

## **Gandhi in South Africa**

by PAUL F. POWER\*

THE centenary of Mahatma Gandhi's birth during 1969 (October 2) provides a reason for reassessments of the Indian leader's thought and career. Among the matters which deserve reconsideration is his South African phase, which began in 1893, on his arrival in Natal as a fledgling barrister, and ended in 1914, when he left for India by way of England to begin his main work as an Indian nationalist. A reappraisal of this period is needed principally because there is a tendency in biographical studies and Gandhi's own account of his South African years to romanticise or simplify the record and to leave unanswered questions about the development of his ideas and activities during a critical two decades of his life.<sup>1</sup> A reappraisal is possible chiefly because of the recent appearance of Gandhi's *Collected Works* as a rich source for newer interpretations of what he said and did in Natal and the Transvaal.<sup>2</sup> As an effort to contribute to reconsiderations of Gandhi's African phase, this article will examine his views of Europeans and Africans and his protest policies and tactics as they emerged over 21 years. Special attention is given to Gandhi's outlook on Africans and the circumstances surrounding his first disobedience campaign. A close inquiry into these matters helps to explain better Gandhi's role in modern South African history and the nature of his legacy to continuing issues in the continent.

### ATTITUDE TOWARDS EUROPEANS AND AFRICANS

Gandhi's thinking and behaviour towards the different peoples whom he encountered in South Africa shaped the protest policies and methods he employed there. Notice should first be taken of Gandhi's entrance into South African life and his immediate experiences. A sensitive

\* Professor of Political Science, University of Cincinnati, Ohio. An earlier version of this article was presented to the African Studies Seminar, Ohio University. Research support was provided by the University of Cincinnati.

<sup>1</sup> An edition of Gandhi's recollections in the 1920s of his African years is *Satyagraha in South Africa* (Stanford, 1954). Most biographies depend on Gandhi's account. An exception is Geoffrey Ashe, *Gandhi* (New York, 1968). Gandhi's secretary offers a reconstruction of the South African years up to 1896 in Pyarelal (Nair), *The Early Phase* (Ahmedabad, 1965), vol. 1.

<sup>2</sup> The Government of India is the publisher of *The Collected Works of Mahatma Gandhi* (Delhi, 1958-). Vols. 1-xii cover the African period. Their editors have selected and translated where necessary Gandhi's South African newspaper, *Indian Opinion* (Durban), the English edition of which the writer has surveyed.

Gujarati Vaisya of the Modh Bania sub-caste, not long out of the Inns of Court, who had not been able to provide for himself as a Bombay lawyer, the 23-year-old Gandhi began his South African career as a lawyer for Muslim Indian traders in Pretoria. His employers belonged to a community descended from indentured agricultural labourers in Natal, dating back to 1860. With his English frock coat and Bengali turban, the inexperienced Gandhi soon found that he could not bridge the European and Indian worlds as he might have done in India. Racial barriers and slights, involving a cross-section of matters from admission to the bar to first-class railroad travel, confronted and wounded him. These barbs and the undoubted injury to Gandhi's spirit have often been emphasised as crucial factors in the evolution of his career. What needs to be pointed out is the continuation of an outward attachment not only to the symbols and institutions of British power, which he could not escape in either Africa or India, but also to the principles and ethos of British civilisation. Not until late 1906, when Gandhi took vows of poverty and celibacy and first decided to break legal restraints, was it evident that he had returned to selective aspects of Hindu thought and practice and that he had discarded loyalty to modern European values as represented by British imperial professions of equity and progress. The 1909 publication of his anti-modernist tract, *Hind Swaraj*, confirmed these changes.<sup>1</sup> Before they came, however, both his individual and his public life were marked by belief in the British system.

Gandhi's outlook until 1906–9 centred on his conviction that the Victorian and Edwardian Empire had a civilising mission to perform and that its defects could be remedied. Because England would deliver India from servitude, he wrote in an 1895 appeal, Indians were proud to be under the British Crown.<sup>2</sup> As to racial matters, he cited Cecil Rhodes' and Lord Milner's idea of 'equal rights for civilised men' as a promise of fair play for non-indentured Indians.<sup>3</sup> Often Gandhi found reason to appeal to Queen Victoria's 1858 statement on India that followed the Sepoy revolt, interpreting it as a promissory note for equitable treatment of Indians as partners in a multi-racial empire. Gandhi's behaviour certified his profession of loyalty as a 'British Indian.' When the Boer War began at the end of 1899, and again during the Zulu revolt early in 1906, he led the Indian community in offering to provide stretcher teams. The British authorities accepted and after the hostilities they commended Gandhi and his associates for their

<sup>1</sup> Mohandas K. Gandhi, *Hind Swaraj or Indian Home Rule* (Ahmedabad, 1939).

