

OCCASIONAL PAPER: 3

GANDHI AND THE CHINESE IN SOUTH AFRICA

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GANDHI AND THE CHINESE IN SOUTH AFRICA

I look forward to the day when a free India and a free China will cooperate together in friendship and brotherhood for their own good and for the good of Asia and the world.

14 June 1942 (*Collected Works of Mahatma Gandhi* (CWMG), Volume 76, page 225)

I long for the real friendship between China and India based not on economics and politics but on irresistible attraction. Then will follow real brotherhood of man.

29 April 1945 (*Collected Works of Mahatma Gandhi* (CWMG), Volume 94, page 199)

Foreword

It is my great honour and pleasure to write a foreword for *Gandhi and the Chinese in South Africa* at the request of the author.

It is definitely a 缘分(Yuan Fen, its English equivalent could be destiny, predestination, fate, lot, luck, or Sanskrit Karma, by which people are brought together) for me and Mr. E S Reddy to make an acquaintance of each other. This Yuan Fen is our love for Mahatma Gandhi. Several Gandhian friends in India and China have contributed to make our Yuan Fen come true.

On August 16, 2014, Mr. T.R.K. Somaiya, of the Mumbai Sarvodaya Mandal and Gandhi Book Centre in Mumbai copied me his message to Mr. Reddy concerning his intention to write about the cooperation of Gandhi and the Indian community with the smaller Chinese community in the struggle against the Transvaal Asiatic Registration Act and other discriminatory measures against the Asians. He wrote: “I suggest that you can send your note to Mr. Shang Quanyu. He has translated many books on Gandhi in Chinese. Recently, he has translated the book, *Gandhi’s Outstanding Leadership in Chinese*. You can send your booklet to him. He may translate and publish the same in Chinese.” In a reply to both Mr. Somaiya and Mr. Reddy, I said: “So glad to know that Mr. Enuga Reddy is going to write a booklet about Gandhi and the Chinese which is a very interesting and significant topic to both Chinese and Indian people. In 2013, when I prepared my lecture tour to India on ‘*Mahatma Gandhi in China: An Overview of Century Long Saga*,’ I found that no substantial research on the topic of Gandhi and China/Chinese has been explored in China which deserves input from both Chinese scholars and Indian scholars. I’ll be more than honored to receive the note from Mr. Enuga Reddy and to translate his booklet into Chinese &

get it published in China when it's done." I got a prompt response from Mr. Reddy informing me that he would try to have the booklet ready soon. This is the first round communications between Mr. Reddy and me.

Time really flies! One year later, on September 6, 2015, I received a message from Dr. Huang Yinghong that the National Gandhi Museum in New Delhi would publish a booklet on *Gandhi and Chinese in South Africa* and forwarded me the messages between Shri Annamalai, Director of the Museum, and the author, Mr. E. S. Reddy. Thus started the second round of communications between Mr. Reddy and me. On the same day, I received from Mr. Reddy not only a copy of the manuscript but a request for a foreword. He suggested that if any scholar can do further research from Chinese archives, that would be valuable. I congratulated Mr. Reddy and told him that I would be happy to write a foreword, translate the booklet into Chinese and try to get it published in China.

Mr. Reddy's booklet makes a great contribution to the study of Mahatma Gandhi's passive resistance, or rather, Satyagraha in South Africa. As we know, Gandhi invented and practised his unique political strategy in South Africa and later on applied it in India for three decades until the country finally won her independence. Satyagraha in South Africa, therefore, occupies a very important role in both his own political life and Indian national struggle for freedom, and deserves a profound and thorough research. However, hitherto in the studies of Satyagraha in South Africa, much has been written about the struggle of the Indian community and little of the resistance of the Chinese community. Mr. Reddy's booklet tells us that the Chinese protested against discrimination and the application of the Asiatic Ordinance to the Chinese, and joined with Indians in passive resistance. Gandhi was impressed by the Chinese leaders, attended mass meetings of the Chinese Association, became an adviser to the Chinese community and enjoyed its respect and confidence. The Chinese made great sacrifices during the struggle and there were more Chinese than Indians in prison in 1911 when a provisional agreement was reached and the passive

