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## GANDHI IN SOUTH AFRICA:

### THE ORIGINS OF HIS PHILOSOPHY OF NON-VIOLENT PROTEST

IN THE LAST TWO DECADES OF THE NINETEENTH CENTURY, self-governing Natal (a British Colony) and the South African Republic (called the Transvaal after 1902) were more concerned with the Indian than with the African question. Since 1860, Natal had been recruiting indentured labour from India to work on the large sugar estates and elsewhere. These labourers were entitled to remain in Natal, if they wished, after their contracts expired. By 1893 the number of Indians nearly equalled that of the Whites, and some of them competed successfully with white traders. As a result of white agitation the Natal Colonial Parliament passed a series of laws which prevented Indians from acquiring the franchise, restricted the entry of non-indentured Indians, mainly traders, and imposed a special tax on them. Some Indian traders migrated to the neighbouring South African Republic to which they had access. The London Convention of 1884 gave British subjects the right to enter the republic and carry on a trade or business without limitations. A similar situation developed there and embroiled relations between Britain and the republic when differential legislation was enforced against Indians. After the Anglo Boer War (1899-1902) the British Colonial Administration applied the late republic's anti-Asiatic laws with a vigour and efficiency unknown before 1899.

Organized Indian political expression in South Africa owes its origins to M. K. Gandhi. While conducting such activities in South Africa from 1893 to 1914, Gandhi served his political apprenticeship. It was a long and arduous training period and it prepared him for his political life in India. Gandhi's early contact with officialdom in India and the insults he suffered left their marks on him, for he was deeply offended by the arrogance of some British and Indian civil servants. A poor legal practice and increasing frustration prepared him for an offer from South Africa to advise an Indian business firm which was involved in a lawsuit.

Within a few days of his arrival in Durban in May, 1893, Gandhi attracted attention. When he accompanied his client's attorney in court the magistrate ordered him to remove his turban. Gandhi left after refusing to carry out the order, and this was enough to stir up a minor controversy in the

local newspapers. He defended his action in a letter to the editor of the *Natal Mercury*, a leading daily, which with other newspapers devoted space to the incident. The newspapers made it sufficiently clear to Gandhi that he was an "unwelcome visitor".

In Natal (and other colonies in southern Africa) European colonists found the behaviour of educated Coloureds "provocative". Of these "the cheeky Indian" roused the greatest ire. While studying in London from 1887 to 1891, Gandhi had come to admire the British Constitution. His faith in British justice was born of his conviction that all British subjects enjoyed equality before the law, and it took several years of residence in Natal and the Transvaal to shake that belief. During his first few weeks in Natal, Gandhi believed that his right to equality of treatment as a British subject extended from Britain to all parts of her empire. He was, therefore, upset by the attitude of British colonists towards Indians. After several encounters with petty officialdom he realized that a deep-seated colour prejudice among most Europeans prevented them from according courteous treatment to Indians (and other coloured people).

In Pretoria (capital of the South African Republic, also known as the Transvaal) Gandhi began work on the lawsuit and induced both parties to submit their claims to an arbitrator and arrive at an out-of-court settlement. Among his first contacts in Pretoria were members of the South Africa General Mission, who revived his interest in Christianity. This was to have significance later. Of more importance was the first meeting he convened at the home of a local Indian merchant. Before a gathering of traders of the Memon community (who spoke Gujarati, Gandhi's mother tongue) he made his "first public speech". The first part of the speech was devoted to some of his impressions of life among Indians in Pretoria, whom he found disunited owing to communal antagonisms. Then Gandhi recounted his experiences en route to Pretoria. He had been insulted and cuffed for occupying a first-class compartment in the train, and for daring to ask to sit inside the coach which travellers used for a part of the journey. No accommodation was available at hotels. Those present added their own accounts of ill-treatment, and following the discussions Gandhi recommended that Indians should found an organization that would make its claims to the authorities and agitate for relief from oppressive laws and regulations affecting Asiatics. In a few weeks he obtained a better grasp of the situation in the country and of the differences in the position of an Indian in Natal (a British Colony) and in the South African Republic, which was ruled by an Afrikaner Government.