<sup>2</sup> 'An Appeal to Every Briton in South Africa', 16 December 1895, *Collected Works*, I, p. 285.

<sup>3</sup> *Indian Opinion*, 11 June 1903.

performance. Gandhi, who had not volunteered for humanitarian reasons, interpreted service in the ambulance units as a means of showing the loyalty of his people and improving their bargaining position. In the case of the Zulu episode, the future pacifist spoke of gaining a place for Indians in the Natal militia if the venture proved a credit to them.<sup>1</sup> It did, but they were not so rewarded.

Christianity and personal experiences contributed to Gandhi's favourable view of the British system. Before and after the 1906–9 period of decision, Gandhi valued the charitable and pious features of British Christianity. Investigating the great faiths, up to 1896 he considered becoming a nonconformist Protestant, not without attention from convert-seekers. Gandhi's exposure to Christianity, beginning in his London student days and continuing in South Africa, was important for his intellectual development, though in South Africa and later he criticised it from his syncretic, Hindu standpoint. Moreover, during his entire South African phase there were individual colonists whom he respected for their personal qualities and their direct or indirect help to his cause, among them the wife of a police inspector who in 1896 escorted him through a violent mob in Durban.<sup>2</sup> A few British citizens, notably Henry S. L. Polak, assistant editor of the *Transvaal Critic*, joined his movement and became trusted aides. Emily Hobhouse, the British feminist and critic of imperialism, became a sympathetic friend of Gandhi's and acted as an intermediary with Union authorities.

Towards the Afrikaner part of the European community, as opposed to the British, Gandhi's attitude differed. Here his outlook was non-deferential without lacking forbearance. After he left South Africa, Gandhi blamed popular Afrikaner views on racial matters for Natal customs and laws discriminating against Indians. At all times up to the Boer War he realised that conditions were less favourable for Indians in the Afrikaner strongholds of the Transvaal and the Orange Free State than they were in Natal and the Cape Colony. On the eve of the conflict he agreed with the London Government that the Afrikaner treatment of Indians was one of its causes.

Gandhi's dealings with Afrikaners included a relationship famous in imperial history, that with Jan Christian Smuts, the English-educated Boer politician and military leader who became an architect of the modern British Commonwealth. Gandhi and Smuts first met when the latter was Colonial Secretary for the independent Transvaal. Their

<sup>1</sup> *Collected Works*, v, 353.

<sup>2</sup> A clergyman who had aided Gandhi, Joseph Doke, recalled his impressions in *Gandhi: an Indian patriot in South Africa* (Madras, 1919).

relations changed from unequal bargaining and mistrust of each other's integrity to a less uneven situation, which by 1914 showed mutual respect. The Gandhi-Smuts encounters began a series of personality and political struggles involving Gandhi and imperialist or Indian opponents, among them Lord Irwin, Viceroy of India, 1926–31, and Mohammed Ali Jinnah, the founder of Pakistan. Unwittingly, Smuts, the Anglo-Boer leader, helped to educate Gandhi in the skills and pitfalls of 'summitry'.

Although Smuts was on the losing side of the Boer War, he became an increasingly important figure in South African politics. As for Gandhi, he discovered after hostilities had closed and the Treaty of Vereeniging in 1902 had ended the independence of the Boer states that the British Government was beginning to mollify its former enemies.<sup>1</sup> Having spent most of the previous time in Natal and now desiring to broaden his interests under the protection of the Union Jack, Gandhi shifted his home to the Transvaal. In 1903 in Durban he helped to found the weekly, *Indian Opinion*, to inform his community and to enlighten Europeans about their obligations towards Asians. Unlike the British community, the Afrikaners were nearly undivided in their lack of receptivity to the Indian cause.<sup>2</sup> Gandhi was circumspect in speaking out against Afrikaner racial views. In India he looked back to indicate his general opinion by paraphrasing the words of President Kruger of the South African Republic to Indian petitioners:

You are the descendants of Ishmael and therefore from your very birth bound to slave for the descendants of Esau. As descendants of Esau we cannot admit you to rights placing you on an equality with ourselves. You must rest content with what rights we grant you.<sup>3</sup>

Although in South Africa Gandhi was conscious of the invalidity of the Afrikaner racialism expressed by Kruger, and worked against its consequences for Indians, he did not openly condemn it. Prudence in the face of Afrikaner social pressure and the British policy of accommodation toward the Boers were important reasons for not doing so. In addition, Gandhi's views of cultural and ethnic questions—while not

<sup>1</sup> For the policies of the victor and how they affected Indians, see Benjamin Sacks, *South Africa: an imperial dilemma—non-Europeans and the British nation, 1902–1914* (Albuquerque, 1967), pp. 201–59.

