CHAPTER-IV

SATYAGRAHA IN SOUTH AFRICA

Introduction:

It was like a practice session for Gandhi to overcome his weaknesses and strengthen his beliefs. Almost all the components of Satyagraha were tried and tested during his stay in South Africa. Thus South Africa being a right laboratory provided an opportunity to confirm the powers and functions of different modes of Satyagraha. This chapter carefully examines the situations, developments and consequences of Satyagraha movements formulated and successfully executed by Gandhi in South Africa.

Gandhi in South Africa:

After securing his barrister-at-law degree from the Inner Temple, London, Gandhi started legal practice at the small cases court of Bombay. But as a lawyer, he rather could not succeed. In the very first case, which was a petty civil damage suit, Gandhi lost his courage and could not utter even a single sentence to defend his client. He had no expertise to conduct a case, as he was not well conversant with Indian Law, Indian History and above all human nature. After this incident he left legal practice until he went to South Africa.

Now Gandhi, in order to earn livelihood, greatly desired to become a teacher and applied for a part-time school teacher of English, but as he did not
have postgraduate qualification, he was not selected. With broken heart, he left Bombay and went to Rajkot with a view to settling down there permanently. At Rajkot he opened a legal office and with the help of his brother, Laxmidas, who was a petty vakil, started drafting applications and memorials. The drafting of documents brought him a small regular income.

The business was going smoothly until Gandhi, unfortunately, came into conflict with the British Political agent Mr. Ollivant at Rajkot. This incident took place on account of his brother, Laxmidas. In 1892 Laxmidas had been charged with having given wrong advice while he was the secretary and adviser to the Rana of Porabandar. The matter had gone to the Political agent who, incidentally, happened to be a London acquaintance of Gandhi. Therefore, Laxmidas wanted Gandhi to see the Englishman and settle the matter satisfactorily. Much against his will and conscience, Gandhi approached the officer and reminding him of their old acquaintance, he tried to persuade the officer to shed prejudice against his brother, if any, and do justice. But the Agent took his approach a miss and supposed that Gandhi had come to him with a view to taking advantage of their old contact. Hence, the agent asked Gandhi to leave his office instantly. As Gandhi stayed to explain his view and stand the Agent became angry and ordered his peon to drag him out ‘with just enough force’ and the peon obeyed the order quickly. Gandhi frowned at his insult and threatened the Agent with legal action and preceded accordingly. But the renowned lawyer, Pherozshah Mehta, ‘the tiger of Bombay’, advised Gandhi to drop the legal action, pocket the insult and forgive the incident as
going against a British officer meant nothing but personal ruination. As a result Gandhi pocketed the insult but failed to forget it. The terrible insult by a British authority had shocked him very deeply and his shock changed his life altogether. In his Autobiography Gandhi reveals, “This shock changed the course of my life.”

The bitter encounter with the British Agent resulted in a psychological hindrance for Gandhi’s practice as most of his professional work was in the court of the Agent, who had insulted him. Gandhi found himself in an embarrassing position when he had to remain silent and work with the cooperation of the Agent. The result was that he left his practice. In his Autobiography Gandhi points out, “This atmosphere appeared to me to be poisonous and how to remain unscathed was a perpetual problem for me.”

At this dim and distressing juncture a chance came to Gandhi for leaving India. A Memon firm from Porabandar under the name and style of Dada Abdullah and Company offered Laxmidas to send Gandhi to South Africa to help them settle a law suit of 40,000 pounds pending in the court of the South African Republic, Transvaal. The suit was against another Indian firm. The duration of the service was to last not more than one year and Gandhi was promised a first-class return fare, a sum of 105 pounds and the payment of all expenses. Gandhi who was suffering from frustration and depression accepted the offer without a second thought and got ready to go to South Africa.
In the Autobiography he discloses, "There was also the tempting opportunity of seeing a new country, and of having new experiences." Also in the Satyagraha in South Africa Gandhi says, "I was fond of novel experiences. I loved to see fresh fields and pastures new."

In this way, in April 1893, Gandhi left India for South Africa leaving behind his wife with 2 young sons – Manilal and Harilal.

**BITTER EXPERIENCES OF APARTHEID:**

In May 1893, Gandhi landed at Durban, the port of Natal, where Dada Abdullah, the first client of Gandhi in South Africa, received him. After two or three days of his landing, Gandhi was taken to the Durban Magistrate’s court by Dada Abdullah to meet his attorney and some other important persons and lawyers. At this moment Gandhi was dressed in European clothes but wearing a Bengali professional turban. The Magistrate kept staring at the Newman, and observed that he was not dressed in Muslim Costume, asked him to take out his turban. Gandhi did not obey the order as the order seemed to him unjust and unreasonable and in reply he preferred to leave the court. This was the first insult that he experienced in South Africa. Gandhi discloses, "I observed on the very first day that the Europeans meted out most insulting treatment to Indians."
On the advice of Dada Abdullah Gandhi wrote to the press about the incident, defending the wearing of the turban in the court. The Natal papers discussed Gandhi’s viewpoint and his demand at length. Some defended him, while others criticized his boldness by calling him an “Unwelcome Visitor”.

A week after this incident Gandhi started for Pretoria, the capital of the Transvaal, in order to consult and help the lawyers in charge of his client’s case. He went with detailed instructions from Dada Abdullah about men, matter and places. The case was being fought in the court of Pretoria.15

The journey from Durban to Pretoria exposed Gandhi to the most deplorable experiences of colour prejudice and racial discrimination against Indians pursued by both the white officials and the white civilians. At Durban Gandhi boarded the train in the first class compartment for the overnight journey. At 9 p.m when the train reached Pietermaritzburg, the capital of Natal, Gandhi was told by the railway officials to move to a third class compartment after an objection made by a white passenger who regarded Gandhi’s presence, the presence of a coloured person, in the first class compartment as an outrage against his civility and culture.16 But Gandhi refused to comply with the order of the railway officials and protested by rebutting, “But I have a first class ticket.”17 But the rational argument of Gandhi could not convince the Europeans who were blinded by colour prejudice. They called a police constable who pushed Gandhi out of the train. Now Gandhi was left with two options: either to get a seat in third class compartment, or to leave the train resulting in severe suffering to him. He chooses the later but did not comply
with the unjust demand of traveling in the third class compartment while having first class ticket.