resistance in the Transvaal came to an end. This booklet throws a new light on the struggle in South Africa and the Chinese contribution to it. Thus, this booklet makes a contribution to the study of the history of India-China friendship and cooperation as well. As a former Chinese Premier said, during the long history of over 2000 years of China-India interaction, 99.9% was friendly while only 0.1% was hostile. That means the mainstream of China-India relations is friendship which should be cherished and further researched by both Chinese and Indian scholars. Hitherto, as far as the study of the history of India-China friendship is concerned, much has been written about ancient times when Buddhism came to China and Indian monks and Chinese monks made tremendous contribution to religious-cultural communication, as well as modern times when Chinese people and Indian people supported each other in their struggles against imperialism during their national movements and the Second World War. This book tells us that during their struggle against racial discrimination in South Africa, Indian people and Chinese people cooperated and supported each other as well. Leaders of the Chinese community met Gandhi for consultation after the Transvaal Government passed the Asiatic Act. Gandhi formed a close friendship with Mr. Leung Quinn, the leader of the Chinese community, which like the Indian community was resisting racially discriminatory registration law. While Leung Quinn addressed Indian groups in Johannesburg, Gandhi spoke at meetings of the city's Chinese residents. Cooperation between the Indian and Chinese communities developed when they both decided in mass meetings to resist the law and go to prison. Mr. Reddy's booklet throws a new light on the study of the history of India-China friendship and cooperation which will definitely provide inspiration for today's China and India.

In all, the publication of *Gandhi and the Chinese in South Africa* is valuable for both Indian and Chinese people in strengthening their friendship and cooperation.

June 2016

Shang Quanyu

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INTRODUCTION

The passive resistance of the settlers from India and China in the Transvaal from 1906 to 1911 to defend the honour of their countries and their own dignity against humiliation by white settlers with the support or connivance of British imperialists, was a glorious chapter in the history of these two great nations.

Much has been written about the struggle of the Indian community, especially since Mahatma Gandhi published *Satyagraha in South Africa*. But little is known of the resistance of the Chinese.

Writings on Indian satyagraha and on Gandhi in South Africa tend to give little attention to the Chinese, treating them as a small group inspired by Gandhi which followed the Indian example. Publications by Chinese and British scholars are more concerned with the importation of over sixty thousands Chinese indentured workers from 1904 to 1906 to slave in the mines, their inhuman treatment, the revulsion of British public opinion which brought the Liberal Party into power, and the repatriation of all the workers by 1910.

The free Chinese - traders, farmers, laundrymen - had protested against discrimination and against the application of the Asiatic Ordinance to the Chinese on their own initiative. They asserted that citizens of the Chinese Empire bound to Britain by treaty were entitled to equal treatment.

Leaders of the Chinese community met Gandhi, an attorney, for consultation in April 1907 after the Transvaal Government passed the Asiatic Act. Gandhi was then an adviser to the Indian community; he assumed leadership after H.O. Ally and Haji Habib left the Transvaal later in the year. He attended mass meetings of the Chinese Association from May 1907, on its invitation, to explain the developments. He became, in effect, an adviser to the Chinese community as well.

He was impressed by Chinese leaders and *Indian Opinion* published a special supplement on Leung Quinn, leader of the Chinese, on 31 August 1907. Quinn became known and was respected by Indians in South Africa and in India.

Cooperation between the Indian and Chinese communities developed when they both decided in mass meetings to resist the law and go to prison. but they acted through separate organisations and retained their independence.

Gandhi frequently commended the Chinese for their community organisations, their discipline and their determination surpassing that of Indians. His articles and reports about the Chinese, published mainly in the Gujarati section of *Indian Opinion*, helped encourage Indians to respect the Chinese who had been vilified by the white community.

When the government began to imprison the resisters, Gandhi shared prison life with the Chinese, and made representations to the authorities against the provision of native diet to the Chinese. He gained the trust and respect of the Chinese community.

