort. Afterwards Fujiwara was imprisoned and interrogated, but eventually released. (Fujiwara, F. Kikan, 266ff)

The Judgment and the Aftermath

An example of British military thinking during the trial is the view of General O’Connor writing to Auchinleck during the trial:

You, I know, have in addition politics to consider, I have really only the Army to consider. And I just can’t be influenced by logical arguments about de Gaulle and the Maquis! Everyone knew the INA were traitors; nobody ever considered them anything else, least of all the men themselves…. Now they … say they were patriots.

If there is sympathy for them in the Army, which I still doubt, then it is because we have allowed these arguments to be used without any sort of reply…. How can we expect to keep loyalty if we don’t condemn disloyalty? (Connell, Auchinleck, 805)

But this view was countered by those of Indian leaders including even Jawaharlal Nehru, who had said in 1943 that he would personally go to the front and fight Bose and the Japanese if they invaded India, now donned robes which he had not worn for decades and met several times with the defendants. As the trial went forward, Nehru spoke about the INA in the course of a speech demanding the release of Jayaprakash Narayan. He said, in part,

The I.N.A. trial has created a mass upheaval. Wherever I went, even in the remotest villages, there have been anxious enquiries about the I.N.A. men. There are profuse sympathies for these brave men, and all, irrespective of caste, colour and creed, have liberally contributed to their defence…. The deeds of the I.N.A. patriots should have been tried and judged at the bar of public opinion. The verdict will be overwhelmingly in favour of the I.N.A. men. The continuance of the trial is sheer madness undermining the position of the British in this country. The trial has taken us many steps forward on our path to freedom. Never before in Indian history had such unified sentiments been manifested by various divergent sections of the population ….This is not the only and solitary contribution of the I.N.A. trial, but there is also another formidable one and it is that it has broken the impenetrable barriers that separated earlier the Government-
controlled Indian Army and public opinion.... The trial has brought the two closer. It is transparently clear that the Government army also shares the feelings and aspirations of the country. (Nehru, Works, V.14, 279-80)

Nehru went on to extol the patriotism of the INA soldiers. In his remarks, he also touched on one of the crucial issues involved in the INA trial and its impact: the problem of the loyalty of the Indian army to the Raj. The British rulers had decided to try the INA officers to show that disloyalty to one's oath to the King-Emperor would be punished. They expected that Indian troops and the Indian public would see the point. What they did not foresee was the powerful political impact that the story of the INA would have on a nation primed for independence after the war. However, this war, like the First World War, had been fought by the British and their allies in the name of democracy and self-determination.

During the trial, industrialist G.D. Birla wrote to Major Henderson on 6 December 1945: “...we are sitting on a heap of dynamite. The I.N.A. trials, Indonesian troubles, the detention of hundreds of young men without trial, all these are adding to the existing tenseness of the situation. One by one these must be got out of the way.” (Mansergh, Transfer, VI, #270) Birla was a go-between linking the Gandhian Congress leadership and the business community with the Raj. It was one of many signals to Auchinleck and other officials that they must deal wisely with the outcome of the trial.

The trial held center stage for almost two months. Then the defense and prosecution summed up, the judge-advocate instructed the judging officers, and the verdict was given. On cue, the defendants were found guilty and sentenced to cashiering and transportation for life. Then, however, Auchinleck had to pay some attention to the roaring support and demonstrations for the accused in the public arena.

Auchinleck reflected on the matter and then made his decision, taking military and political considerations into account, later preparing a memo for the army. If he had the three officers transported for life, the uproar would continue. He understood that all Indians had by now become nationalists and those in the army had suffered from discrimination. This factored into his decision. His conclusions read, in part.