It was one of the coldest nights of the winter season of South Africa, and Gandhi sat all the night in the station. Many years later Gandhi said, “My active Non-violence began from that day”¹⁸

The subsequent morning Gandhi sent a long telegram of complaint to the General Manager of the railways and also informed Dada Abdullah who straightaway met the Manager. The Manager justified the conduct of the railway authorities but gave instruction to the station Master of Maritzburg for making enough arrangement so that Gandhi could reach his destination safely.

However, Gandhi restarted his journey by the evening train in a reserved birth and reached Charlestown in the morning. From Charlestown he proceeded to Johannesburg by stagecoach. But en-route to Johannesburg, the race and colour of Gandhi brought to him a lot of trouble in the form of personal insults and humiliations. In the coach he was addressed by the white conductor as Sami, meaning Coolie, and was ordered to sit on his feet on a dirty cloth, instead of his seat. Gandhi did not comply with this instruction. As a consequence Gandhi was assaulted violently and beaten mercilessly by the conductor. But Gandhi did not retaliate either physically or verbally. He looked like a man who was determined to accept physical injury instead of submission to an unjust and unreasonable demand. At last the adherence of Gandhi to Non-violence and truth moved other white passengers of the coach to pity, who
intervened and saved Gandhi from further assault and brute treatment by the conductor.19

The coach reached Johannesburg at night, from where the next train to Pretoria was in the morning. Therefore, Gandhi drove to a hotel named Grand National Hotel. Here he was refused accommodation because of his colour and race under the cover of an excuse from the Manager that the hotel was full. Then Gandhi went to a merchant friend of Dada Abdullah who after learning about the hotel incident narrated to Gandhi the story of various hardships met by the Indians in South Africa.

As Gandhi was determined to travel first class, he went through railway regulations and found that the prohibition was not precise. Accordingly, he requested the station Master of Johannesburg in writing for issuing a first class ticket to him. The Station Master, who was having sympathy for Indians obliged Gandhi that in case any trouble arouse during the journey, he would not involve him in the affair nor would not proceed against the railway company. Gandhi agreed and restarted his journey. But at Germiston the guard ordered Gandhi to move to a third class compartment. Gandhi showed his first class ticket and refused to go to the third class compartment. In the meantime the lone fellow English passenger intervened and saved Gandhi from further humiliation by scolding the guard. Consequently, the guard went away after expressing provocative remark. “If you want to travel with a Coolie, what do I care?”20 Gandhi reached Pretoria at night without any further trouble. In Pretoria Gandhi, met Dada Abdullah’s attorney, Mr. A. W. Baker who received
Gandhi very affectionately and helped him in solving accommodation problems.

All these incidents and exposure of colour prejudices and the policy of apartheid practised in South Africa by the Europeans against the Indians, created in Gandhi a deep desire to study the social, political, and economic conditions of the Indians in the Transvaal and then he went step by step through various discriminatory laws of the four colonies - the Transvaal, the Orange Free State, Natal and the Cape Colony.

In the first public speech of his life Gandhi addressed the audience with rational and consistent conviction. He drew the attention of the community to their condition in the Transvaal and at the same time highlighted their weaknesses too. He also argued the need of communal unity by shedding all types of differences. He told them to forget all distinctions and laid stress on the unity because without unity it was very difficult to improve the lot of the community, safeguard their interests, preserve their self-respect and maintain the honour of their country. He also asked upon them the significance of the English language and asked them to learn English. In conclusion Gandhi suggested the formation of an association for making representations to the authorities concerned in respect of the hardships of the Indian settlers.21

In the Autobiography Gandhi points out, “In short, my stay in Pretoria enabled me to make a deep study of the social, economic and political conditions of the Indians in the Transvaal and Orange Free state”22
In Pretoria a discriminatory law forbidding the Indians from using footpaths led to produce serious consequences for Gandhi. Though Gandhi was aware of the law, he used to go for long walks daily in the evening. But once, while he was walking alone on the footpath, he was pushed and kicked in the street by a police patrol without giving him a signal of warning. This incident hurt Gandhi to the very core of his heart. He began to think how to change such state of things. In his autobiography Gandhi reveals, “I thus made an intimate study of the hard condition of the Indian settlers, not only by reading and hearing about it, but by personal experience. I saw that South Africa was no country for a self-respecting Indians, and my mind became occupied more with the question as to how this state of thing might be improved.”

However, Gandhi could not do anything immediately for the eradication of hardships of the Indian settlers. His immediate primary duty was to attend to the case of Dada Abdullah, for which he was sent to South Africa.

Gandhi studied deeply and thoroughly the papers of both parties and discovered that the facts of the case were very strong for his client and thus, the law was bound to be on his side. By facts Gandhi meant truth, and told that if one adhered to truth the law was bound to come to his side. He also found that the litigation was bound to ruin both the claimant and defendant in terms of time and money. Moreover, as both the parties were relatives, the proceedings and results of the lawsuit were about to break their relationship forever. Taking all these things into consideration Gandhi took a humanistic and practical approach suggesting to both the parties a settlement out of court in order to end
the case quickly. Finally, Gandhi won and the parties concerned agreed on an arbitrator who heard the case and decided in favour of Dada Abdullah.

However, the arbitration award threatened Mr. Seth Tyeb, the loser, with bankruptcy as he was called upon to pay 37,000 pounds and the costs. Realising the difficulty of Seth Tyeb, Gandhi persuaded and convinced Dada Abdullah to permit Seth Tyeb to pay the awarded amount in moderate installments spread over a very long period. Thus the lawsuit, which was eating away time, money, mental peace and relationship of both parties, was settled out of court with dedicated effort of Gandhi. The most important outcome of the settlement was that both the sides were happy and satisfied and became close to each other.25

The success of Gandhi’s attempt in bringing these two opponents closer strengthened his faith in persuasion, appeal, arbitration, and a mutual compromise on the ground of facts and truth in order to save the opposite parties. In the Autobiography Gandhi declares, “I had learnt to find out the better side of human nature and to enter men’s hearts.”26

Struggle Against Prejudiced Legislations:

After resolving the lawsuit of Dada Abdullah and Co. out of court, Gandhi had no immediate task before him. He, therefore, returned to Durban and began to arrange for his departure for India. At the send-off party given by Dada Abdullah in his honour, Gandhi chanced to glance at a news piece of the Natal Mercury newspaper under the headline “Indian Franchise”. This news
piece was in reference to a Bill known as Franchise Law Amendment Bill, which was tabled before the Natal Legislature. This Bill sought to deprive the Indians of Natal who then enjoyed limited franchise on a basis of fixed wealth criterion.27

The Right to franchise of foreigners living in Natal was approved through the Royal charter, dated the 15th July 1850. According to Gandhi, "The Royal Charter, dated the 15th July, 1850, provides that any adult male, not being a native of South Africa, possessing property to the value of 50 pounds, shall be entitled to be placed on the voter Roll."28

However, the Legislators of the Natal Assembly had forwarded two reasons in support of the passing of this Bill. The first reason was, "That the Indians have never exercised the franchise in the land they come from", and the second was, "That they are not fit for the exercise of the franchise."29

Having read this news Gandhi saw a naked violence of human right and explained to the Indian guest merchants present at the farewell party the consequences of this Bill if it becomes law. Gandhi said, "This Bill, if it is passed into law, will make our lot extremely difficult. It is the first nail into our coffin. It strikes at the root of our self-respect."30 He therefore, convinced the merchants to resist it. Mr. Dada Abdullah and other merchants of the party realized the danger and urged Gandhi to reside a little longer to help them to fight against the Bill. As a result, the farewell party turned into a working committee.
Next day a formal meeting of important Indian merchants was held under the chairmanship of Sheth Haji Adam, one of the richest merchants of Natal, to chalk-out a future plan of action. Gandhi sent telegrams, in the name of Sheth Haji Mohammad to the speakers of Natal Legislative Assembly, Prime Minister of Natal Robinson and Attorney General of Natal, Mr. Escombe, asking them for the adjournment of consideration of the Franchise Law Amendment Bill till a petition on behalf of the Indians in this regard was presented, on June 27, 1894. The result was that the discussion of the Bill which was on the table of the Natal Legislative Assembly was postponed by 2 days. Therefore, on June 28, Gandhi submitted a petition signed by the Legislative assembly of Natal opposing the Franchise Law Amendment Bill. In this petition Gandhi presented the Indians as British subjects and modestly rejected the two grounds advanced in support of the Bill.

For defending the right to franchise of Indians Gandhi pointed out, “The Indian nation has known, and has exercised, the power of election from times far prior to the time when the Anglo-Saxon races first became acquainted with the principle of representation.” Gandhi also highlighted the institution of Panchayat of India and cited the Mysore Assembly, which was a model of British Parliament. He also brought into the notice of the Assembly the existing system of Municipal Local Self-Government of India, by which Indians had become familiar with representative institutions. Thus Gandhi tried his best to appeal to the reason of the members of the Assembly to seek justice and at last requested them to review the harsh decision of disfranchising the Indians.
Now Gandhi presented a petition to the President and members of the Natal Legislative Council on July 4, requesting them not to pass the Bill when it comes to them. At this occasion Gandhi wrote a letter to Dadabhai Navoroji, seeking his influence in the British Parliament to arouse opinion in favour of the South African Indians by raising the question of their hardships. Gandhi also informed him about the Franchise Bill and disclosed that the main purpose of this Bill was to make the life of Free Indians, the life of slaves. Finally, Gandhi asked for his useful suggestions, and valuable guidance for fighting the racial discrimination.

However, in spite of all these constitutional efforts of Gandhi, the Bill got approved in the Assembly and then it was sent to the Legislative Council for its consent. Therefore, Gandhi again presented a second petition on July 6, 1894 to the Legislative Council urging the council to return the Bill to the Assembly for reconsideration with just and suitable recommendations. However this petition too was rejected and the bill received the third reading on July 7, 1894 after which the Bill sent to the Governor for his assent. Now Gandhi wrote a letter to the Governor on July 10, 1894 requesting him to postpone sending the Bill to the Home Government for the Royal Assent, till a petition to the Home Government opposing the Bill was sent to him to be forwarded to the Home Government." Again at this juncture on July 14, 1894, Gandhi wrote a letter to Dadabhai Navoroji through which informed him that the Bill got its third reading and was sent to the Governor who also gave his assent to the Bill.
Consequently on July 17, 1894 Gandhi submitted in the Natal Governor a mass petition signed by 10,000 Natal Indians addressed to Lord Ripon, then the secretary of state for colonies. In this petition Gandhi presented the Indians of South Africa as the British subjects giving their historical background and their present conditions elaborately, truthfully and sought justice.

After submitting this petition Gandhi once again wrote a letter to Dadabhai Navoroji in which he disclosed the facts that the Bill if made law would destroy political, social, and economic interests of the Natal Indians.

The copies of the Petition were widely circulated, the result of which was that the people in India and in England came to know for the first time the difficulty and miserable conditions of the South African Indians, through the print media which had published articles on the petition giving an impression that the Bill would be vetoed. Gandhi discloses in his Autobiography by writing, "The Times of India in a leading article on the petition, strongly supported the Indian demands. The London Times supported our claims, and we began to entertain hopes of the Bill being vetoed."37

Now Gandhi felt that his work was completed and therefore sought permission to go to India. But his merchant colleagues and coworkers refused to grant permission. Gandhi agreed to settle in Natal. Therefore, he got himself registered in the Supreme Court to practise in Natal courts as an advocate and started to earn his livelihood from his legal practice.

With the assistance of his merchant coworkers, Gandhi established a permanent organization, the Natal Indian Congress on 22nd August 1894 at
Mr. Abdullah Haji Adam, an Indian merchant was made its president and Gandhi was given the post of its Honorary Secretorship.$^{39}$

A large number of Indians mostly wealthy traders subscribed to it and became its members. Seven important objects were attached to the Natal Indian Congress. They were to:

1) Promote concord and harmony among the Indians and Europeans, in the colony.

2) To inform the people in India by writing to the News Papers, publishing pamphlets, and delivering lectures to induce Hindustanis - particularly to the colonial born Indians.

3) To study the Indian History and literature relating to India.

4) To inquire into the conditions of the Indians and to take proper steps to remove their hardships.

5) To inquire into the conditions of the Indentured Indians and to take proper steps to alleviate their sufferings.