<sup>2</sup> A third group, the Transvaal Jewish community, had a few active supporters of the Indians, among them Hermann Kallenbach, an architect who provided a refuge, Tolstoy Farm. The community, principally settlers from Russia, was criticised by *Indian Opinion* for not giving moral help. The newspaper suggested that they should recognise an analogy between discrimination in Eastern Europe and the disabilities imposed on Indians. *Indian Opinion*, 27 January 1906, 18 August 1906, 8 May 1907, and 28 November 1908.

<sup>3</sup> Gandhi, *Satyagraha in South Africa*, p. 33.

compatible with theological or biological doctrines of racial superiority and inferiority—caused him to share with Afrikaners, and with most Europeans, ideas about the positive value of cultural and ethnic differentiation. These ideas appear in his outlook on Africans.

Gandhi's view of Africans can be seen within the pattern of his responses to a complex situation where two competitive, European minorities dominated a smaller—chiefly Indian—Asian community and a great, indigenous majority. (The approximate population figures in the two areas where Gandhi operated were: the Transvaal (1885)—300,000 Europeans, 12,000 Indians, 940,000 Africans; Natal (1906)—97,000 Europeans, 110,000 Indians, 900,000 Africans.) What must be noticed is that in his concern for Indian disabilities he held his people apart from and above Africans, to the extent that for Indians to be classified and treated as Africans was a basic grievance against European law and custom. Thus the May 1895 petition from Transvaal Indians to Lord Ripon, the British Colonial Secretary, which Gandhi drafted, mentioned as a complaint their inability to travel by first or second class on the railways. Indians, the petition held, 'are huddled together in the same compartment with Natives'.<sup>1</sup> It is of symbolic interest that the Natal Indian Congress, to which Gandhi was counsel and secretary, successfully demanded that the Natal authorities should provide three entrances instead of two in public buildings, so that Indians would have their own and not have to share one with Africans. Gandhi wrote:

In the Durban Post and Telegraph Offices, there were separate entrances for natives and Asiatics and Europeans. We felt the indignity too much and many respectable Indians were insulted and called all sorts of names by the clerks at the counter. We petitioned the authorities to do away with the invidious distinction and they have now provided three separate entrances for natives, Asiatics, and Europeans.<sup>2</sup>

Gandhi held out the prospect of cultural progress for Africans. After visiting a German Trappist monastery near Durban, where some 1,200 Africans worked and he found serenity and interracial harmony, Gandhi wrote that the Africans there 'have all exchanged a life of sloth, indolence and superstition, for one of industry, usefulness and devotion to one supreme being'.<sup>3</sup> As to the mass of the Africans, Gandhi and the leaders of the Indian community believed that they were not 'civilised'; consequently, the Indians had no difficulty in endorsing a pass system for Africans. 'There is very good reason', Gandhi wrote in 1896, 'for

<sup>1</sup> *Collected Works*, 1, p. 199.

<sup>2</sup> 'The Green Pamphlet', Gandhi's summary of South African Indian grievances, circulated widely in India. *Ibid.* 11, p. 13.

<sup>3</sup> *Ibid.* 1, p. 184.

requiring registration of a native, in that he is yet being taught the dignity and necessity of labour.’<sup>1</sup> Because of these ideas, it is not surprising to find Gandhi’s newspaper saying in 1906: ‘We have no immediate concern with the question of Native treatment’.<sup>2</sup>

An exception to Gandhi’s policy of avoiding questions of African treatment concerned a 1907 episode in which an African, arrested on suspicion of an offence, was later found guilty by a jury; but Natal’s Governor, believing him innocent, reprieved him. Citing the case’s implications for human rights and justice towards Indians, Gandhi’s newspaper said that it would break its rule of paying exclusive attention to Indian problems to support European press efforts in Natal to abolish jury trials in cases involving whites and non-Europeans.<sup>3</sup> It is indicative of the existing level of civil rights that Gandhi’s paper did not suggest that Africans and Indians might serve on juries. After the episode Gandhi gave public testimony to the need for European authorities to grant relief to those of mixed descent who began to press for reforms in a movement parallel to the Indian community.<sup>4</sup> Yet Gandhi made no effort to merge these lines to offer a front of ‘coloureds’ and Indians against European rule. Nor did he see his people as a bridge between Europeans and the ‘coloureds’ or Africans.