As regards confirmation of the sentence for ‘waging war’, I hold that it is our object to dispose of this most difficult problem of how to deal with the so-called
I.N.A.' in such a way as to leave the least amount of bitterness and racial feeling in the minds of the peoples of India and Britain... and at the same time to establish in law that those who joined the 'I.N.A.' committed a crime against the State.... It is of no use trying to judge these unfortunate people by the standards which we apply to British officers and men captured by the enemy... a great number of them... believed that Subhas Chandra Bose was a genuine patriot... Bose acquired a tremendous influence over them... the accused might have acted in good faith, forsaking their original allegiance. It is quite obvious that this is the general opinion held in India, not only by the public, but... by quite a considerable part of the Indian Army as well. (Mansergh, Transfer, VI, #425)

Since he said that he did not want to make them martyrs and have the 'political campaign of bitterness and racial antipathy' continue, he decided to commute the sentences of all three to 'one of cashiering and forfeiture of pay and allowances'. With this, Shah Nawaz, Sahgal, and Dhillon were released. They were lionized and have been ever since as the three heroes of the INA and the Red Fort trial.

Philip Mason in his history of the Indian Army supports Auchinleck’s decision, “The British were fighting for the freedom to give Indian freedom; Bose was fighting to take the freedom which they were going to give. In three years’ time everyone would be shouting ‘Jai Hind!’ Would it really have been wise to treat them strictly as rebels?” (Mason, Honour, 519) But at the same time he realized that many in the army were most unhappy, seeing the release of the men as “a negation of justice and a betrayal of those who had stood fast.” (Mason, Honour, 522)

Although it appeared with this sensible decision by Auchinleck that the British Raj had learned a lesson the hard way, it was not learned well enough. Another trial was started on February 10, 1946, again in the Red Fort. This time Captain Abdul Rashid of the INA was before the bar. Public demonstrations against this trial began in many Indian cities. In Calcutta, huge student meetings were held on February 12, 13, and 14, and military forces had to be called out to contain them. Several students were killed. One demonstrator-cum-historian, Gautam Chattopadhyay has maintained that governmental control was on the edge of collapse and that it was a true revolutionary moment. Although the Congress backed away from the students’ rallies, while the Communist Party of India encouraged them, the severe repression by the Raj succeeded. Chattopadhyay, in chronicling this brief upheaval, has pointed out that all communities and political parties joined the INA demonstrations. They deflected negative communal
emotions and transmuted them into powerful anti-imperialist ones. Both kinds of sentiments were there as these and other events of 1945 to 1947, including the naval mutiny in Bombay, amply demonstrate.

The centrality of the trial in Indian political life shortly changed. The Muslim League protested to Auchinleck about the trial of Abdul Rashid. But the unity of all political organizations evaporated. Through 1946 communal disturbances went from small-scale events to the terrible carnage of the Great Calcutta Killing in mid-year. The Muslim League ministry in Bengal was blamed for it and many not only in Bengal but elsewhere now thought that Hindus and Muslims could not live harmoniously in a single polity. British India was en route to partition.

Lakshmi Sahgal, the INA’s woman leader, said sadly in an interview years later that Gandhi and the Congress, though they talked of this cooperation between communities were slanted towards the Hindus and always saw the Muslims as separate from them. As I have argued elsewhere, after the Great Calcutta Killing in 1946, it was difficult for the two communities to work together. The INA under Subhas Bose, she insisted worked for a truer spirit of one India, one community of Indians. This spirit, however, was dissipated and lost, particularly, she said, through a lust for power and positions, particularly by some on the civilian side of the Free India Centre and the Indian Independence League. Some gained political and diplomatic posts, but none of the military men were re-integrated into the Indian Army. She lamented that her lost hero would never have agreed to partition, but it shortly engulfed the subcontinent. (Sahgal, Revolutionary Life, 153-54, interviews, March 1989)

Two other major trials were held at nearly the same time in 1945 and 1946 which were tied to events and leaders in the war. Did these other trials in Nuremberg and Tokyo resemble the Red Fort trial in any way? Were similar laws used to bring charges against the defendants? And were the contexts of these other tribunals similar or different?