6) To help the poor and helpless in every reasonable way, and

7) To do such work as would tend to improve the moral, social and political conditions of the Indians.$^{40}$

As the Europeans had been charging the Indians as dirty and close-fisted, Gandhi took up seriously the question of improvement of their ways of life side by side their political struggle. Therefore, at the Congress meetings lectures used to be delivered on domestic sanitations, personal hygiene and the necessity to having separate buildings for houses and shops.
In this way Gandhi sought equality of the Indians with the Europeans not merely on the ground of right but also on the ground of fulfillment of civic duties by the Indians. Therefore, the object of the Congress was “two-fold: political and educational.” Educational in the sense that it intended to encourage the Indians born in the colony to study and know about the history of India as well as South Africa, so that they might be capable to serve their community in a better way. Political in the sense that, it proposed to achieve the same status for the Indians in South Africa, which they used to enjoy in India.

In due course of time new Congress were formed in the Transvaal and Cape Town. Though their constitutions were different, but their activities were identical with the Natal Congress.41

Having the object of creating a harmony between the Europeans and the Indians and for popularizing the just demand of the Indians, Gandhi wrote 2 pamphlets, the first was entitled “An appeal to Every Briton in South Africa”, and the second was entitled “The Indian Franchise an appeal”. The first contained a statement, supported by evidence of the general conditions of the Natal Indians and the later contained a brief history of Indian franchise in Natal with facts and figures.42 Through these two letters Gandhi appealed to the Europeans to accept the Indians as their fellow beings and to do justice to them reciprocally on sympathetic and moral ground at social, economic, and political levels.
In December 1894, Gandhi wrote an open letter addressed to the Natal legislators. Then Gandhi asked the legislators four questions: are the Indians desirable as citizens in the colony? What are they? Is their present treatment in accordance with the best British traditions: or with the principles of justice and morality, or with the principles of Christianity? And from a purely material and selfish point of view, will an abrupt or gradual withdrawal of them from the colony result in substantial and lasting benefit to the colony? Gandhi raised these basic questions, which were the causes of confrontation between the two communities and then tried to answer them with a view to appeal to the reason of the legislators to do justice. In answer to the first question Gandhi established that both the Indian labourers and traders were good citizens of the Natal colony, because it was the Indian indentured labourers who brought economic prosperity to the colony, Their contribution to the colony was praised, and hence they deserve to be treated as desirable and useful citizens.

With regard to the Second question Gandhi proved India as a civilized country by quoting several important European writers to impress upon the legislators that the Indians in South Africa were the descendants of a truly civilized nation and therefore they should be treated in a manner befitting civilized people. Regarding the third question Gandhi pointed out that the inhuman treatment meted out to the Indians in South Africa was against the British traditions of justice, against morality and against the teachings of Jesus Christ who had taught to love even one's enemies. In answer to the fourth
question Gandhi proved that the expulsion of the Indians from the colony would be detrimental to its economic interest.

At last Gandhi requested the legislators to provide the Indians such good treatment which was due to them on the ground of their useful services to the colony and on the basis of love, sympathy, humanity and morality thereby abolishing the artificial institution of colour distinction. Besides this open letter to the legislators Gandhi also wrote a general letter addressed to the Europeans on December 1894 through which Gandhi appealed to the common Europeans to treat the Indians as their fellow beings and brothers compassionately.

However, all the above endeavors of Gandhi through appealing the minds and hearts of the Europeans to shed hatred and colour prejudice against the Indians went in vain. In May 1895 the Natal Legislative assembly introduced a new anti-Indian bill called the Indian Immigration Law Amendment Bill. This Immigration Bill was related with the Indian indentured labourers. It sought two amendments in the law regulating the indentured system. In the first place it intended to extend the period of the indenture from 5 years to an indefinite period. In the second place, it made the return of the Indian indentured labourers to India compulsory just after the termination of the period of their indenture. But if they declined to return to India and wished to live in Natal then they were required by this Bill to do either of two things i.e., either they must re-enter into a further indenture or they should pay a tax of three pounds yearly including each of his family members wife, daughter above
the age of 13 years and son above the age of 16 years. Thus, the bill basically projected to make the indenture system a permanent institution.

Gandhi sharply reacted to this immigration Bill and sent a petition in the name of the President of the Natal Assembly. Gandhi discloses that the extension of the period of the indenture system for indefinite period was a violation of the spirit of the British Constitution, which had abolished the institution of forced labour of any type all over the world. Gandhi termed the imposition of 3 pounds tax, as a prohibitive tax because it's real purpose was not to raise revenue but to drive the poor labourers out of the colony making money out of their blood for 5 years. At last Gandhi very modestly requested the speakers and members of the Assembly not to consider the Bill positively and thereby to accord justice and mercy to the indentured Indians who were primarily responsible for the economic advancement of the colony.

However, in spite of Gandhi's appeal and request the immigration Bill was passed by the Natal Assembly and was sent to the Natal Council for its approval. Therefore, Gandhi again sent a petition in the name of the President of the Natal Indian Congress and other Indians to the council opposing the Bill. But the Council too passed the Bill and sent it to the Governor of Natal who after giving his assent sent it to the Home Government, London, for Royal assent. Now Gandhi sent a petition to Hon. Joseph Chamberlain, the then Principal Secretary of State for the colonies requesting him to prohibit the Bill on the ground of justice, equality and morality.
On the same date, i.e., 11 August, 1895, Gandhi also sent a memorial to Lord Elgin, the then Viceroy and Governor General in the Council, Calcutta, India requesting him to interfere and protect the interests of the indentured Indians by drawing his attention to their hardships to be brought about by the Immigration Bill.

Again the sincere effort by Gandhi for the just demand of the Natal Indians proved to be without reward as the Immigration Bill got the Royal assent and thus was converted into law. However, initially the poll tax was proposed to be 25 pound, which was reduced by Lord Elgin, the Viceroy of India, when the proposal was sent to the British Indian Government for its clearance. Gandhi has claimed this reduction as the result of the agitation carried on by the Natal Indian Congress against the Bill. In his Autobiography Gandhi discloses, “The reduction from 25 pounds to 3 pounds was probably due solely to the Congress agitation...as trustee of the welfare of India, the Viceroy ought never to have approved of this inhuman tax.”

