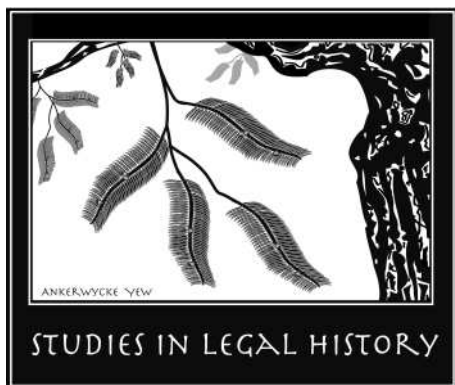


## Trials of Sovereignty

*Trials of Sovereignty* offers the first legal history of mercy and discretion in nineteenth and twentieth-century India. Through a study of large-scale amnesties, the prerogative powers of pardon, executive commutation, and judicial sentencing practices, Alastair McClure argues that discretion represented a vital facet of colonial rule. In a bloody penal order, officials and judges consistently offered reduced sentences and pardons for select subjects, encouraging others to approach state institutions and confer the colonial state with greater legitimacy. Mercy was always a contested expression of sovereign power that risked exposing colonial weakness. This vulnerability was gradually recognized by colonial subjects, who deployed a range of legal and political strategies to interrogate state power and question the lofty promises of British colonial justice. By the early twentieth century, the decision to break the law and reject imperial overtures of mercy had developed into a crucial expression of anticolonial politics.

Alastair McClure is Assistant Professor in the Department of History at the University of Hong Kong. His research has appeared in *History Workshop Journal*, *Law and History Review*, and *Modern Asian Studies*.



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(Continued after the Index)

# Trials of Sovereignty

## *Mercy, Violence, and the Making of Criminal Law in British India, 1857–1922*

ALASTAIR MCCLURE

*The University of Hong Kong*



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*For Devika*

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Abbreviations

AHCCRR	Allahabad High Court Criminal Records Room
AWN	Allahabad Weekly Notes
BL	British Library
CrPC	Code of Criminal Procedure
CWMG	<i>Collected Works of Mahatma Gandhi</i>
GOI	Government of India
ILR	Indian Law Reports
IPC	Indian Penal Code
Ind. Cas	Indian Cases
NAI	National Archives of India
NWP	North-Western Provinces
NCM	Noncooperation Movement
MSA	Maharashtra State Archives
PLCI	<i>Proceedings of the Legislative Council of India</i>
UPSA	Uttar Pradesh State Archives
TOP	Transfer of Power