**The Nuremberg Trial**

The trial in Nuremberg, Germany from late 1945 into 1946, is the most important of all the post-war trials because in preparation for this trial a charter was laid down of laws and specifications which were to influence later trials, tribunals, and provide a path to the establishment of the International Criminal Court in 2002. Twenty-nine defendants were charged in this particular trial, though
others were charged in other European countries and in Germany and trials continued for those charged with war crimes on and off for decades. The Eichmann trial, discussed below, is the most famous of these later trials in which officials and military officers of the Third Reich were brought before the bar.

The trial was dominated by British and American judges and an American prosecutor, and one analyst of such trials after wars insists that it was an American affair. An ill-tempered argument went on through the late war and early post-war period between American Secretary of War Stimson and Secretary of the Treasury Henry Morgenthau. Stimson wanted suitable trials and American-style legal procedures to be followed. Morgenthau and others wanted summary executions of Nazi war leaders. They warred for the support of American president Franklin Roosevelt. In the end, Stimson and the legalist position was victorious. (Bass, Stay the Hand, 150-73)

With Roosevelt now dead, President Truman appointed Supreme Court Justice Robert Jackson to represent the United States in London as the Allies drew up groundrules for the forthcoming trials of Nazi leaders. The Nuremberg Charter which laid down new pathways for international law, specified crimes against peace (e.g., aggressive war), crimes against humanity (e.g., ethnic cleansing), and ordinary war crimes (torture and brutality, especially to prisoners of war). The creators of the charter said the provision about the illegality of aggressive war was based on the Kellogg-Briand Pact. They were trying to avoid the charge by possible defendants’ lawyers that such cases were based on ex post facto laws, laws formulated after the offenses had been committed. (Bass, Stay the Hand, 172; Persico, Nuremberg, 372, 384). The charter writers also induced the Soviet Union to go along with it, although Stalin had suggested on several occasions that 50,000 or more Germans should be summarily executed or have show trials and then be shot. (Bass, Stay the Hand, 195ff)

With this charter in hand the main trial at Nuremberg got underway in late 1945 with several of the important Nazis in the dock and military leaders of the Third Reich as well. The Allies gathered troves of documents to prove the Nazi conspiracy against the peace of Europe and the world. They detailed the war the Germans made and the roles of the accused. The trial judges ruled that the defendants were prohibited from pleading tu quoque (tu kwa kwee, or “you did it too”) concerning actions of the Allied powers, such as the firebombing of German cities. (Persico, Nuremberg, 338) The prosecuting team also had to thread their way between the issuing of orders (command responsibility) and the carrying out
of orders. The latter defense position was that the person charged was just carrying out Hitler’s or Himmler’s orders and therefore was not responsible for the acts committed. The prosecutors were determined not to let defendants off the hook by either route, either by arguing that an official at the top was not responsible for how his orders were carried out or by arguing that one lower down in the chain of command was simply doing his duty and not responsible for what transpired.

Of the defendants, 21 were convicted, one died during the trial, two committed suicide (one during and one at the end of the trial), three were found innocent, and seven were given prison terms. Albert Speer received a sentence of 20 years, Rudolph Hess a life sentence. Twelve were executed. The Soviet prosecutor wanted all to be convicted and executed, but was overruled by his colleagues.

The Tokyo Trial

The Allied powers had also pledged to try Japanese war criminals, but one significant exception was made both in the peace agreement with the Japanese and the trial itself: the emperor was excluded from blame so that the imperial institution of Japan would be preserved. The emperor privately recorded some testimony in answer to questions but this was not used in the trial. The Americans who were those responsible for the shape and course of the trial wanted to preserve a stable and conservative Japan, so their officials plus the emperor’s inner circle worked to whitewash him and shield him from any responsibility. Herbert Bix, an important biographer of the emperor, has argued that he was involved in the important decisions throughout the pre-war and war periods.

The Tokyo trial of Japanese military officers and government officials was held from May 1946 to November 1948 and was the longest of the trials discussed here. Japanese military and civilian leaders were charged and ‘took the fall’ for Japanese actions. The court and the defendants carefully excluded the emperor from responsibility. The framework of the trial drew upon the Nuremberg Charter. The defendants were charged with crimes against peace including conspiracy to wage aggressive war and conducting such a war. They were also charged with crimes against humanity (e.g., how they treated prisoners of war and civilian populations) and conventional war crimes.

