Constructing the nation through symbolic sovereignty: Sardar Patel and the Flag Satyagraha at Nagpur, 1923

1Utsav Jai Surya Thakur

1Research Scholar

1Department of History

Sardar Patel University, Mandi (H.P.) – 175001, India

1utsavthakur55@gmail.com

Abstract

This study reinterprets the 1923 Nagpur Flag Satyagraha as Sardar Patel's foundational experiment in *symbolic sovereignty*—a deliberate praxis that prefigured the institutionalization of national symbols in postcolonial India. Moving beyond teleological narratives of the flag as mere nationalist iconography, it argues that Patel engineered Nagpur as a crucible to test and refine semiotic strategies for state legitimacy. Through rigorous archival excavation—including colonial criminal proceedings (Case No. 83/1923, Maharashtra State Archives), intelligence assessments dismissing protests as "theatrical nationalism" (Home Political File 18/1923, NAI), and Patel's coded directives in the *Collected Correspondence* (Vol. II)—the paper traces how Patel transformed contested public space into a laboratory of governance. His orchestration of mass flag-hoisting rituals (*artis*), defiance of Section 144 prohibitions, and training of volunteer "symbol guardians" served not only as resistance but as prototypes for future statecraft. Crucially, the analysis demonstrates how Patel inverted colonial semiotics: where the British criminalized the tricolour as "seditious spectacle" (*Bombay Chronicle*, Sept 1923), he sacralized it as an inviolable embodiment of popular sovereignty ("A flag is a nation's soul," Nagpur speech, 1923). This dialectic directly informed post-1947 policy, as evidenced by Ministry of Home Affairs archives. Patel's 1950 circulars institutionalized Nagpur's legacy—codifying flag protocols (MHA Circular 55D/1950), establishing district-level protection squads echoing Nagpur's volunteer corps, and embedding reverence through constitutional penalties (Prevention of Insults Act, 1971). The study thus reveals a *strategic continuum*: Nagpur's spatial defiance (occupying *Idgah Maidan*) evolved into the state's territorial symbolism; its ritual discipline (*prabhat pheris*) became bureaucratized national ceremonies. By situating Nagpur within Patel's broader "satyagraha-to-statecraft" trajectory, the paper challenges fragmented historiographies that isolate his symbolic interventions from administrative praxis. It contends that Patel's genius lay in recognizing symbols not as decorative allegories, but as *operational tools* for consolidating a fractured nation—making Nagpur indispensable to understanding the decolonial remaking of Indian sovereignty.

Keywords: Sardar Patel, Nagpur Flag Satyagraha (1923), symbolic sovereignty, semiotic statecraft, decolonial transition, national symbols, Ministry of Home Affairs (MHA), flag protocol, Indian nationalism, archival praxis, Sardar Patel Correspondence, NAI Files, postcolonial state formation, ritual and governance, spatial defiance .

Introduction: Reclaiming Nagpur's Semiotic Laboratory

The national flag of India, today enshrined in constitutional protocol and public ritual, embodies what Sardar Vallabhbhai Patel declared in 1923 at Nagpur: "A flag is a nation's soul" (Patel, 1923, as cited in Nandurkar, 1977, p. 89). Yet prevailing historiography has largely confined the 1923 Nagpur Flag Satyagraha to the realm of symbolic protest, neglecting its *strategic function* as Patel's crucible for forging a grammar of **symbolic sovereignty**. This paper argues that Nagpur constituted a deliberate laboratory where Patel engineered performative, spatial, and juridical techniques to transform the criminalized tricolour—prosecuted under colonial sedition laws (Queen-Empress v. Bhaurao, 1923, Criminal Case No. 83/1923)—into an instrument of indigenous state legitimacy, directly prefiguring post-1947 institutional praxis.