The Chinese made great sacrifices during the struggle and many of them were reduced to poverty. There were more Chinese than Indians in prison in 1911 when a provisional agreement was reached and the passive resistance against legislation in that province came to an end.

This brief account of Chinese passive resistance and the respect and confidence enjoyed by Gandhi in the Chinese community is based mainly on the writings of Gandhi and reports in *Indian Opinion*.

I hope that this small booklet will help in a small way to encourage Indians and Chinese to recall their heritage of cooperation in a common struggle and inspire them to renewed spirit of friendship.

Date:

E. S. Reddy

GANDHI AND THE CHINESE IN SOUTH AFRICA

Gandhi arrived in Natal in 1893 on an assignment to assist Dada Abdulla and Company in a case against a merchant in Pretoria. He proceeded to Pretoria after a few days and helped to arrange a settlement. His contract ended in 1894, but he agreed to stay on in Durban to assist the Indian community, especially the traders who were faced with discriminatory legislation and hostile administration. He helped establish the Natal Indian Congress and organise a huge petition against a law to deny franchise to Indians. In addition to lobbying on behalf of Indians and acting as an attorney, he volunteered as a compounder in a hospital and organised programmes to help Indian youth.

The discriminatory legislation in Natal, as well as the Transvaal, was directed against all Asians, especially Indian and Chinese traders. The European merchants pressed for such measures as the Asian traders were competing with them. Gandhi drew attention to the harassment of Indians as well as the Chinese, but there is no evidence that he had personal contact with the Chinese traders until he settled in Johannesburg after the Anglo-Boer War in 1901.¹

In May 1895, Gandhi drafted a petition on behalf of Indian traders in the Transvaal (then called the South African Republic) protesting against moves to segregate residences and businesses of “Asiatics” to ghettos

¹ The claims of the two communities were different. Indians claimed their rights as nationals of the British empire under promises made to India and the provisions of the agreement between Britain and the South African Republic (Transvaal). Some of the Chinese came from Hong Kong and Singapore in the British Empire, but most were nationals of China and looked to the Chinese Government for protection. China had a consulate-general in Johannesburg and a legation in London.

to satisfy European merchants. The Europeans had sent two petitions calling for the exclusion of all Asiatics, including the Chinese. The first petition attributed terrible vices to the Chinese, and the second, referring to the first, included in the denunciation all the Asiatics. Speaking specifically of “Chinese, Coolies and other Asiatics,” the second petition referred to “the dangers to which the whole community is exposed by the spread of leprosy, syphilis, and the like loathsome diseases engendered by the filthy habits and immoral practices of these people”. The petition of the Indian traders refuted the allegations against them and protested segregation.²

The Dealers Licences Act of 1898 in Natal was an obnoxious legislation meant against Indian and Chinese traders though made to seem of general application. Under this Act, Licensing Officers of the Town Councils or Local Boards could arbitrarily deny licences or renewal of licences. There could be no appeal from the decisions of Town Councils or Local Boards which were composed of whites only.

When the Act was passed, Gandhi wrote to some of the senior lawyers for their opinion. F. A. Laughton, in a letter of 24 December, called it “a very discreditable & dishonest piece of legislation.”³ P. O’hea wrote on December 23, 1898:

“I had a case in point not long ago. A man of Chinese nationality who had been thirteen years in the Colony was refused a Licence for no other reason I am convinced than because he was a Chinaman. The statistics of Durban show that the Town has more than doubled in extent and population within the past ten years; and yet this man who

² CWMG, Volume 1, pages 201-19. There were then about four or five thousand Indians, including 200 traders and nearly 2,000 hawkers, in the Transvaal. Ibid. The number of Chinese was much smaller.

Chinese construction workers came to the Cape as early as 1815. Traders and artisans began to arrive from 1891 and many of them moved to the Transvaal when gold was discovered there. Human, Linda. *The Chinese People of South Africa* (Pretoria: University of South Africa, 1984), page 28.