Gandhi did look abroad to deplore racial discrimination in the United States, Canada, and Australia. His newspaper reported with approval the 1911 Universal Races Congress in London, giving prominent attention to the role of W. E. B. du Bois. The policy of Gandhi and the South African Indians towards international work against racialism was described by his associate Polak, who attended the London meeting, as an ‘intermediate position’.<sup>5</sup> In the perspective of racial policies pursued by South African Indians, this position meant support for an end to ideological racialism, but also the retention of belief in autonomy for each distinct group.

In later years Gandhi retained a negative outlook on the possible joining of the Indian and African causes. In 1939, for instance, he criticised Indian socialist efforts to merge African and Indian interests

<sup>1</sup> *Ibid.* II, p. 12.

<sup>2</sup> *Indian Opinion*, 13 January 1906. A different view of Gandhi and Africans is offered by Pyarelal, who writes: ‘He learned to understand and sympathise with them and missed no opportunity of rendering them whatever service he was capable of. He served them during the Zulu War.’ Pyarelal, ‘Gandhiji and the African Question’, in *African Quarterly* (New Delhi), 11, July–September, 1962, p. 77. Yet there is scant evidence of Gandhi’s service. His volunteer work as a stretcher bearer in the Zulu revolt was politically motivated, notwithstanding his compassion for Zulu casualties.

<sup>3</sup> *Collected Works*, VII, pp. 1–2.

<sup>4</sup> *Indian Opinion*, 24 March 1906, and 13 January 1912; *Collected Works*, VIII, p. 102; *ibid.* IX, pp. 272–3.

<sup>5</sup> *Indian Opinion*, 9 September 1911.

in South Africa, observing that 'humanitarianism divorced from actual experience may spell disaster to the cause sought to be espoused'.<sup>1</sup> None of this is to suggest that after South Africa Gandhi was less than an anti-colonialist. He clearly endorsed the ending of imperialism in Africa. Moreover, he advocated African cultural nationalism. Christianity and European dress separated many African leaders from the masses, he told the Rev. S. S. Tema of the African National Congress in 1939. He told Tema: 'You must become Africans once more.'<sup>2</sup> Although he urged co-operation, Gandhi did not approve of joint efforts by Indians and Africans of the kind attempted intermittently in recent South African history. For Gandhi had decided in his South African phase to keep Indian interests distinct from African issues and to value his community before others.

It would be a mistake to apply recent integrationist norms to Gandhi's views of Africans, if only because few of them existed in his time. Yet a search for the essential legacy of the South African Gandhi should recognise these views and the ethnic and cultural self-consciousness on which they rested. One should also recognise that this self-awareness, and the differential pride which came with it, can be seen before his 1906–9 turn towards an Indianisation of his life style and away from the 'British Indian' pattern. For, even when he praised the virtues of British civilisation as he sought to eliminate the pains it caused his countrymen, he did not ask for the ending of social boundaries between British and Indians. None of this means that the South African Gandhi points in the direction of 'Bantustans', created and imposed by European power. Here he would condemn the motives behind enforced segregation. Neither does it mean that Gandhi did not see Africans as 'men first and Africans second', as a relative of his who worked with him in South Africa has explained his outlook.<sup>3</sup> However, when linking the phrase 'all men are brothers' with Gandhi to describe his view of mankind and his efforts to eliminate such injustices as 'untouchability', one should keep in mind that he was a cultural federalist who resisted any movement toward the social and political solidarity of African and Asian peoples.

<sup>1</sup> T. G. Tendulkar, *Mahatma* (Bombay, 1953), v, p. 169.

<sup>2</sup> M. K. Gandhi, *Non-Violence in Peace and War* (Ahmedabad, 1948), 1, p. 193. Near the close of his career Gandhi vaguely endorsed an Indian–African front in South Africa, but the chief significance of this momentary stand was in a simultaneous call for Indians to teach non-violence to Africans. See Pyarelal, *The Last Phase*, 1 (Ahmedabad, 1956), p. 247.

<sup>3</sup> Interview with Chhaganlal Gandhi, Sabarmati Ashram, Ahmedabad, 27 October 1966.

## PROTEST POLICIES AND METHODS

Martin Luther King would probably not have found much comfort in Gandhi's South African ideas on African racial matters. King did, of course, express his debt to Gandhi's method of non-violent disobedience. This strategy followed in time Gandhi's use of a quite different approach to civil disabilities. Viewed constitutionally, Gandhi's conduct evolved in South Africa from a scrupulous adherence to colonial forms, in particular that of the petition, to the use of extra-legal devices, especially mass rule-breaking. Surveying the record of written inquiries, requests, and demands offered by the Indian community under Gandhi, who often drafted them, one cannot help but be impressed with his faithful adherence to the use of prescribed procedures, amplified through a relatively free press, before he employed civil disobedience.