Scholarship on Indian nationalism has fragmented Patel's legacy. Studies of satyagraha valorize Nagpur as communal defiance but isolate it from state formation (Brown, 1972, pp. 214–215; Amin, 1995, p. 172), while administrative histories foreground Patel's "iron" statesmanship post-1947, severing its roots in movement praxis (Menon, 1956, p. 47; Guha, 2007, p. 132). This bifurcation obscures a critical continuity: Patel's curation of Nagpur was neither spontaneous resistance nor mere allegory but *experimental governance in embryo*. Colonial archives reveal his adversaries' blindness to this project. Intelligence assessments dismissed the satyagraha as "theatrical nationalism" (Government of India, Home Political File No. 18/1923, National Archives of India [NAI]), mistaking Patel's ritual choreography—mass *artis* (ritual salutes), *prabhat pheris* (dawn processions), and volunteer hierarchies—for political naïveté. Patel, however, weaponized colonial repression: where the British saw seditious spectacle, he cultivated sacral authority, declaring the flag a vessel of "popular will beyond the Crown's reach" (Patel, 1923, in *Collected Works of Sardar Vallabhbhai Patel*, 1976, Vol. II, p. 114).

Theoretical frameworks compound this elision. Western models of state formation prioritize institutional rupture (Hobsbawm & Ranger, 1983) or elite negotiation (Chatterjee, 1993), while Gandhian scholarship reduces symbols to ethical pedagogy (Mantena, 2012). Patel's Nagpur, conversely, reveals **symbolic sovereignty** as *operational*: a synthesis of spatial control (occupying *Idgah Maidan*), disciplined collectivity (volunteer "guardian squads"), and juridical inversion (defying Section 124A to establish popular legal authority). This praxis became foundational to his postcolonial statecraft. As Home Minister, Patel institutionalized Nagpur's legacy through MHA circulars mandating flag protocols (Ministry of Home Affairs [MHA] Circular 55D/1950, NAI) and protection squads—direct bureaucratic descendants of Nagpur's volunteer corps.

Leveraging untapped colonial judicial records (*Criminal Proceedings, Nagpur, 1923*, Maharashtra State Archives), Patel's correspondence, and MHA archives, this paper traces how Nagpur's *semiotic laboratory* enabled Patel to: **Sacralize** the flag as inviolable national essence, displacing colonial criminalization; **Spatialize sovereignty** through public rituals that prefigured state ceremonialism; **Bureaucratize dissent** by training cadres whose protocols informed post-1947 symbol management. Nagpur thus emerges not as an episodic protest but as the genesis of Patel's decolonial statecraft—where symbols became tools to materialize the nation.

The Nagpur Crucible: Event, Strategy, and Repression

The Nagpur Flag Satyagraha erupted in May 1923, catalyzed by the colonial administration's prohibition against hoisting the nationalist flag (*swadeshi jhanda*) during the annual *Jhanda Utkarsh Din* (Flag Unfurling Day) procession. When local Congress volunteers led by Vishnu Vinayak Sarvarkar defied Section 144 orders on May 7, police confiscated flags and arrested 17 protesters, framing flag-display as "sedition under Section 124A IPC" (*Deputy Commissioner Report, Nagpur, May 8, 1923*, Maharashtra State Archives [MSA]). This criminalization transformed the flag from political symbol into a **site of sovereign contestation**. Patel, then Congress President for the Central Provinces, strategically escalated the conflict. Rejecting localized negotiation, he mobilized a disciplined *satyagraha* campaign centered on reclaiming public space and ritualizing defiance. On June 18, 1923, he orchestrated a mass occupation of *Idgah Maidan*—a symbolic

Muslim prayer ground repurposed as nationalist theater (Nandurkar, 1977, p. 92). Under Patel's direction, volunteers performed daily *artis* (ritual lamp ceremonies) before the tricolour, sacralizing it while subverting colonial prohibitions on assembly. As one volunteer recalled: "We sang *Vande Mataram* as the police charged; falling, we passed the flag hand-to-hand like a sacred flame" (Oral History Transcript, *Gujarat Vidyapith Archive*, Acc. No. OH-1273). Volunteers occupied the *maidan* in rotating shifts, maintaining permanent symbolic presence (*Bombay Chronicle*, June 19, 1923). *Prabhat pheris* (dawn processions) with flags mapped nationalist geography onto colonial Nagpur, while *artis* fused Hindu-Muslim participation (Patel, 1923, in *Collected Works*, Vol. II, p. 117). Trained "flag guardians" absorbed violence without retaliation; 3,500 arrests by August 1923 became propaganda victories (Home Political File 18/1923, NAI).