This trial touches India more directly than the Nuremberg or Eichmann trials because India was vitally involved in the Pacific and Asian war, and because an Indian judge played an important and controversial role. There were eleven judges,
and the last two, from India and the Philippines were added as the trial was to begin, almost as an afterthought. Radha Binod Pal, the Indian judge, who had not been the first choice of Raj officials, arrived late. Judgments of the court only required a majority vote.

The prosecutors, following Nuremberg guidelines, laid out evidence for a conspiracy to undertake aggressive war, and then decisions through the period 1928 to 1945 to carry through this plan. The defendants included many important political and military officials from the mid-1930s to 1945, but some observers felt there was a certain arbitrariness in the choice of those being judged.

There were many critics of the charges concerning aggressive war and, in the end, the judges absolved the defendants of the conspiracy charges. Judge Pal, and many commentators at the time and since, maintained that the evidence presented about aggressive war and on other charges was weak. Pal said that one could not draw a clear line between a nation’s self-defense and aggressive action. He further argued that one should not hold individual government officials responsible for actions of the state. Thus he rejected the so-called ‘command responsibility’ line taken by the prosecution. The defense, of course, insisted that all of Japan’s moves from 1928 to 1945 were dictated by self-defense. And the defense said that the judges were using *ex post facto* law on crimes against peace and humanity. Pal brushed off Japanese war crimes in China and portrayed China as a failed state into which the Japanese were justified to enter. He did admit that there were some ordinary war crimes by Japanese soldiers in Nanjing and elsewhere, but he excused officials at the top for these crimes. He seemed to identify with Japanese Pan-Asianism as a cause worth supporting against Western imperialism.

Pal was from a relatively poor background in a Nadia village, but was an exceptional student, and with the help of teachers and philanthropists, made his way to Presidency College, and graduated with honors in mathematics in 1907. He taught in Mymensingh, and at the same time earned a law degree. With this in hand, he handled income tax cases and lectured on the history of Hindu law at Calcutta University. Serving as Vice-Chancellor of Calcutta University, 1944-46, he was an officiating judge at the Calcutta High Court. Shyama Prasad Mookerjee, a leader of the Hindu Mahasabha was a friend, though not a great deal is known of his political views and they are usually extrapolated from his Japanese court dissent.
Pal also wrote in his dissent from the majority’s decisions in the case,

In the Pacific war under our consideration, if there was anything approaching what is indicated in the above letter of the German Emperor (who said during WWI: “...everything must be put to fire and sword; men, women and children, and old men must be slaughtered and not a tree or house be left standing.”), it is the decision coming from the Allied Powers to use the atom bomb...If any indiscriminate destruction of civilian life and property is still illegitimate in warfare, then, in the Pacific war, this decision to use the atom bomb is the only near approach to the directives of the German Emperor during the first world war and of the Nazi leaders during the second world war. (quoted in Minear, Victors’ Justice, 100-101)

As in the Nuremberg trial, the judges ruled there was a prohibition on *tu quoque*, or any war crimes committed by the Allies. The majority of the judges convicted almost all the defendants and many were sentenced to death, some to imprisonment. Pal found all the defendants innocent on all charges. The court did as little as possible to make his findings and judgment see the light of day.

Ashish Nandy in an essay on Pal connects his stance in the Tokyo case to his understanding of Hindu law, epics, and ethics. He wrote,

Behind Pal’s liberal conviction lay, however, another cultural world with its own ethics. Pal also had to establish the continuity between the culpability of the accused and that of the plaintiffs, as persons and as nation-states. His judgment had to establish that the responsibility for the war in the East was not one-sided. That responsibility had to be shared by both sides. That even though the war had to be fought as if *dharma* was on one side and *adharma* on the other, exactly as the war in the Mahabharata was fought, victory imposed other responsibilities, including those relating to the interpretation of the origins or sources of the war itself...(Nandy, “Other Within”, 79)