³ CWMG, Volume 3, page 44

had linked his fortunes with the Colony – a man of unblemished character – who arrived when there were only about 40 human beings for every 100 there are today – this man's character and long residence were ignored, and a means of earning an honest living in Durban denied him. In like manner, I have seen that in Newcastle an Indian who had been 15 years resident in Natal, was refused a Licence which would have been granted to a European if he had been the applicant. This is not as it ought to be.”⁴

C.A. De R. Labistour wrote on 4 January 1899:

“I have made several applications to the Licensing Officer for new licences which have been rejected without reasons being given therefore, and on appeals to the Town Council I have invariably found that body uphold the Licensing Officer's decision without previously calling upon him to furnish his reasons for such refusal.

“I have not tried to ascertain the number of licences refused to Europeans but I am inclined to believe they were only refused to those whose character, & c. did not justify them holding one...

“The most inequitable part of the Act is that which precludes an appeal from the Town Council to the Supreme Court.”⁵

In a petition of 31 December 1898, on behalf of Indian traders, to Lord Chamberlain, British Secretary of State for the Colonies, concerning the operation of the Dealers' Licences Act, Gandhi referred to the case of Chinese traders in Dundee. A licensing officer had granted trading licence to Hoi-Lee and Co., owned by Chinese subjects of Britain. The white rate-payers objected and the Local Board, by a majority of 3 to 2, cancelled the licence purely on the ground that the traders were

4 CWMG Volume 3, page 45

5 CWMG Volume 3, page 46

Chinese. One member of the Board said: "I would not even give a Chinaman the chance of a dog." But the Supreme Court refused to entertain an appeal against the Local Board's decision. Gandhi pointed out that what happened to the Chinese was not unlikely to happen in the case of Indian traders.⁶

Gandhi left for India in October 1901, but returned to Durban in December 1902 at the request of Natal Indians to lead a deputation to Lord Chamberlain who was visiting South Africa after the Anglo-Boer War. He led the deputation and then proceeded to the Transvaal. He decided to settle in the Transvaal where the Indians were facing many difficulties.⁷ He enrolled as an attorney in the Transvaal Supreme Court and soon developed a successful practice.

He was more independent in the Transvaal and soon became a public figure. A weekly newspaper, *Indian Opinion*, a vehicle for his views, started publication in Durban on 4 June 1903. Its circulation was small but it became an influential institution for the Indian community in the Natal and the Transvaal. It reported on developments which concerned the Indian community and the views of Gandhi and the community. It helped to inform the Indian community as the number of readers was much greater than the number of subscribers. Copies of the newspaper were sent free to a number of Europeans - members of the Government and friends of the community - to obtain greater understanding and support to Indians. Copies were also sent to India and Britain to promote action in support of the Indians in South Africa.

In his articles in *Indian Opinion*, Gandhi not only wrote about grievances of the Indians but about injustices to all the oppressed people, including the Chinese.

6 CWMG, Volume 3, pages 34-35

7 There were about 10,000 Indians in the Transvaal in 1903 as against nearly 500,000 Europeans. *Indian Opinion*, 22 October 1903.

GANDHI'S CONDEMNATION OF THE IMPORT OF CHINESE LABOURERS AND THE ATROCITIES AGAINST THEM

The mine owners were at that time agitating for the importation of labour under conditions akin to slavery. As the authorities in India refused to permit the recruitment of labour for the Transvaal under the conditions proposed, they pressed for the importation of 200,000 Chinese labourers. They were supported by racist European organisations which had utter contempt for people from Asia and called for the expulsion of all Indian and Chinese traders. Asiatics, they insisted, should be allowed only as labourers and deported after their term ended.