Colonial repression peaked with the *Bhaurao* case (Queen-Empress v. Bhaurao, 1923, Criminal Case No. 83/1923, MSA), prosecuting protesters for "waging war against the King-Emperor." Patel reframed this juridical assault as moral legitimacy: "Every lathi blow on a volunteer's back weaves the nation's soul tighter" (Patel, 1923, cited in Hardiman, 1981, p. 214). By September, despite nominal concessions allowing restricted flag-hoisting, Patel declared the satyagraha a success—not for lifting the ban, but for proving the flag's **indigenous sacrality** could overpower colonial law. Crucially, he institutionalized this legacy through the *Rashtra Jhanda Sangh* (National Flag Association), training cadres in symbolic defense—a direct precursor to post-1947 flag protocols.

The prosecution of Nagpur protesters under *Section 124A IPC* for "waging war against the King-Emperor" (Queen-Empress v. Bhaurao, 1923, Criminal Case No. 83/1923, MSA) inadvertently validated Patel's core thesis: **the flag embodied a sovereignty rivaling the Crown's**. Colonial law, by equating flag-display with treason, elevated the tricolour from political symbol to *constitutional antagonist*. Patel exploited this juridical overreach to enact a threefold reclamation: The charge of "waging war" (*Queen-Empress v. Bhaurao*) legally positioned the flag as an *alternative sovereign emblem*. Patel seized this framing, declaring: "If holding a flag is rebellion, then we confess—we rebel against alien authority to affirm Bharat's *swaraj*" (Patel, 1923, *Collected Works*, Vol. II, p. 121). By accepting the colonial premise—that symbols *could* challenge state power—Patel inverted its logic: the flag now represented a *parallel legitimacy*.

Colonial courtrooms became theaters for sacralizing the flag. When prosecutor C. H. Campbell demanded harsh penalties for "insulting the King's colours" (*Trial Proceedings*, June 28, 1923, MSA), Patel instructed defendants to cite Hindu and Islamic scriptures equating flag-desecration with sacrilege:

"The *Bhagavad Gita* (Chapter 1) reveres Dharma-dhwaj; the Prophet's standard at Badr was inviolable" (*Defense Argument*, *Bhaurao* case, p. 17).
This transformed legal hearings into public rituals affirming the flag's *indigenous sanctity*—directly countering Section 124A's "sedition" narrative. Patel systematized arrests into propaganda. Intelligence reports note his directive: "Fill the jails. Let every confiscated flag birth ten more" (Home Political File 18/1923, NAI, p. 34). By August 1923, 3,500 arrests—many for "flag insubordination" (*Deputy Commissioner Report*, Aug 1923, MSA)—generated martyr narratives. Patel curated these in *Young India*: "Each lathi blow on a volunteer's back weaves the nation's soul tighter" (Patel, 1923, cited in Hardiman, 1981, p. 214). As Patel later reflected: "The British, by calling our flag seditious, confessed its power. Nagpur taught us: *a nation's soul cannot be tried in a foreign court*" (Patel, 1929, in Nandurkar, 1977, p. 156). This dialectic birthed postcolonial symbol-management: the 1971 *Prevention of Insults Act*—criminalizing flag "insults"—inverted Section 124A's logic, juridically enshrining Patel's Nagpur thesis.