Pal had to publish his judgment himself and one edited version of his 1235-page decision was published as Argument for Japan’s Innocence in Japan. He visited Japan in 1952, 1953, and 1966, and was often treated as a hero. The right wing in Japan has used his views for two decades to clear Japan of war crimes. (Nariaki, “Justice Pal,” 202ff)

Let me briefly describe a meeting which Anita Bose Pfaff, her husband Martin, and I had with the Indo-Japanese Friendship Society, composed of retired Japanese military officers, in the summer of 1979. There was a question period and we were
urged to ask anything we liked. So, in my innocence, I asked, why did Japan attack the United States in 1941. General Katakura, who had played a leading part in Japan’s expansion through southeast Asia, became quite enraged and said, “America was trying to crush us.” A short powerful man, about five feet by five feet by two feet, I thought he would be happy to crush me like a bug. Was America trying to crush Japan in the years 1937 to 1941, or simply and nobly trying to check Japan’s imperial expansion? Were all of America’s and Britain’s actions in the Asian part of the conflict so clear of selfish motives and later necessarily violent responses as we Americans believed then? And what of the trials that we, taking the lead for the Allied powers, took after the war to try what we called Japanese war criminals? The fire bombing of Tokyo in which about 100,000 died and then the atomic bombing of cities with mostly civilians was brought into the discussion: why should the US officials not also be tried for war crimes against humanity?

Then I asked why did the Japanese underestimate the American soldiers? General Arisue, head of Japanese intelligence, 1943-45, answered: “I had observed American military men in Europe during the interwar period, and I thought they were only good at screwing French girls.” Yes, several of the Japanese officers answered, we did underestimate them and learned they could fight just as well as we. In the subsequent discussion, the Japanese military officers said to me: we have answered your questions, and now we want to ask you one: why did the Americans fight so well against us and so poorly in Vietnam. I answered: against the Japanese we were fighting for our country, our survival. We had been attacked at Pearl Harbor and in the Philippines. In Vietnam we were not fighting for our survival. Many draftees knew this and wanted to get in and get out without dying there. Furthermore many of these soldiers were taking drugs. The Japanese questioners greatly objected to this last remark. They insisted that no soldiers ever took drugs. Although I knew that they were wrong, I could not argue with them.

The Eichmann Trial

The trial of Adolph Eichmann in Jerusalem in 1960-61, the last of the cases discussed here, is important because it is one of those in which a nation formed after the war itself captured an important officer of the Third Reich in another country, brought him back to Israel, and brought him to justice focusing on his crimes against humanity and the Jewish people. The court drew upon the Nuremberg contract and expanded it further. The court brushed aside the insistence by
defense attorney Sevatius that it was an illegal trial based completely on *ex post facto* laws. No such laws about crimes against humanity, he said, existed when the German and Eichmann’s actions were committed.

Eichmann maintained that he was simply carrying out orders and that rather than a key figure carrying through the destruction of European Jewry, he had been a friend of the Jews. The prosecutor, Gideon Hausner, brought in many victims of the Holocaust, even if they had never seen Eichmann, to present graphic testimony about its horrors.

The trial itself and one commentary on it by the noted philosopher Hannah Arendt raised issues about the character and role of officials in a great war and also about resistance to tyranny. A similar issue about ‘command responsibility’ was raised at Nuremberg and Tokyo. Arendt subtitled her book on the trial ‘a report on the banality of evil’. She traced his life course showing his lack of conscience, lack of initiative, and horror when confronting death. Her critics argued that she did not understand Eichmann’s skill, responsibility and true character. Had he been only a thoughtless, self-seeking bureaucrat carrying out the orders of Hitler and Himmler? Even Arendt seemed to demonstrate that he was more than one small cog in a great killing machine: he moved the Jews around Europe to the death camps with ability and energy. He was known first as the expert on Jewish migration by arranging deals in the 1930s to allow some Jews to leave Europe, but once the Final Solution was decided upon, he became the transportation expert. Regardless of how important or unimportant he had been, how banal or how crafty, Eichmann was surely condemned to death at the moment he was captured by Israeli agents in Argentina.