However, September 12, 1895 brought a jubilation to the Indians of Natal as on this very date Lord Chamberlain conveyed the Natal Government refusal of the Royal assent to the Indian Franchise Law Amendment Bill in it’s existing form. But this jubilation proved to be short lived as the Natal Government prepared a new Franchise Law Amendment Bill and tabled it in the Natal Parliament on April 27, 1896. This Bill sought to disfranchise Indians indirectly as it required to disfranchise the natives of those countries, other than Europeans, who did not enjoy elective franchise there. Consequently Gandhi
on behalf of the Natal Indians sent a memorial to the Natal Assembly criticizing and opposing the Bill.

Gandhi requested to constitute an enquiry commission to prove all unjustified assumptions before passing the Bill. But this time too the petition failed to produce any positive result as the Bill got its third reading and was passed by the Legislative Assembly on May 13, 1896.

Now Gandhi sent a memorial to Hon. Chamberlain, the Secretary of State for the colonies on May 22, 1896 requesting Chamberlain not to advise the Queen to sanction the Bill. But once again the memorial of the Indians prepared and sent by Gandhi failed to win over the Secretary of state for the colonies to withhold the Royal assent. The Bill when reached England, was given the Royal assent without any objection.

**THE OUTBREAK OF SATYAGRAHA MOVEMENT IN SOUTH AFRICA**

On October 10, 1899 a war known as the Boer war had taken place between the Boers and the British in which two Boer Republics The Transvaal and the Orange Free State were conquered by the British, and brought under the British flag.

The Transvaal Indians under the leadership of Gandhi had provided their services to the wounded British soldiers as Ambulance Corps Stretcher during the course of war. This service of the Indians was a sign of their loyalty to the British Subjects. But just after the end of the war their services were forgotten.
altogether, though they had been awarded with war medals and praised by the South African and the British newspapers.

Louis Fischer reveals the cause of such post-war attitude of the British authorities by writing, “Britain was tending Boer wounds and did not intend, therefore, to wound Boer susceptibilities by redressing Indian grievances.” Therefore, the first signal of such attitude came through the promulgation of the Peace Preservation ordinance through which a permit was required for entering the Transvaal. In the Boers Transvaal, the Asiatic, mainly Indians and a few Chinese, could easily get the permission to enter and reside in the colony merely by paying a sum of 3 pounds. But now under the cover of peace preservation, the British authorities started to check fresh as well as domiciled Indians, who left the Transvaal during the war period, from entering into the Transvaal. The task of the issue of the permits was assigned to a newly created department known as the Asiatic Department, which had the sole authority to accept or reject the applications for the permit. Though the permit restriction was applied, to both the Asiatic as well as the Europeans but in practice this was not so. In practice, the Europeans were given a free access to the entrance into the Transvaal while the Indians were strictly required to follow the permit procedure.

By now Gandhi had settled down in Johannesburg to deal with the Asiatic Department, which was involved in corruptions and malpractices. Though Gandhi resisted irregularities of this Department, but he did not oppose the permit order of the government. He advised the old residents of the
Transvaal to change their old permits for new ones. Consequently, almost all the Indians of the Transvaal changed their old permits for new ones.55

The process of the re-registration of almost all the Transvaal Indians was completed in the beginning of 1906. Hence, the Indian Community now felt that the re-registration would satisfy the Government of the Transvaal and thus would bring peace and dignity to them. But their hopes belied as the Transvaal Government sought to give a legal sanction to the permit system on a permanent basis. It, therefore, drafted as Asiatic Law Amendment Ordinance to be introduced into the Legislative Council.56

This new ordinance required each and every Indian of the Transvaal including man, women, and child of eight years or above to be registered freshly with the Registrar of the Asiatic and take out a certificate, all previous permits being cancelled.57 At the time of applying for registration they were required to give a number of personal details including a complete set of finger prints, as if they were condemned prisoners, because in those days a full set of finger prints could be demanded only from criminals. Any Indian who failed to register before a fixed date would lose his right of residence and consequently could be imprisoned or deported from the Transvaal. This penalty was to be applied to adults as well as minors.58 Again after registration the Indians were required to carry the registration certificates with them at all times. If they were detained without valid certificates, they would be liable to imprisonment, fine or deportation no matter whether they owned valuable property or engaged in any important commercial transactions.59 Moreover the police was gifted with
unlimited power to ask the Indians for certificates at any time and at any place without giving any warning or any reason. The government officials were also given the power to ask the Indians to show registration certificates before providing any help, and incase they failed to produce the same would be handed over to police.

When Gandhi went through clause-by-clause of this undignified, inhuman and class ordinance, he was shocked. Gandhi rejected out rightly the proposed ordinance and termed it as Black because it was morally black. Soon Gandhi summoned a small meeting of the prominent Indians of Johannesburg and explained to them the ordinance word by word and highlighted the consequences of its implications. He emphasized the need of thinking calmly for giving an united resistance to the ordinance, and to be ready to bear all types of hardships brought by such resistance. The result was that each and every Indian present in the meeting understood the important suggestions of Gandhi and realized the seriousness of the situation. They also resolved to give the issue a wild publicity and propose persistent resolutions.

On September 4, 1906, the Bill was introduced in the Transvaal Assembly. On 11th September 1906 under the leadership of Gandhi a mass protest meeting of Indians was held in the old Empire Threature, Johannesburg. Not less than 3000 people hailing from the various parts of the Transvaal attended the meeting, which was presided over by the Mr. Abdul Ghani, Chairman of the Transvaal British Indian Association, which was founded in 1903. Addressing the meeting Gandhi explained the regulations of the
ordinance and their consequences in case they were passed. Then in this meeting four resolutions, under the sponsorship of Gandhi, were moved and passed. The most important among them was the last resolution known as the Fourth Resolution by which the Indians solemnly resolved not to submit to the ordinance in the event of its becoming law and to suffer all the penalties attaching to such non-submission.\(^{65}\)

Speaker after speaker spoke in support of this Forth Resolution with angry and powerful speeches and the atmosphere became electric. One of the colleagues of Gandhi, a merchant named Sheth Haji Habib called upon the meeting passionately to take the oath in the name of God that they would stand by the resolution and never submit. Gandhi suggested that such pledges taken and observed by the Indians in true spirit might help in defeating the ordinance. Next Gandhi made a distinction between collective responsibility and personal responsibility and thus bound the people with each other’s responsibility.