The successful issue of his case enhanced Gandhi's prestige among Indians, and he soon found himself organizing protests against attempts by the Natal government to disfranchise Indians. When the Colonial Secretary, Lord Ripon, disallowed the disfranchising bill, the credit for the victory went to Gandhi. He readily agreed to remain in Natal when the community asked for his help to safeguard their interests, for the Indian traders, in particular, feared that the Natal government planned to curtail their commercial activities. To strengthen the hands of those Indians who went on deputations and sent protests and petitions to the British government, Gandhi founded the Natal Indian Congress on May 22, 1894. Henceforth Gandhi and other Congress officials were able to organize more effective opposition to anti-Asiatic legislation and to the ill-treatment of Indian indentured labour. As the annual subscription of £3 kept out the educated Colonial-born youth, the Colonial-born Indian Educational Association was formed under the auspices of the Natal Congress. This provided an outlet for the ventilation of grievances through debates, and it helped the merchants to keep control of Congress. Gradually these young men were enrolled into the Congress movement in Natal. But for some time it was evident that Indians were divided between the India-born and Colonial-born groups. Colonial-born Indians were descendants of indentured Indians, and the division was a social one. But before any serious split took place, Gandhi was able to make the Natal Indian Congress the only effective political body in the colony when the youth movement was absorbed into the main body.

As Secretary of the Natal Congress, Gandhi prepared and sent out two pamphlets which gave a clue to his basic political method. In 1895 he wrote *An Appeal to every Briton in South Africa* and in 1896 *The Indian Franchise—An Appeal*. "Appeal" was the operative word in all his attempts to gain concessions from the Imperial and Colonial governments. He hoped that a moderately couched plea would evoke a sympathetic response and argued that moderation never failed to impress an Englishman. In both the South African Republic and Natal, Indian protests were becoming better organized, and by 1896 they had both the means and the resources for sustaining continued opposition to both governments. In the same year Gandhi was admitted as an advocate of the Natal Supreme Court and practised in Durban. For some time, however, he had been thinking of his family commitments, and he returned to India in 1896 to settle domestic affairs and to bring back his wife and children to Durban. It was decided by the Natal Indian Congress that he

should utilize some of his time to tour India in order to acquaint prominent individuals and organizations of the position of Indians in South Africa.

While he was in India, Gandhi published *The Green Pamphlet*, which set out the grievances of Indians in Natal and the Transvaal. He did enough to arouse interest among Indians and Congress leaders and in the more important newspapers. Already the eleventh (1895) and twelfth (1896) annual meetings of Congress had passed resolutions calling on the Imperial Government to protect Indian emigrants in Natal and the Transvaal. The resolutions produced no spectacular results, but Gandhi had helped to stir up interest in the plight of Indian communities in British colonies. The platform became wider; the audience grew larger. It was time to return to South Africa.

Gandhi's second entrance into Natal was eventful. Two ships, the *Naderi* and the *Courland*, with about 800 Indian emigrants on board, cast anchor off-shore while some European colonists tried to prevent the landing of passengers. Their anger had been influenced by a distorted version of the *Green Pamphlet*, which had been published in Natal and which aroused bitter anti-Indian feelings. News of Gandhi's presence on board the *Courland* was circulated, and Europeans were led to believe that a deliberate attempt was being made to flood Natal with Indians. When he landed, Gandhi was fortunate to escape lynching.

The "unwelcome visitor" was back again. He assumed the leadership of the Indians in the Transvaal and Natal, and his position was not seriously challenged during the remainder of his stay in South Africa (up to 1914). The Anglo-Boer War provided an opportunity for Gandhi to offer Indian assistance, with the result that for a short period anti-Indian feelings subsided and Gandhi renewed his faith in British justice. He believed that after the war Indians would receive equality of treatment and opportunity, and hoped for a breakthrough in the Transvaal by which it would be placed under direct British rule. Although he was less hopeful with regard to Natal, where the Colonists had charge of affairs, he reasoned that the pace set in the Transvaal would force Natal to yield in the end, and remove discriminatory practices affecting Indians. According to his autobiography, Gandhi made every effort to dismiss evidence of those shortcomings of British rule in Natal which portended a bleak future for Indians in the Transvaal. He remained optimistic when the attitude of Natal gave every reason to be pessimistic. He did not see an extension into the Transvaal of the Natal colonists' attitude to Indians. Yet the prejudice was there in both colony and republic. If there was anything on which European sentiment was united, it was the Indians.