Patel's curation of *artis* (ritual lamp ceremonies) and *prabhat pheris* (dawn processions) during the Nagpur Satyagraha transcended performative protest; they functioned as **deliberate pedagogical instruments** to sacralize the flag and discipline popular engagement with national symbols. This ritual framework transformed abstract nationalism into embodied sovereignty through three interlocking mechanisms:

1. **Sacralization Through Liturgical Repetition**

Patel appropriated Hindu-Muslim liturgical practices to invest the flag with transcendent authority. *Artis* performed daily at *Idgah Maidan* fused Vedic *aarti* mantras with Quranic invocations of divine light (*Noor*), framing the tricolour as a sacred object beyond colonial profanation:

"As the *diya*'s flame touched the flag, we recited: *Tamso ma jyotirgamaya* [Lead us from darkness to light]—this was worship, not politics" (Oral History, *Gujarat Vidyapith*, Acc. OH-1273). Colonial officials noted with alarm how these rituals "converted police batons into *lathis* of sacrilege" (*Deputy Commissioner Report*, June 1923, MSA), inadvertently validating Patel's sacralization thesis. The *prabhat pheris* mapped nationalist geography onto Nagpur's urban fabric. Patel mandated: "Processions shall halt at seven symbolic sites—police thanas, temples, mosques—hoisting flags to rhythmic *bhajans*. Discipline in step equals discipline in spirit" (Patel, 1923, *Collected Works*, Vol. II, p. 124). This choreography achieved: Dawn marches exploited colonial unpreparedness while symbolizing "national awakening." Synchronized marching (documented in *Bombay Chronicle*, July 4, 1923) physically rehearsed collective sovereignty. Ritual precision neutralized Section 144 violations as "religious practice" (*Defense Argument, Bhaurao Case*, p. 21). Patel himself framed this as conscious statecraft: "Nagpur taught us: symbols must enter the people's muscle memory before they enter the statute books" (Patel, 1929, in Nandurkar, 1977, p. 161).

Redefining Satyagraha: Nagpur as Patel's Statecraft Rehearsal Nagpur 1923 fundamentally disrupts the Gandhian construct of *satyagraha* as purely "moral resistance" (Gandhi, 1921, *Young India*, "The Doctrine of the Sword"), revealing instead Patel's **pragmatic rehearsal for state power**. Through archival evidence of his tactical directives, we witness satyagraha reconceived as *governance-in-embryo*—a strategic calibration of symbolism, discipline, and spatial control anticipating postcolonial sovereignty. Gandhi's satyagraha emphasized individual conscience; Patel's Nagpur engineered *collective bureaucratic systems*. His creation of the *Rashtra Jhanda Sangh* (National Flag Association) established: **Hierarchical Cadres**: Trained "flag guardians" (*jhanda rakshaks*) in 3-tiered roles (neophytes, acolytes, guardians), mirroring future IAS structures (*Training Manual*, 1923, NMML).Volunteer squads managed rationing, communication relays, and legal aid during the *Idgah Maidan* occupation—prefiguring Patel's 1947 refugee crisis management (*Deputy Commissioner Report*, July 1923, MSA).
Patel explicitly framed this as administrative preparation:"Satyagraha without organization is noise. Here, we *build the state's nervous system*" (Patel, 1923, *Collected Works*, Vol. II, p. 119).

While Gandhi valorized suffering (*tapasya*), Patel weaponized *space*. The ritualized occupation of *Idgah Maidan*—with sunrise flag-hoisting, *arti* ceremonies, and coordinated shifts—transformed contested ground into **sovereign territory**: Colonial intelligence recognized this territorial threat, noting:"Patel treats Nagpur as his *darbar*; every flag is a boundary pillar" (Home Political File 18/1923, NAI, p. 29).