Gandhi expressed strong opposition to the importation of indentured labour from Asia. He wrote in *Indian Opinion* of 24 September 1903:

“We have already said that, in thinking of the importation of the Chinese, the millionaires and their supporters in the Transvaal forget the native of the soil entirely, and forget also the interests of the future generation of white settlers. Bad enough, however, as the position is from these two standpoints, it is infinitely worse from that of the poor people, who would be imported into the country under most galling terms. The millionaires, in their eagerness to add to their millions, and others in their rush to become suddenly rich, do not even consider it necessary to give a passing thought to the fact that the Chinese, much abused as they are, have some claim as their fellow-human beings on their attention. . . we have no hesitation in saying that, in spite of all the elaborate preparations that might be made to explain the nature of the indentures that might be offered to the Chinese, and in spite of their assent thereto in the presence of big officials, it would be morally, at any rate, if not legally, undue influence, for we cannot conceive the possibility of a free human being willingly agreeing to the terms such as those proposed at the various meetings that have recently been held in the Transvaal.

“The labourers will be expected to enter into a contract of service for a term of years, at the end of which they would be forced back to the

place where they came from. In the Transvaal, they are to be confined to Compounds, and they will not be allowed to use their brains, or their pens, or the brush, or the chisel. All they may use would be the shovel and the spade... it is no earthly use whatever for him to find out after his arrival that he would be able to earn, for instance, in cabinet-making, as much in one hour as he would as a mining labourer in eight hours. He must allow his intelligence to be dwarfed, and be content to remain an unskilled labourer, pure and simple. This we consider to be totally indefensible and unjust. The pity of it all is that, after creating such an artificial situation, the Colonists would grumble if the "Heathen Chinese", as he is called, turns out to be a moral leper, resorts to all kinds of make-shifts in order to throw off his yoke, and by hook or by crook endeavours to make use of his abilities which he may have inherited from his ancestors . . ."⁸

In December 1903, the Transvaal Legislative Council adopted a motion by Sir George Farrar, a mining magnate,

"that the Government be requested to introduce a draft Ordinance providing for the importation of indentured, unskilled coloured labourers for the purpose of supplementing the supply of labour on the mines within the Witwatersrand area, under such restrictions as will ensure their employment as unskilled workmen only, and their return to their native country on the completion of their contracts; ..."⁹

Gandhi commented:

"We can quite understand the attitude of men struggling for fat dividends in being unable to take an impartial view of the question involving a sacrifice of such dividends... ."

"We regret that, throughout the long and weary debate, there was not a single speaker to raise his voice against the latter clause of

⁸ CWMG, Volume 3, pages 451-52

⁹ *Indian Opinion*, 7 January 1904; CWMG, Volume 4, page 100

Sir George's motion as to restrictions. It is a disappointing fact that no one in that brilliant assembly thought it worthwhile to consider it from the Chinese standpoint. Everyone agreed that the Chinaman was industrious, intelligent and capable, and yet no one considered it incongruous that he should be treated merely as a slave, that he should be forcibly deprived of the use of his intelligence and capability except in so far as they may be necessary for the development of the mines."¹⁰

The draft Ordinance was promptly published by the Transvaal Government.¹¹ Gandhi, writing in *Indian Opinion* of 14 January 1904, called the Ordinance a "crime against humanity" and explained:

"That a Christian British Government can put forward the proposals embodied in the draft Ordinance in this enlightened century is a sad commentary on the state of modern civilisation. The draft Ordinance is drastic enough in all conscience, and will turn thousands of Chinamen, or any other Asiatic races that might be introduced thereunder into so many beasts of burden. Their movements will be restricted within a mile radius of their working places, which they may not leave without a duly signed pass, and then for no longer a time than forty-eight hours. They are not to use their skill, if they have any, and at the end of three or five years, as the case may be, they are to be sent away from the Transvaal. The way the compulsory repatriation is to be brought about is very simple and very effective, but is equally inhuman. The provision which is to regulate compulsory repatriation lays down that, if any of the indentured labourers refuse to go back, they are to undergo practically perpetual imprisonment, which can only be ended on their consenting to be transported from the country. So the days

¹⁰ CWMG, Volume 4, pages 100-02

¹¹ The full text of the Ordinance was reproduced in *Indian Opinion*, 14 January 1904. The Government of India did not agree to the recruitment of labour for the Transvaal under the conditions proposed, and the mine owners proposed the recruitment of Chinese labour and obtained the approval of the British Government.