Gandhi's political instruments did not include the franchise. In Natal he had at his disposal a limited franchise, but chose to make no use of it as a means to reduce disabilities. Indeed, he was willing to accept an increase in the educational and property qualifications for Indian voters in Natal, to reduce the fears of Europeans of an Indian threat to their social and political domination. Gandhi's outlook on the franchise question is evident in the memorial of 22 May 1896, which he drafted for Natal Indians and sent to Joseph Chamberlain, the British Colonial Secretary, asking him to reconsider his assent to an 1896 Natal Bill which sought to eliminate Indian voting rights. It tried to allay fears that Indians wanted to overthrow the existing property restrictions for voters. The memorial affirmed that what the Indians sought was the elimination of racial distinctions in franchise legislation, not an end to the 'natural barriers'.<sup>1</sup> Gandhi's own restraint is illustrated by his refusal to have his name placed on the Natal voters' list, for which he had the qualifications of immovable property worth £50. Remarkably, he failed to take the opportunity to register on three occasions.

Admittedly, Gandhi was not silent about the principle of voting rights. It was Natal's effort in April 1894 to disenfranchise Indians that caused him to stay in the sub-continent to work for his community. Later he found it necessary to claim that Indians enjoyed a parliamentary franchise in India, in order to avoid the impact of such measures as the Natal Municipal Corporations Bill of 1906, which disenfranchised those who did not have parliamentary traditions. Gandhi objected to this devious procedure because it rested on a colour test, which he insisted had no validity for 'British Indians'. But throughout his two

<sup>1</sup> *Collected Works*, 1, p. 329.

decades he did not use his protest movement to secure political power for Indians through the franchise. He did not regret this decision. On the eve of his departure in 1914, after closing his resistance movement, he made it clear in a letter to the Union Government that political rights were not a prime element of the unfinished business that he wistfully expected the Union to correct.<sup>1</sup> However great his contribution to national self-determination from his life's work as a whole, the tradition of 'one man, one vote' receives no direct support from the South African Gandhi.

Explanations for Gandhi's policy toward the franchise can be found in his intellectual development and the socio-political conditions he faced. His expectation, at least until 1906–9, that the British Empire and its constituent governments would dispense justice, contributed to setting frontiers to his objectives. Also important was Gandhi's caution, a realisation that he should not expect too much immediately for an Asian minority from a great power, but especially from its colonial governments which ruled in a sea of non-Europeans. Additionally, Gandhi's disillusionment with parliamentary government, within his general turn away from the west beginning in the years 1906–9, suggests that thereafter he had little reason to seek voting rights he did not respect.

Although such rights were not sought by Gandhi, he made efforts to advance the position of the South African Indians.<sup>2</sup> He had to start with a low level of power, for the Indians had a minimum of local leverage with the Natal and the Transvaal régimes, a condition helped by the modest social and economic standing of the community, part of it still indentured. To improve bargaining strength he made appeals to emerging Indian nationalism to persuade the imperial authorities to bring pressure to bear on South African governments. Pursuing this billiard relationship, Gandhi twice went to India (1896 and 1899), and twice travelled to London (1906 and 1909). Contacts with some Congress party leaders, Dadabhai Naoroji, Gopal K. Gokhale, and B. G. Tilak, enhanced Gandhi's cause and future, and his calls on government ministers, among them Lord Elgin and John Morley, gave him some insight into the interplay of politics involving three continents.

The output of Gandhi's efforts within the triangle was limited. A case in point is the draft of the Transvaal's Asiatic Amendment Law Ordinance of 1906, calling for the re-registration of Asians. The proposal energised the Indians to send Gandhi to London to seek the with-

<sup>1</sup> *Ibid.* xii, pp. 438–9.

<sup>2</sup> See Banphot Virasai, 'The Emergence and Making of a Mass Movement Leader: portrait of Mahatma Gandhi in South Africa, 1893–1914' (unpublished Ph.D. dissertation, University of California, Berkeley, c. 1967).

holding of royal assent, only to obtain a delay until the Transvaal secured responsible government in 1907, followed by the law's adoption. Reservations about the draft expressed by Winston Churchill, then Colonial Under-Secretary, and the Prime Minister, H. Campbell-Bannerman, and a protest by the Indian National Congress in India, were of no avail against the will of South African governments to use the devolution of power within the empire to determine their own racial policies without regard to any possible injury to imperial stability. It was the Transvaal's registration law that proved to be a crucial moment for Gandhi and the history of colonial resistance movements. For he turned from dependency on mendicant devices—supplemented by the writing of tracts that contained thrusts at injustice and modernity<sup>1</sup>—to such acts as picketing and eventually to non-violent disobedience of laws.