Similar meetings were held everywhere and pledges of resistance were taken. The issues of ‘Indian opinion’ (A weekly started by Gandhi in 1904 in Durban) began to be filled with the topics of discussions on the black ordinance. Moreover, Gandhi approached the Press explaining the Indian stand with the result that the ‘Rand Daily Mail’ and the ‘Star’ echoed it, attracting the attention of the whites.\(^{66}\)

Now Gandhi thought it better to give a name to this movement of the Indians against the ordinance. Initially Gandhi called it as passive resistance
but afterwards he felt its inadequacy to reflect the spirit. Moreover, Gandhi did not like God based struggle to be known only by an English name. Hence, Gandhi suggested the people to advice the name for the movement.

Maganlal Gandhi, a second cousin of Gandhi proposed a name, ‘Sadagraha’ which was amended by Gandhi to ‘Satyagraha’. The word Satyagraha was coined with the words Satya and Agraha. According to Gandhi Satya meaning Truth implies love and agraha meaning firmness implies force. Thus, Satyagraha implies the force, which is born of Truth and Love or non-violence. Thus, Satyagraha means “Firmness in Truth” or Firmness in Love. In other words, it may be said as Truth Force or Love-Force, or Soul-Force. The person practising this method was to be called Satyagrahi.

In this way the term Satyagraha came into existence and the Indian movement of non-compliance began to be known as the Satyagraha movement, or simply Satyagraha.

In due course, the Transvaal Legislative Council passed the ordinance with the crossing out of the clauses affecting Asiatic women as promised by Mr. Duncan. Though this change removed the most hated insult, but still there was a great threat to the dignity, respectability and above all existence of the Indian in the Transvaal.

Gandhi suggested to send an Indian deputation to London with a view to make a bid for an Imperial veto to the ordinance. Accordingly a delegation consisting of Gandhi and H. O. Ali, an educated Muslim and a respectable member of the Transvaal British Indian Association was sent to England on
October 3, 1906, to make representations to the British Government and public.  

In London Gandhi met Dadabhai Navoroji, Sir Muncherjee Bhownugee and put the case of South African Indian before the British Committee of the Indian National Congress, which approved their cause and struggle. The deputation under the guidance of Dadabhai Navoroji succeeded in convening a meeting of the liberal, Labour and Nationalist members of the British Parliament on November 7, and enlisted their support on problems of the South African Indians. The result was that several members of the Parliament protested against the treatment met out to the British Indians and supported the objectives of the deputation.

In reply Lord Elgin expressed his sympathy and promised to do all he could. Being assured by Lord Elgin, the same deputation met Mr. Morley, Secretary of State for India who also promised to support the Indians of South Africa against the harsh and humiliating indignities. Now Gandhi interviewed the Prime Minister, Sir Henry Campbell Bannerman who spoke against the Asiatic ordinance and assured Gandhi to suggest Lord Elgin to disapprove it. Gandhi also met Winston Churchill, the Under Secretary of State for the colonies who also promised to do all he could. At last, Gandhi, with the kind cooperation of the well wishes of Indian cause established an standing committee, and named the South Africa British Indian Committee, to watch the interests of the British Indians in South Africa and to unite all the like minded
persons in the committee. L.W. Ritch the old helper of Gandhi was made its secretary and Sir M. Bhownugee as its chairman.\textsuperscript{72}

On December 1, 1906 Gandhi and H. O. Ali, left London for South Africa without getting any settlement or a definite answer. However, at Madeira on the way to South Africa Gandhi got a cable from Mr. Ritch announcing that Lord Elgin was advising the King to withhold assent from the ordinance. Having received this good news Gandhi and Ali became very happy. But when Gandhi reached Johannesburg his triumph disappeared because Lord Elgin had employed a trick.\textsuperscript{73} On the one hand, Lord Elgin advised the King His Majesty not to give the Royal assent to the ordinance because the Transvaal was a crown colony and any racial discrimination was departure from the fundamental principles of the British Constitution. On the other hand, Elgin assured the Attorney General of the Transvaal Sir Richard Solomon, an agent of the Transvaal colony related with the duties of instructing the secretary of the state for the colonies regarding matters affecting the colonial interests, that the Royal assent would be given to the audience if the Transvaal Government would enact it after achieving responsible Government which was to be conferred on the Transvaal on January 1, 1907.\textsuperscript{74}

When this trickily arrangement of Lord Elgin came to light Gandhi got annoyed and became disappointed and termed it as a crooked policy.

Meanwhile, responsible Government was established in the Transvaal, and fresh elections were held on February 20, 1907. The two Boer leaders General Botha and General Smuts won in the elections and became Prime
Minister and colonial secretary of the Transvaal respectively. General Smuts, the colonial secretary of the Transvaal was also in charge of Asiatic affairs.\(^75\)

The new Parliament of the Transvaal in the first season passed the Black ordinance on March 21, 1907, without any amendment. After being passed by the Parliament, the ordinance, now known as the Asiatic Law Amendment Act (Act 2 of 1907), was sent to England for the Royal sanction. On advice of the Lord Elgin the King gave his assent and thus the Act became Law. The Act was proclaimed to have the force of law from July 1, 1907, and the Indians required to be registered under July 31.\(^76\)

Thus, the Transvaal Government threw an open challenge before the Indians of the Transvaal. Now the Indians were left with no option but either to surrender to the Black Act silently or to launch their movement of Satyagraha defying the Act and face the consequences. They choose the second one as they were not ready to violate their pledges taken in the name of God, and so they started to prepare themselves to put a fight against the ordinance.