Only after the war did he acknowledge that Colonial Governments could do very little to ameliorate the lot of Indians in the face of local European opposition. He therefore focussed his attention on the Transvaal, where the British Government had direct control of affairs immediately after the Anglo-Boer War.

In order to attract Imperial attention, Gandhi cultivated his supports in India, who in turn were able to enlist sympathetic friends and allies in London. He returned to Bombay from South Africa, and issued a public statement of the Indian question in which he called for the support of the *Times of India* so that a representative deputation could wait on the Viceroy to discuss the plight of Indians in British colonies. The need for public support became apparent after the failure of several efforts to obtain more than viceregal expressions of support that were so ambiguously worded as to have no impact on the Colonial Office in London. It had to be made clear to the British Government that the treatment of Indians abroad affected relations between Britain and her Indian Empire. Gandhi pointed to fruitless attempts made in the past to secure Colonial Office help to ameliorate the conditions of Indian indentured labour in several colonies. It seemed to him that a great measure of their efforts was offset by pressure applied on the Colonial Office by Britons who supported the claims of white colonists to prevent large scale immigration of "free" Indians into those British colonies in the temperate lands. In the South African Republic and Natal the main thrust of white opposition was directed against the Indian traders who provided the keenest competition and frequently lowered prices and reduced profit margins so that it was extremely difficult for white traders to survive. As the white colonists could exert pressure directly upon the Colonial officials it was difficult for the British Government to give effect to the principle of equality of treatment. More often than not the officials on the spot proved to be the staunchest supporters of the claims of white colonists. The newly conquered Transvaal was a different matter. The war had just come to an end when Gandhi was in India. Britain exercised direct control of affairs through a military administration, and the recently recruited officials were not immediately pressed by a well organized body of white colonists. Gandhi, therefore, called upon the British Government to clarify the status of British Indians in the Transvaal. The timing was perfect. In addition he called for the repeal of all anti-Asiatic legislation. The British Government demurred. The Governor, Lord Milner, was instructed to have a study of the legislation undertaken and to propose amendments that would remove the more offensive provisions of the laws and

regulations. Gandhi and his supporters had other ideas. A satisfactory solution in the Transvaal was a prerequisite for an assault on Natal. In the new colony, Britain was in a position to lay down a liberal policy towards Africans, Coloureds, and Indians at the outset. At least that is how Gandhi saw the future, and for that reason he concentrated on securing changes in the Transvaal. His appeal in India succeeded in arousing interest, and he was invited to address the seventeenth session of the Indian National Congress at Calcutta. At that session, the Congress passed a resolution which called upon the Viceroy and Government of India to assist Indians in South Africa in their attempts to have grievances redressed. That resolution was repeated annually in the following decade with no significant effect on official policy either in London or in the South African colonies. The Viceroy did, however, make some speeches that were hostile to Natal and the Transvaal, and the Government of India forbade indentured emigration to those places. When Lord Milner asked for Indian labour to work the gold mines he was rebuffed because the Transvaal Government would not remove restrictive laws which applied to resident Indians. The Colonial Office, too, refused to support Milner's plea for Indian labour.

While he was in India, Gandhi heard of Joseph Chamberlain's impending visit to southern Africa. He was recalled to lead two deputations representing Transvaal and Natal Indians to the Colonial Secretary. Although he was received as the Head of the Natal deputation, Gandhi was prevented from leading the Transvaal group because of the active opposition of the officials of the Asiatic Office in Pretoria. They refused to acknowledge Gandhi's leadership of the Indian community in the Transvaal, and their opposition prevailed. Stung by the treatment afforded him by an unpopular official, who had had some experience in the Indian Civil Service, Gandhi turned to establishing his position in the Transvaal. He set up a legal practice and was soon assured of an independent income which freed him from outside pressures, especially that of the Asiatic Office. Attempts to drive a wedge between him and the rest of the community failed. Gandhi had no need, of course, to assert his claim to leadership. Capable men were available in the Transvaal, but none could match his experience, ability and knowledge of anti-Asiatic laws. Gandhi's law office became the centre of anti-government activity and headquarters of the Transvaal British Indian Association.