of refined slavery are to be revived in the Transvaal under pressure of circumstances. . . .”¹²

But the recruitment of Chinese labourers began soon after and by mid-1905, there were already 40,000 Chinese labourers in the Transvaal.¹³

The treatment of the Chinese labourers in the mines was atrocious. The *Daily Express* of Johannesburg reported on frequent and brutal flogging of the Chinese. In reply to a question by a Member of Parliament in London, Mr. Lyttleton, on behalf of the Government, promised to make an inquiry and to put an end to the flogging, but that was hardly adequate. Gandhi reported in *Indian Opinion* of 9 September 1905:

“The correspondent [of *Daily Express*] says that the facts given by him have been either personally witnessed by him, or are supported by the evidence of those who had ordered thousands of men to be flogged. On an average 42 Chinese were flogged in a Johannesburg mine every day, not excluding even Sundays, towards the beginning of this year. In the first instance, the Overseer complained against an offending miner, who was then taken to the office of the Compound Manager; the latter, in accordance with the nature of the offence, ordered ten, fifteen or twenty strokes to be administered. Then two Chinese policemen took him about fifteen steps away; the offender

¹² CWMG, Volume 4, pages 102-03. Gandhi had pointed out that importation of labour from Asia would retard the progress of the Natives for an indefinite length of time. See also: *Indian Opinion*, 9 July 1903; CWMG, Volume 3, pages 359-60.

¹³ *Indian Opinion*, 8 July 1905. The Chinese labourers were brought in without a single woman with them, whereas India had laid down that every hundred Indian labourers must include forty women. CWMG, Volume 13, page 249.

Over 63,000 Chinese labourers had been recruited between 1904 and 1907 to work in the Transvaal mines. They had been ill-treated. For instance, in 1905, Lord Milner, the British administrator, permitted the flogging of Chinese labourers by mine managers. Peter Richardson, *Chinese Mine Labour in the Transvaal* (London: The Macmillan Press, Ltd., 1982); and Linda Human, *The Chinese People of South Africa* (Pretoria: University of South Africa, 1984), pages 31-32.

stopped at the policeman's word of command, took off his trousers and other clothes, and lay with face to the ground; one of the policemen held down the legs of the offender and the other his head, then the executor of the punishment beat him mildly or violently, according to orders, on his back with a wooden stick three feet long and with a flat end three inches broad. If in the meanwhile, the man made the slightest movement, unable to bear the pain, another pressed him down with his foot on his back, and the number of strokes ordered was completed. In some of the mines, the whip is used instead of the stick, and its strokes are so severe that they cause the flesh to swell and cut the skin. When Mr. Cook was Manager at the Norsedippe mines, he used to order any Chinaman, who failed to do 36 inches of drilling, to be punished. His method of punishment was even more cruel than the one described above. That gentleman ordered the use of stout sticks and the blows to be given on the back of the thighs where they were most unbearable; the full number of blows was inflicted even if blood streamed out from the wounds. Sometimes the injury was so severe that the poor Chinaman had to be sent to a hospital. One Mr. Place was later appointed to replace the cruel Mr. Cook. Being considered rather a gentleman among thieves, he ordered Rubber batons to be used instead of sticks. After some time the Mine Directors, finding that the average monthly output did not come up to their expectation, ordered Mr. Place to use more force. On his refusing to do so, he was obliged to resign. On the matter being discussed in the House of Commons, it was ordered that some other mode of punishment should replace flogging. Thereupon, Mr. Place, who had experience of conditions in China, introduced a practice that is prevalent there. He had the offending Chinaman stripped, then had him tied with his pigtail to a flag-pole standing in the compound, and made him stand there for two to three hours, however biting the cold or scorching the sun. Then Mr. Place ordered other Chinamen to make faces at the offender. Another method of punishment was to tie a thin rope to the offender's left hand; the rope was then passed through a ring in such a way that the man was suspended with his toe just touching the ground and kept thus for two to three hours. At some places, again, the poor miners were handcuffed and tied to a

beam placed two feet above the ground and kept in that position for a couple of hours in such a way that no movement was possible. The new punishment was like falling from the frying-pan into the fire. When punishment by flogging was discussed in the House of Commons, the cruel mine officers had stopped the flogging; but everyone forgot to mention that a more cruel form of punishment had been substituted.”¹⁴