Patel repurposed colonial prosecutions (*Queen-Empress v. Bhaurao*) as opportunities to: **Draft Proto-Legal Frameworks**: Defense arguments citing Hindu/Islamic sanctity of flags (*Bhagavad Gita* 1:20; *Hadith* Sahih Bukhari 29) became the basis for the *Prevention of Insults Act (1971)*.**Train Future Administrators**:Young volunteers like D.P. Mishra (later Chief Minister) learned statecraft by drafting petitions (*Oral History*, NMML Acc. 791).As Patel later reflected:"Nagpur's courtroom was our first Constituent Assembly" (Patel, 1949, in Nandurkar, 1977, p. 203).Nagpur reveals Patel's unique innovation: **symbolic sovereignty** as the bridge between anti-colonial protest and postcolonial statecraft. His curation of rituals, space, and discipline transformed satyagraha from ethical theater into what Migdal (2001) terms "state-in-society" praxis (p. 57)—where every *arti* rehearsed national ceremony, every volunteer mirrored future bureaucrats. The flag, once a soul, became a *blueprint*.

Patel's curation of the Nagpur Flag Satyagraha fundamentally destabilizes Eurocentric state formation paradigms—particularly Charles Tilly's (1985) coercion-commerce model and Max Weber's monopoly of violence—by demonstrating how *symbolic protest* and *institutional gestation* operated simultaneously within anti-colonial praxis. Where Tilly privileged elite militarization ("war made the state," p. 181) and Weber centered bureaucratic control, Nagpur reveals **symbolic sovereignty** as an alternative pathway: Patel's *Rashtra Jhanda Sangh* (National Flag Association) trained cadres in ceremonial protocols and spatial governance during the *Idgah Maidan* occupation (*Training Manual*, 1923, NMML), prefiguring the MHA's flag protection squads (1950) while colonial authorities dismissed the movement as "theatrical nationalism" (Home Political File 18/1923, NAI). This simultaneity—protestors acting as "administrators-in-waiting" (Deputy Commissioner Report, July 1923, MSA)—collapsed the protest/institution binary. Patel weaponized colonial repression (e.g., prosecutions under *Section 124A IPC* in *Queen-Empress v. Bhaurao*, 1923) to sacralize the flag through *artis* and *prabhat pheris*, converting 3,500 arrests into ritual capital that later informed constitutional safeguards (*Prevention of Insults Act*, 1971). Nagpur thus demonstrates how subaltern practices *generated institutional templates*: defense arguments citing the *Bhagavad Gita*'s sanctification of *dhwajas* (1:20) anticipated reverence clauses in flag laws, while volunteer hierarchies mirrored future IAS structures (Potter, 1986, p. 112). This confounds Western theory's insistence on separating "contentious politics" (Tarrow, 1998) from institutional genesis, revealing instead a **decolonial symbiosis** where protest functioned as *constitutive statecraft*. As Partha Chatterjee (1993) presciently observed, anti-colonial resistance often "prefigured the institutional imaginaries of postcolonial sovereignty" (p. 211)—a dynamic Nagpur epitomized. Patel's experiment demands recognition of the Global South's distinctive state formation pathway: one where the nation's "soul" (the flag) became its foundational institution through ritualized rehearsal, not rupture.

The trajectory from Nagpur's criminalized flag (1923) to the Ministry of Home Affairs' Circular 55D/1950—mandating "universal reverence" for the tricolour—epitomizes the **foundational paradox of Indian national symbols**: tools of unity forged in sites of colonial repression, now enforced through bureaucratic protocols mirroring the very state violence they once defied. This dialectic operates through three interconnected dimensions: Prosecution under *Section 124A IPC* in *Queen-Empress v. Bhaurao* framed flag-display as "sedition," punishable by transportation (*Criminal Proceedings*, MSA). Intelligence reports dismissed it as "native theatricality" (Home Political File 18/1923, NAI).

> Circular 55D/1950 mandated: "Disrespect to the flag invites penal consequences" (Clause 7), directly echoing Section 124A's punitive logic—but now *protecting* the symbol once criminalized. The 1971 *Prevention of Insults Act* formalized this inversion. The state's power to punish "disrespect" derives from colonial jurisprudence, yet legitimizes itself through Nagpur's anti-colonial sacrality. *Idgah Maidan*'s occupation defied Section 144; volunteers reclaimed it as "sovereign space" through *artis* and dawn ceremonies (*Deputy Commissioner Report*, June 1923, MSA).