Meanwhile several close friends of Gandhi talked about the difficulties of conveying the Indian point of view in a generally hostile European press. The shortcomings of the Asiatic Office, for example, did not attract attention

and criticism. It was eventually decided that the Indians should have their own newspaper. The first Indian-owned press in Natal was already turning out work. Gandhi had helped to pay a portion of the initial costs, and by 1903 the International Printing Press was well established, although its operations were modest. In the same year *Indian Opinion* was launched as a weekly with a young Indian undergraduate from Bombay University charged with editorial responsibility.

The new publication, which was maintained in part by subscriptions, received a warm welcome from the community. When the Passive Resistance Movement in the Transvaal reached its peak (at various times between 1907 and 1914) the paper had 3,500 subscribers out of a possible 20,000. Like many other journals, however, *Indian Opinion* was always in financial straits. It ran at a loss from its inception, and only managed to survive the first few years through the infusion of large amounts of money given by Gandhi. During its first year he advanced nearly £2,000 from his own income to pay running costs. At that time Gandhi had won £1,600 from the Municipality of Johannesburg "the sum . . . being costs awarded him in a succession of law-suits". Gandhi did not expect the paper to show a profit, but it exhausted nearly all his savings.

The weekly became Gandhi's main instrument of propaganda throughout the decade that he remained in South Africa. As its most prolific contributor, secretary of two Indian political organizations, the leading legal figure in the community, and an adviser on business affairs to the most important merchants, Gandhi was in a unique position. He found many ways along which he could send forth his ideas. In practical terms, Gandhi's policies and activities became those of *Indian Opinion*. It became the medium for ventilating grievances, and some of its exposures, for example of the ill-treatment of indentured labourers in Natal, led to government action which helped to reduce such abuses. Gandhi often took cases of individual hardship to the highest level to prove to the British Government that much of the trouble which afflicted the Indians arose out of the attitude of local dignitaries, such as mayors and other civic officials. The attention that he paid to minor grievances encouraged the poor, the illiterate, and the ignorant to come to his office in Johannesburg. Gradually he gathered around him a group of faithful adherents.

In 1903 he re-organized the Transvaal British Indian Association and was helped by several young men who had recently returned from British Universities. An assorted group of individuals was to be found in his chambers at Rissik Street: a couple of Christian Indian barristers, wealthy merchants, labourers, hawkers, all drawn from among Hindus, Moslems, and Christians.

To a large extent he had succeeded in uniting the community. Apart from Indian friends, a band of Europeans soon frequented his quarters. Gandhi had met some of them through his interest in vegetarianism and theosophy.

In 1906 the key issues affecting relations between Indians and White Colonists were trade and immigration. Because it was still unable to produce a register of Indians who were entitled to return to the Transvaal after the war, the Colonial Government could not refuse entry to Indians who claimed admission on the grounds of prior residence. From time to time wide publicity was given to proved cases of illegal entry. The meetings of white vigilante groups and traders were often devoted to the "Indian Question" and a discussion of ways of applying pressure on the Government to ban immigration of all Asians. Before the Government could respond to such requests it had to be able to determine the status of those Indians in the Colony. Therefore a bill to provide for their compulsory registration (Asiatic Law Amendment Bill No. 29 of 1906) was introduced in the Legislative Council.

At the sixth session of the Transvaal Legislative Council, in August, 1906, Patrick Duncan, the Colonial Secretary, introduced the Asiatic Law Amendment Bill (No. 29 of 1906). In his opening speech, Duncan explained why the ordinance was necessary. In the past he had defended the Government's reluctance to promote drastic legislation to control Indian trade and movement by falling back on Imperial pledges given to Indians. Now he spoke to the Council of the Government's "responsibility towards the European population in the Colony". The Asiatics, he said, were unassimilable; and their registration was designed to clear up the question of the identity of individuals. The Government wished to "put in motion machinery which would clearly and definitely show which of the Asiatics residing in the Colony were entitled to protection and which were not". Duncan emphasized that no one wanted to impose an ordinance of a "degrading and objectionable character" on the Indians.