The circumstances surrounding the emergence of Gandhi's first disobedience campaign can be briefly described. Strong Indian opposition developed to the Transvaal's amending bill concerning Asiatic registration, which sought to exclude new Indian immigrants and to define Asian residents through registration, fingerprinting, and passes. These rules were more restrictive than the procedures for Africans, and did not distinguish between Indians and other Asians, much to the former's displeasure. (In the Transvaal there was a small Chinese community, stemming from mine workers, which co-operated with Indians on grievances.) Only slightly less controversial was another bill to bar Asians from entry in future, chiefly through a European language test, and to deport illegal immigrants.

The India and Colonial Offices in London took note of these bills and anxiously communicated with the Transvaal Government about the controversies. Smuts took the main responsibility for dealing with the recalcitrant Asians. Led by Gandhi, who had gained experience but no marked success in Natal, they were especially disappointed in the Transvaal bills for running counter to British promises, at the time of the Boer War, that Indian subjects would be better treated under British control. When after the war the Transvaal Government, with London's tacit approval, began to carry out policies towards Asians which were not only consistent with those of the defeated South African Republic on the same matters but in some respects were more stringent, the Indians believed, not without cause, that they had been misled and abandoned to increased discrimination. Confronting imperial permissiveness and the local harassment of the Transvaal Asiatic Department,

<sup>1</sup> In 1904 Gandhi wrote a tract which owes its title at least to John Ruskin, *Unto This Last* (Ahmedabad, 1951).

Gandhi and his associates escalated their protests. Yet there was no radical shift. In a statement to the Transvaal Constitutional Committee in May 1906, the British Indian Association went to the extent of stating that its members deserved the franchise, but then, recognising reality, demanded only protection and freedom of property ownership, of trade, and of movement.<sup>1</sup>

September 1906 brought the first clear evidence of Gandhi's intention to disobey the law. Having voluntarily registered with the Transvaal authorities to show their willingness to be counted, the Indians faced a demand for re-registration. Addressing an Islamic society in Johannesburg on 9 September, Gandhi told his countrymen that a mission should go to London to secure relief. Meanwhile, he advised non-compliance. He said that he would be the first to risk imprisonment.<sup>2</sup> It was two days later, at a mass meeting of Indians in the same city, that Gandhi made a better-known statement that non-submission to the registration law was the only honourable step, in no respects a disloyal act, and that the issue at stake applied throughout South Africa.<sup>3</sup> One of the resolutions passed at the same meeting held that if a 'humble prayer' for redress to the Transvaal and imperial governments did not bring relief, the 'galling, tyrannous, and un-British requirements' of the draft law would be disobeyed.<sup>4</sup> All these early pledges of resistance were tied to the prospect of relief according to the values of the existing system. Moreover, they included the acceptance of punishment as part of the rule breaking, and a commitment to non-violent means. Thereby Gandhi laid down three criteria for responsible civil disobedience, with implications for a theory of ethical struggle beyond his time and circumstances.

The conditions leading to Gandhi's first act of disobedience suggest that it was prompted by local doubt and criticism. After his return from London, a question arose in the Transvaal Indian community as to whether its leaders were indeed ready to go to jail if the new registration law were enacted. Indicating their willingness to endure jail, some Indians raised the question in letters to *Indian Opinion*. In early May 1907, Gandhi replied in its Gujarati edition that, lest he be guilty of an omission, he intended not to register under the statute and to suffer the consequences.<sup>5</sup> The tenor of Gandhi's statement indicated that serious

<sup>1</sup> *Collected Works*, v, pp. 335–8.

<sup>2</sup> *Ibid.* p. 418. The editors of the *Collected Works* consider that the first evidence of resistance was shortly before 9 September, based on Gandhi's *Satyagraha in South Africa*, ch. 11.

<sup>3</sup> *Collected Works*, v, p. 419.

<sup>4</sup> *Ibid.* p. 423. At the meeting a religious vow to resist was offered by Haji Habib, a Muslim merchant. Confirmed by Gandhi, the vow was taken by the assembly.

<sup>5</sup> *Ibid.* vi, pp. 448–9.

doubts had arisen about the willingness of the Indian leaders to do what they had promised the previous autumn.