Gandhi went on declaring that he would prefer to go to jail rather than submit to the Act. The result was that a wave of Enthusiasm for going to jail swept all over the Transvaal. Gandhi wrote the General Botha requesting him to accept a compromise formula, but Botha declined. Gandhi also wrote several letters to the friends and well-wishers in England and in India, keeping informed of the new situation. He also raised the voice of the Indian Community through 'Indian opinion' appealing to the conscience and reason of the Transvaal authorities.
In this way Gandhi geared up the Transvaal Indians to start The Satyagraha Movement. For this purpose Gandhi created a new organization to carry on the Satyagraha Movement. This Organization was named as the Passive Resistance Association, which was later on altered to ‘Satyagraha Association’.77

On the other hand, the Transvaal Government was making preparations for getting the Indians registered before July 31. From July 1, they began to open registration offices first in Pretoria and then in all Indian localities – Germiston, Petersburg, Krugersdrop, Volksrust, Johannesburg and elsewhere. These registration offices were picketed by the volunteers of the Indian community on the advice of Gandhi. However, these volunteers were strictly instructed by Gandhi not to use any force against those individual members of the community who were willing to be registered. ‘Anything like compulsion is contrary to the spirit of our struggle’, declared Gandhi. Play cards, posters and printed papers were also used to instruct the people against the trap laid for them.78

The Transvaal Government instead of taking any vindictive step or legal action extended the time limit for registration by one month, which was further extended by another month and yet on November 30, the last day fixed for the purpose, only 511 persons out of a population of over 13,000 submitted to registration.79

The first Indian who was arrested on the charge of not having registered under the Black Act was Mr. Rama Sundra who was a resident of Germiston
and was popular as Pandit in the locality. Mr. Rama Sundra became an instant source of inspiration for the Indians all over South Africa.  

Now, The Government decided to arrest the leader of the Indian Community who had engineered the opposition to registration. Consequently, Gandhi and several other Indian and Chinese co leaders were summoned to court on 28th December and asked by the court to produce the registration certificates, and on failing they were charged to leave the Transvaal within a fixed time.  

Though Gandhi pleaded for severe punishment for himself, he was sentenced only to two month's simple imprisonment, while his compatriots in Pretoria had been sentenced to three month's imprisonment with hard labour, and had been fined a heavy amount, and if they failed to pay this amount, they would receive a further period of three month's hard labour.  

As the news of the arrest of Gandhi spread, the Indians took out a protest march carrying black flags. Though Gandhi was in Jail the Satyagraha Struggle did not stop. As the news of arrest of peaceful and non-violent Satyagraha crossed the border of South Africa there were sharp protests in India and England against their imprisonment.  

At this juncture General Smuts held cabinet meetings, and enunciated a settlement formula to break the dead lock. He then sent Mr. Albert Cartwright, a broadminded editor of the 'Transvaal Leader', a Johannesburg daily to influence Gandhi to accept the terms and condition of the settlement, drafted or approved by General Smuts. The main proposals of the settlement were
"...that the Indians should register voluntarily, and not under any law; that the
details to be entered in the new certificates of registration should be settled by
Government in consultation with Indian Community, and, that if the majority
of the Indians underwent voluntary registration, government should repeal the
Black Act, and take steps with a view to legalize the voluntary registration.83

The result was that in a few days, a large number of the Transvaal Indians except a few Pathans who were not convinced by the arguments advanced by Gandhi fulfilled the term of compromise. Now it was the turn of General Smuts to fulfill his promise, the repealing of the Black Act. Instead, he introduced into legislature a Bill that validated the voluntary registration certificate and at the same time kept the Black Act in continuation.84

Having been deceived and cheated by Smuts Gandhi was not a little bit nervous. Neither did he lose faith in his conviction in Satyagraha. In the Satyagraha in South Africa Gandhi discloses, “But I must say that far from shaking it, this blow made my faith in Satyagraha stronger than ever.” Hence Gandhi with the co-operation of his coworkers restarted the Satyagraha movement by giving a call to the community through ‘Indian Opinion’ to burn the registration certificates taken by them voluntarily, if the Government failed to repeal the Black Act before a prescribed date.

Accordingly the Indian Community of Johannesburg gathered at 4-O’clock on 16th August 1908, the grounds of Hamida Mosque to burn their certificates publicly, and 2000 certificates, which had been collected, were consigned to the flames amidst cheers and exultations.
As the Satyagraha movement had embraced the Immigration Restriction Act as well, the Natal Indians were advised by Gandhi to enter into the Transvaal and court arrest. Therefore, the Transvaal Indians started to hawk without trade licenses, which led to their arrest and consequently imprisonment. Those Indians who failed to show new registration certificates were also being arrested.

Gandhi himself was arrested second time on September 29, as he was not having registration certificate which he had burnt and thus he was treated as a new and illegal entrant. He was awarded a fine of 25 pounds or of a two-month's imprisonment with hard labour. As usual Gandhi preferred imprisonment to fine.

Gandhi sent several messages from the jail, one of which said, "Keep absolutely firm to the end. Suffering is our remedy. Victory is certain." On December 13, 1908, Gandhi was released as his term ended on that day. But on January 15, 1909 he was again arrested for the third time on the charge of failing to produce the registration certificate. This time he was ordered by the court to be deported. But after deportation he returned almost immediately. He was again arrested but not charged rather released on his own recognizance. However, on February 25, 1909, he was again arrested with other seven civil registers at Volksrust for refusing to produce the registration certificates. This time Gandhi with his arrested fellow was sentenced to pay a fine of 50 pounds or to go to imprisonment for three months coupled with hard labour. Again
they all preferred imprisonment to fine. In this way the Satyagraha or civil resistance against the immigration ban and the Black Act continued.

However, Gandhi was released on May 24, after the end of his imprisonment. At this time, a second Indian deputation consisting of Gandhi and Sheth Haji Habib was sent to London as the two General Botha and Smuts were going to London to convince the Home Government to make a union of all the colonies and territories of South Africa. Gandhi worked hard and met many British journalists and the members of the Parliament but with little effect.87

However for a long time Gandhi had been requesting Gopal Krishna Gokhale, his political Guru to visit South Africa to assess and study the conditions of the Indian settlers on the spot. In 1911, Gokhale went to England where he got approval from the Secretary of State for India for going to South Africa in order to study the facts of the case at first hand. Accordingly Mr. Gokhale reached South Africa on October 22, 1912 and addressed several public meetings of Indians as well as the Europeans and at last he met the two Generals, Mr. Louis Botha and Mr. Smuts and interviewed them. The Union of South Africa was brought into existence in 1910 and Louis Botha was made the Union Prime Minister, and Mr. Smuts was made the Minister in charge of Indian affairs in the Transvaal. As these Generals wanted Gokhale to carry back a good impression to India, they promised Gokhale that the Black Act would be removed. But after departure of Gokhale from South Africa, General Botha refused to fulfill the promise.
Again in March 1913 a strange thing took place out of a judicial
decision of the Supreme Court of province of Cape colony, which gave another
new dimension to Satyagraha Movement. On March 14, 1913 Mr. Justice
Searle of the Cape Supreme Court gave the ruling to the effect that all marriage
had no legal status, in the union of South Africa except those celebrated
according to Christian rites and registered by the Registrar of Marriages. Thus,
this judgment nullified all marriages celebrated according to the Hindu, Islamic
and Zoroastrian rites in South Africa and therefore, many women ceased to be
wives of their husbands and were reduced to the rank of concubines while their
children were assumed to be illegitimate.88