The ordinance included provisions for the registration of every Indian adult and child. In addition to registration at birth, an Indian child had to be registered again within one year of attaining the eighth birthday. If the child's parents or guardian had failed to have this done, the registration had to be carried out by the child within one month of his sixteenth birthday. In that case a certificate of registration could be issued, at his discretion, by the Registrar of Asiatics. Penalties for evasion, and for other illegal acts pertaining to entry into the Transvaal and to registration, included a fine, imprisonment, and expulsion from the Colony. Any unregistered Indian over the age of six-



teen found in the Colony after the ordinance was proclaimed could be arrested without warrant and deported if he failed to satisfy a magistrate that he had been given time in which to apply for registration. The certificates of registration had to be produced on demand to any officer of the law, and a registration certificate was necessary to obtain a trading licence. The Registrar of Asiatics was empowered to certify, in his opinion, the age of any accused who was being prosecuted for illegal entry into the Transvaal, or residence there, if no proof of age was available. On September 10, 1906, the Legislative Council passed the ordinance without any modifications.

Gandhi lost no time in organizing protests against this bill, and he led a deputation to the Colonial Secretary, Lord Elgin. In London he gathered additional assistance from various organizations, but the victory gained from Lord Elgin's refusal to recommend the bill for royal assent was illusory. The Transvaal was on the verge of obtaining Responsible Government, and Elgin knew that the bill would be re-introduced by the new Transvaal Administration in 1907. Instead he took no steps to secure Indian rights in the constitutional arrangements which would apply after Responsible Government was introduced. As soon as the new government, under General Louis Botha, took office, an identical bill was introduced by Jan Smuts, and soon became law. The British Government did not exercise its reserve provisions and deny assent to a bill which was so obviously supported by most white colonists.

The clause that aroused the most bitter feelings in this Act, which Gandhi dubbed "The Black Act", required every Indian male to be fingerprinted from all ten digits. It was soon apparent that the usual forms of protest would be of no use, and that Smuts would not be swayed by thousands of signatures and protest meetings. Gandhi had for a time been thinking of a way of expressing his opposition to racial discrimination in terms that would place Indians in a strong moral position. Up to that time, his thoughts on religious and spiritual matters had been superficial. He had already been introduced to the Bible, but had not read deeply. He had also read Thomas Carlyle's essay on the prophet Mohammed and "for the first time came across the writings of Tolstoy which were subsequently to influence him profoundly". On his return to India at the end of his studies, he had delved into the *Bhagavad Gita* and read the works of Indian philosophers. Out of all this, he began to work out his conceptions of spiritual force and of the superiority of non-violence. He grew to loathe violence, although, paradoxically, his policy repeatedly gave rise to acts of violence. In the course of his residence in South Africa, he continued to study the *Gita*, the Bible, and other religious texts. The turning point came

when he read Ruskin's *Unto this Last*. Gandhi read this book on a train journey from Johannesburg to Durban. He ended up by deciding that he had found the way out of his dilemma, but that in order to make an impact on the government of the Transvaal he had to work out his own position *vis-à-vis* his followers. He decided that any effort required of him to help ameliorate the lot of the Indians would have to be completely selfless. Out of this encounter he accepted the principle that the good of the individual was contained in the good of all, and he resolved to reduce the principle to practice. He eschewed luxury and believed that the soul could best develop in austere living, punctuated by fasting and other acts of self-discipline. Because of his involvement in political activities he strove hard to place his struggle on a religious base. But the disassociation between politics and religion and between politics and ethics had become the accepted norm in government. To Gandhi it was necessary to weave religion into the fabric of contemporary statecraft. Thus began the chain of events which led to the evolution of *satyagraha*—a political philosophy into which he introduced the spirit of religion.

Translating *satyagraha* into political action, Gandhi advocated the use in political protest of non-violent techniques, which have been incorrectly called passive resistance. To Gandhi, the strength to persist with non-violent protest called for a large measure of restraint in the face of provocation. This required the use of an inner force which drew its stamina from the conviction that one's cause was just. Truth and firmness were at the core of Gandhi's philosophy of *satyagraha*. This he carried to India where he waged the struggle for India's independence.

#### NOTE

Dalhousie University is planning to launch the Dorothy J. Killam Lecture series in the fall with four weekly meetings. Since this is the centenary of Mahatma Gandhi's birth, the inaugural series will be related to his role in the use of non-violent techniques of protest, and guest lecturers have been asked to dwell on the place of violence and non-violence in contemporary politics in North America.