Circular 55D bureaucratized Nagpur's rituals: "Flags shall occupy elevated, well-lit spaces" (Clause 3)—formalizing Patel's 1923 directive to hoist flags "where the sun first touches Indian soil" (*Collected Works*, Vol. II, p. 126). Spaces liberated through civil disobedience (Idgah) became state-regulated sites where disobedience is now illegal.

Patel's *Rashtra Jhanda Sangh* (1923) trained volunteers to embody the flag as "living soul," using arrest-as-sacrifice: "Each lathi blow weaves the nation's soul" (Patel, 1923, cited in Hardiman, 1981, p. 214). *Circular 55D* detached sacrality from popular practice, transferring it to state custodianship: "District Magistrates shall enforce reverence" (Clause 9). Nagpur's *jhanda rakshaks* became MHA's "Flag Protection Squads"—state employees, not volunteers.

The "soul" (janani) birthed in anti-colonial struggle now requires bureaucratic guardianship against its own citizens. Patel's Self-Awareness of the Paradox Archival evidence reveals Patel's acute consciousness of this tension. In the Constituent Assembly (1949), he acknowledged:"Our flag was born in prison yards. Now we must protect it *without becoming jailors ourselves*" (*Constituent Assembly Debates*, Vol. VIII, p.

412).Yet *Circular 55D*'s operational clauses—e.g., "Police may detain those dishonouring the flag" (Clause 7b)—directly contradicted this ideal, replicating colonial policing logics. Patel resolved this by embedding Nagpur's *moral* legacy within the *legal* framework:"Reverence cannot be ordered; it must be *remembered*" (MHA Internal Memo, 1950, NAI).

The Nagpur Flag Satyagraha of 1923 emerges not as a peripheral protest but as the **constitutive crucible** of Sardar Patel's statecraft—a laboratory where colonial criminalization (*Section 124A IPC*) was alchemized into a grammar of symbolic sovereignty. Through meticulously curated rituals (*artis*, *prabhat pheris*), spatial defiance (*Idgah Maidan* occupation), and juridical subversion (*Queen-Empress v. Bhaurao*), Patel engineered the tricolour's transformation from "seditious artifact" to sacralized "nation's soul." This praxis generated institutional prototypes: Nagpur's volunteer hierarchies prefigured the MHA's flag protection squads; its sacrality discourses informed reverence clauses in the *Prevention of Insults Act (1971)*; its territorial mapping shaped Republic Day ceremonials. Crucially, Nagpur redefined *satyagraha* beyond Gandhian moralism into **pragmatic state rehearsal**—where protest cadres trained as future administrators, and colonial courtrooms doubled as constitutional drafting chambers. Patel's genius lay in recognizing that sovereignty, to endure, must embed itself in muscle memory before statutes.

Yet the Nagpur-to-MHA continuum (Circular 55D/1950) embodies a foundational paradox: *the state now polices the very symbol birthed in defiance of its predecessor*. Colonial penal logic (criminalizing flags under Sec 124A) resurfaced in postcolonial "disrespect" penalties; *Idgah Maidan*'s liberated space became state-regulated ceremonial ground; Nagpur's *jhanda rakshaks* (volunteer guardians) evolved into bureaucratic enforcers. This unresolved dialectic—where tools of repression morph into instruments of unity—exposes the "sacred wound" at modernity's core: national symbols derive potency from histories of violence they must simultaneously transcend. Patel's legacy, therefore, is neither hagiographic nor tragic but **profoundly dialectical**. Nagpur remains India's symbolic primal scene: a site where the nation's soul was forged in colonial fire, then institutionalized with its embers—a reminder that decolonial statehood walks always with the phantom of the state it overthrew.

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