**Conclusions**

All of these trials served important educational functions for both local and much wider publics. Each was unique but they served to bring to light extensive documentation of what had transpired in this greatest of human conflicts to date. Sometimes the ‘education’ was not quite what those who conducted the trials expected. The ‘hidden’ or only partially known history of the INA, of the Holocaust, of Japanese expansion, came much more fully into view. The Indian public learned more of the INA and Bose’s provisional government, the world learned of the ‘war against the Jews’, and the brutality of the Japanese war on China.
There is one contrast between the Red Fort trial and the other three trials outlined here. The prosecutors and judges in the Red Fort trial tried to confine the issues and charges to the Indian domestic and military sphere. They argued that international and Indian nationalist issues were not involved. They tried their best to narrow the focus, to avoid international law, international precedents, and the question of international conflicts between belligerent nations. Shah Nawaz, Sahgal, and Dhillon had simply violated their oath to the King-Emperor, become turncoats, and should be found guilty and punished primarily for that. The defense tried to widen the frame, to place the charges and issues in the wider expanse of international law, precedents, and the worldwide history of nationalist struggles by conquered peoples. The judges, as expected, ruled for the prosecution’s view.

But in then General Auchinleck had to consider the ramifications within the wider field. Doing so led him to commute the sentence of transportation for life and release the men. It was a trial held in the context of a dying colonialism.

In the other three cases, the prosecutors, with the agreement of the judges widened the scope of international law to include crimes against peace and crimes against humanity as well as the well-founded charges of war crimes under the Geneva Convention. Many have argued that they tried defendants under ex post facto laws, laws created after the actions were carried out. In the three cases, this defense was excluded, and the trials moved ahead to their conclusions. Most of the defendants were executed, a few acquitted, and others given prison terms. The Red Fort trial was thus unique in that the defendants were found guilty, but then immediately had their sentences commuted.

The Red Fort, Nuremberg, and Tokyo trials were conducted by victorious powers in the war. So one can say they were victors’ justice shaped by political decisions among the Allied and associated powers. The Eichmann trial, however, was conducted by the state of Israel, which was built on the ashes of the Holocaust by survivors who wanted to educate the young about the resilience of their parents and what they had endured en route to statehood.

**War Crime Trials and Tribunals in the Post-War Era**

Only four trials in the wake of World War II have been considered here. There were literally hundreds of trials in dozens of countries affected by the war. Hundreds of defendants were executed, usually for ordinary war crimes as specified in the Geneva Convention. But no centralized institution was established by the
United Nations immediately after the war to carry out war crimes trials. However, in the wake of the ethnic cleansing and brutalities in the conflicts in the former Yugoslavia, a UN tribunal, the International Criminal Court for the Yugoslav Wars, was set up and trials were held in the mid-1990s and subsequently one for Rwanda was also established. The Rwanda tribunal was finally closed down in December 2015 after 21 years. A UN International War Crimes tribunal was established in 2002 in the Hague and trials have been and are now being conducted. They are usually of the officials or military officers of a state which has carried out brutal acts against other states. Crimes against Humanity, Genocide, and ordinary war crimes are considered. A formulation to cover Crimes against Peace, or what was called ‘aggressive war’ is under consideration. Trials have also been held to bring those who have murdered and brutalized the population of their own state such as in Cambodia. A different course was taken in South Africa, an attempt at reconciliation between former rulers and ruled.

As our violent era has extended from the Second World War, there have been numerous calls for trials of leaders of aggressive nations, including the United States. During the Vietnam war, critics of the war demanded that top officials be brought to trial for actions large and small. One military officer, Lieutenant Calley, was charged and convicted in the My Lai massacre case, but his sentence was later commuted by President Nixon. How are we judge what are ‘war crimes’ and who is to be charged, and who is to conduct the trial? Some of us might want to indict President Lyndon Johnson, Secretary of Defense Robert McNamara, General Westmoreland, Richard Nixon, and Henry Kissinger for crimes against peace (in Vietnam), and George W. Bush, Dick Cheney, and Donald Rumsfeld for crimes against peace in Iraq, but how could they possibly have been brought before a court? And what court? Powerful states have avoided trials in any international court unless defeated in war by even more powerful states or groups of states.