The judgment of Justice Searle changed the stand and compelled Gandhi
to invite the Indian Women to join struggle. Mr. Fischer says, “For the first
time large number of women joined the resisters. Kasturba also joined.”89

Now Gandhi proposed to the strikers to cross the border of Natal and
enter into the Transvaal for offering court arrest in opposition of the poll tax.
Each and every person on strike became ready to comply with the plan of
Gandhi, Hence; preparations for their march from New Castle to the Transvaal
were started. Gandhi gave this a name, the Epic march and the marchers, the
army of peace. However, Gandhi before this march gave the marchers some
important moral instructions regarding behavior and discipline to be followed
during the course of March.

On October 28, 1913, Gandhi gave marching orders to his Army of
Peace consisting of 5,000 people to cross into the Transvaal. On November 6,
1913, under the leadership of Gandhi the army of peace comprising of 2037 men, 127 women and 57 children crossed the border and entered eight miles inside the Transvaal, and halted at a small town called Palmford, without any opposition from the police. From here the march again started and reached Teadworth on 9th November, where only Gandhi was arrested. However, the march continued under the leadership of H.S. L Polak and Mr. Kallenbach, the two ardent supporters of Gandhi. Mr. Polak and Mr. Kallenbach were also arrested and confined in Voldrust jail. On November 11, 1913 Gandhi was tried in Dunbee and sentenced to nine month's imprisonment with hard labour.

The union Government of South Africa began to use state force against the strikers mercilessly. It regarded such strikers as slaves without the right to strike and soldiers were ordered to suppress them with gunfire. Consequently some were killed and several were wounded.

The news of these cruelties towards the peaceful marchers, spread like wildfire throughout South Africa and the result was that thousands of the Indian labourers downed their tools and went on strike in sympathy with the marchers, though Gandhi had warned his co-workers not to allow more labourers to go on strike. The tide of resistance rose higher. Approximately 15000 indentured labourers were on strike and several thousand free Indians were imprisoned. The result was that the news created a wave of resentment among the Indian nationalist leaders and the South African question became the burning topic of the day. They passed resolutions at the Lahore session.
supporting the movement and began to send money to Gandhi to help the Satyagrahis.

Now General Smuts found himself in an embarrassing dilemma. The Union Government found itself weakened by having to keep thousands of innocent men in jail amidst pressure from the Viceroy of India, Lord Hardinge, Indian nationalist leaders the press and British Government. But General Smuts was not ready to be embarrassed before the European Community by accepting the demand of the Satyagrahis openly. Therefore, he constituted an enquiry commission of three members of the European community to look into the grievances of the Satyagrahis and then suggested to the government necessary steps to be taken. Soon after it's constitution, the enquiry commission recommended to release Gandhi, Kallenbach and Polak unconditionally in order to make a thorough enquiry. The Government accepted the recommendation and released three leaders on December 18, 1913, after an imprisonment of six weeks.

However, at this juncture the European railway workers of the Union went on a strike throughout South Africa. This strike made the position of the government delicate and threatened even the existence of the Botha regime. This was an opportune time for Gandhi to apply pressure for getting his demands fulfilled by commencing his protest march. But Gandhi postponed the march. He was of the view that a Satyagrahi must not take advantage of his adversary's weakness. So he at once called off the protest march.
This soft and peculiar line of action taken by Gandhi yielded a very positive impact on General Smuts who summoned Gandhi to talk as the government had accepted the principle of negotiation.

General Smuts conveyed to Gandhi “We have decided to grant your demands, but for this we must have a recommendation from the commission.” Gandhi accepted the proposal of Smuts. He also helped Smuts by promising neither to furnish to the commission the evidence of ill treatment of the Satyagrahis by police nor to go to court for liable suit. By promising such help to the Government Gandhi enunciated another principle of Satyagraha.

The Union Government of South Africa quickly translated the recommendation of the commission, as promised by General Smuts, into the Indian relief Bill and submitted it to the Union Parliament in Cape Town. After a long debate, the Bill became law in July 1914. The Bill firstly validated the Indian marriages in South Africa which it recognized only one wife at a time as legal wife in South Africa. Secondly, it abolished 3-pound tax, and thirdly, it made a domicile certificate bearing only thumbprint of the holder sufficient evidence of right to enter the Union. General Smuts also promised Gandhi to settle those other grievances which were connected with the Satyagraha Movement but it did not come under the Indians Relief Bill, “as for example, Safeguarding the educated Indians, right of entry into the Cape colony... and permitting existing plural wives to join their husbands in South Africa.”

Though the settlement pleased both sides, but it did not consider those grievances, which were not included into the Satyagraha Movement. For
example, the Trade License Laws of the different province, the Transvaal Gold law, and the Transvaal Law 3 of 1885 were not altered to give the Indians full rights of residence. Moreover full inter-provincial migration was also not allowed. However, Gandhi, was to a great extent satisfied with this settlement.

**Conclusion:**

It was during his stay in South Africa (1893 to 1914) that Gandhi faced undignified conditions and inhuman racial discrimination. In spite of all these despairs his, entire ethical and moral philosophies of Truth, Non-violence and Satyagraha originated, evolved, blossomed out and got worldwide exposure and support.

South Africa also served as a mirror in which Gandhi saw India's weakness reflected. The Indians being pushed out to the unpleasant boundary of the towns of the Transvaal reminded Gandhi of the outcastes forced to live at the edge of every Indian village. When a white barber refused to cut his hair, Gandhi thought of barbers in India who refused to cut the hair of untouchables.

Thus, South Africa strengthened Gandhi and equipped with better options to confront with the injustices of all sorts. It was here that firm foundations were laid for the mighty role he played in ending foreign rule in India.
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