When the time for compliance arrived in November 1907, Gandhi was a prominent rule breaker. It was during this struggle that he first used the term *satyagraha* for non-violent resistance. He preferred the former term, which meant 'holding on to truth' or 'soul-force', to *sadagraha*, 'firmness in a good cause', which had been proposed by a relative as an Indian translation of 'passive resistance'. Only some 500 Indians obeyed the law, leaving more than 9,000 who should have registered. Smuts enforced the statute, although Gandhi was not the first to be arrested.<sup>1</sup> His turn came in a mass arrest. Pleading guilty, he received a two-month jail sentence, instead of the three-month penalty that the other Indians had received and he had requested. Gandhi began his prison career as a person set apart.

The mention of Gandhi's first imprisonment offers a chance to review the origins of his disobedience strategy. Among the leading sources often identified are the Indian traditions of resistance to injustice, dating back to the Law of Manu, and of specific steps to produce remedies, among them *hartal* or strike, fasting, and *dharna* or 'sit-in'. Economic boycotts in Indian nationalism predated Gandhi's initial disobedience in South Africa. Before then he was aware of British feminist demonstrations in London. Among the semi-serious explanations for the origins of Gandhi's *satyagraha* is his comment late in life to Lord Wavell that he had learned non-violent non-co-operation from Kasturbai Gandhi, his wife.<sup>2</sup> The tendency in Gandhi's newspaper, *Indian Opinion*, was to give credit to non-Indian sources, among them Thoreau, Jesus, Daniel, Socrates, and Tolstoy. About Thoreau and Gandhi, who are often paired, it is known that Gandhi encountered the writings of the New Englander after he had first expressed his intention to disobey the law.<sup>3</sup>

There is important evidence in the *Collected Works* that African behaviour may have influenced Gandhi. In his initial, documented call for civil disobedience, i.e. his urging of Indians not to comply with the 1907 Transvaal registration law, Gandhi said: 'Even the half-castes

<sup>1</sup> Gandhi's wish to be a conspicuous prisoner was anticipated by Lord Selborne, the Transvaal's Governor, who in December 1907 told Smuts that he was not inclined to let Gandhi acquire 'martyrdom'. W. K. Hancock and Jean Van Der Poel (eds.), *Selections From the Smuts Papers* (Cambridge, 1966), vol. II, p. 386. See also Alan R. Booth, 'Lord Selborne and the British Protectorates, 1908-1910', in *The Journal of African History* (Cambridge), x, 1, 1969.

<sup>2</sup> Pyarelal, *Early Phase*, I, p. 205.

<sup>3</sup> See George Hendrick, 'The Influence of Thoreau's "Civil Disobedience" on Gandhi's Satyagraha', in *New England Quarterly* (New Brunswick), xxix, December 1956, pp. 462-71

and the Kaffirs, who are less advanced than we, have resisted the Government. The pass law applies to them as well, but they do not take out passes.<sup>1</sup> The inclusion of this grudging respect in one of Gandhi's most crucial statements on civil resistance is a signal justification for mentioning the Cape Coloureds and African peoples, along with various western and Indian influences, among the possible factors shaping his commitment to rule-breaking.

While in prison, Gandhi had discussions in January 1908, through an intermediary, with Transvaal authorities about a compromise settlement. Gandhi's later understanding was that in return for voluntary registration the Transvaal Asiatic Registration Act would be repealed. Released at the end of the month, he met Smuts and gained the impression that the compromise had been confirmed. Subsequently, Smuts denied that he had agreed to have the basic law repealed if voluntary registration took place, causing a controversy between the camps of Gandhi and Smuts that still persists.<sup>2</sup> The dispute was fed by Transvaal efforts to keep educated Indians who might provide new leadership from entering the province. Before the question became serious, Gandhi registered and persuaded some 2,000 compatriots to do the same, despite opposition from Pathans, one of whom assaulted him for alleged backsliding.

Negotiations between the Asians and the Transvaal Government broke down in May 1908. Either angered by the 'betrayal' or pulled logically into the next step, most of those who had registered voluntarily went to the Hamidia Mosque in Johannesburg on 16 August 1908, and dramatically burned their registration certificates in two cauldrons. Those arrested again for non-compliance with various regulations soon included Gandhi, who had tested entry into the Transvaal from Natal. In prison he refused to pay a fine to gain freedom to visit his seriously ill wife. Gandhi used his detainment and the mounting crisis in the Transvaal to build sympathy for the Indian cause in South Africa, India, and England. Released in December 1908, he was thrice arrested. After serving another sentence, he went to England in June 1909 and until that November represented Indian interests, which were being

<sup>1</sup> *Collected Works*, v, p. 418.