Although there have been terrorist acts carried out by non-state actors and organizations over centuries, we are living through an era in which such acts are every-day occurrences. Should such actors, if caught, be tried as terrorists or common criminals? Calls for their punishment by those suffering from such acts or their governments have been common, but trials, so far, have been rare. Rather than trials, some states have simply tried to kill the offenders, such as by U.S. drone attacks on members of al-Qaeda or ISIS. Summary executions were recommended by Joseph Stalin, and even by Winston Churchill, and some American officials in the aftermath of World War II. But usually judicial procedures were
adopted as ‘legalism’ was adopted by the Allies and trials were held. It seems likely that going forward we are going to see both summary executions and trials for those located or captured for what are called ‘war crimes’. The victors’ will find their way by one route or another.

**Postscript:**

It happened that I met the three defendants in the Red Fort trial. I interviewed Shah Nawaz in the 1960s, but met Sahgal and Dhillon often at Netaji remembrance meetings and seminars in Calcutta. I was especially drawn to Dhillon, a blunt and charming man, outspoken and devoted to his friends, stubborn and impulsive. He could also be diplomatic as circumstances demanded. As I began to work at my task of tracking the Boses, my friend Joyce Lebra said to me, “If you are going to study the INA, you need to drink with the INA.” I am not much of a drinker, but I did some. This was also true in Japan. General Arisue, head of Japanese intelligence in the last years of the war said to me, “We have to go out and drink together and then I will decide if you can interview me.” Fortunately I passed his test.

In the 1970s and 1980s I made a number of trips to India and brought presents for friends. Indian duties on many items were ridiculously high. As I could bring one bottle of liquor duty free I wondered which Indian friend would most appreciate that one bottle I could bring with me. Clearly it was Colonel Dhillon of the INA. I brought a bottle of Johnny Walker scotch whiskey to Delhi and sent a note to him in Madhya Pradesh. He sent a man from there to Delhi to pick it up. I thought this was quite remarkable. When I met him shortly thereafter, he said to me, “The wonder was not that I sent someone to pick it up, but that you never opened it to have a sip.”

Some people touch your heart: Bakshi as he was known to friends was one who touched my heart and those of numerous others. He was one of the remarkable Indians devoted to Subhas Bose. Lakshmi Sahgal was another. Both were wonderfully talented speakers who are remembered, surely, but, who I think, could have made an even bigger mark after 1946 in the right circumstances. They both had talent and charisma, have passed on, and are missed.
Bibliography:


Interviews with Colonel Sakai, Tokyo, August 6, 1979, with Major Kono, Aug. 4, 1979, with Colonel Nonogaki, Tokyo, July 25, 1979; Dr. Yoshimi, Takajo Machi, Kyushu Island, Japan, Aug. 1, 1979; Kazuo Mitsui, July 30, 1979.


Sareen, T.R ed. Select Documents on Indian National Army, Delhi: Agam Prakashan, 1988
Dr. Umasankar Sarkar

Dr. Sisir Kumar Bose receiving Netaji’s Sword from General Fujiiwara, March 1967 and Inaugural Session of the First International Netaji Seminar, 23 January 1973, organized by Dr. Sisir Kumar Bose.

Vol XXXIX, January 2017 - No.1
Photographic and Documentary Materials from the archives of Netaji Research Bureau

Cover Photograph: Dr. Sisir Kumar Bose receiving Netaji’s Sword from General Fujiiwara, March 1967 and Inaugural Session of the First International Netaji Seminar, 23 January 1973, organized by Dr. Sisir Kumar Bose.

Copyright: Netaji Research Bureau
Edited by: Sugata Bose
Designed and Printed by: Virtual Media
Published by: Dr. Umasankar Sarkar
From:
Netaji Bhawan, 38/2 Lala Lajpat Rai Sarani, Kolkata 700020, India

Netaji Research Bureau