<sup>2</sup> The controversy is reviewed and adjudged a misunderstanding in W. K. Hancock, *Smuts* (Cambridge, 1962), vol. 1, pp. 333-8. The editors of *Collected Works* interpret the record as a proof of 'betrayal'. Some critical Smuts-Gandhi discussions are unrecorded, i.e. those of 30 January and 3 February 1908. The pro-Smuts case is helped by Gandhi's letter to him of 28 January 1908 (*Collected Works*, viii, pp. 40-1), which admits the difficulty of repealing the registration law and contains no mention of a bargain. Gandhians rely on Smuts' speech of 6 February 1908 (*ibid.* pp. 504-5), which implies that repeal would follow the voluntary registration of all Indians.

overshadowed in constitutional planning for the Union of South Africa. Welcomed by progressives, this change was an ambivalent development for Gandhi's cause.

On his return the struggle resumed against restrictive legislation, which carried over into the formation of the Union on 1 June 1910. The Union Parliament enacted a ban on interprovincial travel by Asians and moved to exclude further Indian immigration. A 1911 settlement between the Union Government and the Indians proved unstable. Despite a visit to South Africa by Gokhale, who extracted promises from Union authorities, legislation in 1913 did nothing to calm the Indians. Gandhi collected a variety of grievances, including the rising pressure against Indian merchants and legal doubts about the validity of non-Christian marriages. Negotiations produced another compromise accord between Gandhi and Smuts, who now represented the Union, but once more there was a misunderstanding about terms. Gandhi the seasoned negotiator emerged only in the 1920s.

In November 1913, Gandhi launched his final disobedience campaign, a march of 2,000 Indians into the Transvaal from Natal, combined with a strike of mine and sugar workers. Praise for the action from Lord Hardinge, the Viceroy, aided South African Indian morale and disturbed Union leaders. Arrests and temporary imprisonments were followed by the appointment of a government commission, headed by Sir William H. Solomon, which the Indians boycotted for lack of Indian membership.

There was some hope. A Gandhi-Smuts discussion led to the Indian Relief Act of 1914, which abolished a Natal head tax of £3 on non-indentured Indians, removed the term 'Asiatic' from immigration laws, accepted the principle of voluntary registration, legitimised marriage according to non-Christian rites, and allowed some educated Indians to enter South Africa. The Union secured its main objective, the exclusion of general Indian immigration. Gandhi obtained assurances from Smuts that existing laws would be fairly applied to all Indians and that their situation would be re-examined in the future. On these assurances, Gandhi withdrew his objections to the relief law and made preparations to return to India. The ostensible reason for returning was to meet family obligations. In retrospect, he seems to have been politically exhausted. Neither petitions nor disobedience had significantly improved the Indian position. Of his departure Smuts said 'the saint has left our shores—I sincerely hope for ever.'<sup>1</sup> Gandhi did not return, and anti-Indian legislation was passed in 1919, 1922, 1923, 1924, and later years.

<sup>1</sup> *Smuts Papers*, III, p. 180.

## CONCLUSION

As with his outlook on Africans and Europeans, Gandhi's policies and methods should not be judged independently of the circumstances and prevailing norms of his times. Still, it is not unreasonable to suggest that his franchise policy was short-sighted in relation to the possibility of securing greater political power for his minority. Moreover, for Gandhi to have acquiesced in the reduction of the franchise, even as he struggled to eliminate racial language in legislation, weakened his subsequent disobedience strategy. For he placed dissidents in the unenviable position of undertaking illegal conduct when they had not even pressed to expand the narrow, but existing, voting rights. As for *satyagraha* itself, Gandhi's gradual development of non-violent disobedience was a positive gain for contesting repression. The South African Gandhi can be fairly questioned, as a recent biographer has done,<sup>1</sup> for not extending his mass protest weapon to include Africans. While in Natal and the Transvaal, Gandhi absorbed ideas from such writers as Tolstoy and Emerson; but even if he read John Donne he did not follow the principle that 'no man is an island'. Additionally, one can justly criticise Gandhi for failing to realise that his differential view of Africans logically worked against his efforts to phase out anti-Indian laws and practices.

Yet there is no cause to demean Gandhi's net contribution. African leaders as different and alike as Habib Bourguiba, Kenneth Kaunda, Albert Luthuli, and Kwame Nkrumah have testified to their debt to Gandhi's political ethics and disobedience method, which he developed and used in South Africa. Despite the present interest in revolution, Gandhi's legacy is relevant in contemporary African affairs, and in crucibles outside the continent.

<sup>1</sup> Ashe, *op. cit.* p. 125.