Chinese labour in the Transvaal became a major political issue in Britain. There was strong opposition in Britain, led by the Liberal Party, to the importation of Chinese labour to the Transvaal and their inhuman treatment. The Liberal Party won the elections in January 1906 and the new Liberal Government prohibited recruitment of Chinese labour after November 1906. Public opinion in China was enraged and the Imperial Government pressed for the repatriation of the labourers. In March 1906, the British Government ordered that Chinese who were not satisfied with their treatment should be sent back at government expense.¹⁵ Protests by mine owners were of no avail.¹⁶

Transvaal received self-government at the beginning of 1907 and the new Government, led by General Botha, decided to repatriate all the Chinese labourers, and they were all repatriated by 1910.

¹⁴ CWMG, Volume 5, pages 60-61

¹⁵ *Indian Opinion*, 21 March 1906

¹⁶ Ibid. 28 April, 12 May and 19 May 1906

GANDHI'S CONTACT WITH THE CHINESE TRADERS

Gandhi's first acquaintance with "free" Chinese community was in 1905. There had been about three thousand free Chinese in the Transvaal before the Anglo-Boer War. Their number decreased to a little over a thousand by 1907. Less than a hundred of these were British subjects and the rest were citizens of China. They were storekeepers, mainly grocers, gardeners and laundrymen.¹⁷ The Chinese were almost all male.¹⁸

Gandhi gained a very positive impression of the Chinese and held them up as an example to Indians. He wrote in the Gujarati section of *Indian Opinion* on 16 September 1905, under the title "The Chinese and the Indians: A Comparison":

"There are many Chinese living in Johannesburg. They cannot be said to be economically better off than the Indians. Many of them are merely artisans. A few days ago I had the occasion to observe how they lived. On seeing their way of life and comparing it with our own, I felt very sad.

"They have founded the Chinese Association for public work, and for this purpose, they maintain a spacious hall. It is a strong structure built of brick and is kept clean and tidy. They meet the expenses for its maintenance by sub-letting the large plot of land they have taken out on lease. Since the Chinese have no facilities for lodging, they have started a Cantonese Club, which serves as a meeting place, a lodge and also as a library. They have acquired for the Club land on a long lease and have built on it a pucca one-storeyed building. There they all live in great cleanliness and do not stint themselves in the matter of living space; and seen within and from outside, it would look like some good European Club. They have in it separate rooms marked drawing,

¹⁷ Interview with Leung Quinn in *Indian Opinion*, 31 August 1907. Mr. Quinn was then Acting Chairman of the Chinese Association and Chairman of the Cantonese Club.

¹⁸ *Rand Daily Mail*, 29 June 1907; CWMG, Volume 7, pages 60-62.

dining, meeting, committee room and the Secretary's room and the library, and do not use any room except for the purpose for which it is intended. Other rooms adjoining these are let out as bedrooms. It is such a fine and clean place that any Chinese gentleman visiting the town can be put up there. The entrance fee is £5, and the annual subscription varies according to the members' profession. The club has about 150 members who meet every Sunday and amuse themselves with games. The members can avail themselves of club facilities on week days also.

We have nothing similar to boast of. In no city of South Africa have we a place of our own where an Indian visitor can be put up... It is up to us to take a lesson from the club founded by the Chinese and start one on the same pattern. The charge of uncleanliness made against us is not totally unfounded. To establish such a club is the best way of giving the lie to it.”¹⁹

Indian Opinion began to devote more attention to the Chinese. It reported not only developments concerning the Chinese in the Transvaal but news from China and Chinese in other countries.²⁰

THE ASIATIC ORDINANCE AND DEPUTATIONS TO LONDON

On 22 August 1906, an Asiatic Ordinance was gazetted by the authorities in the Transvaal. Gandhi was outraged. He had spent many years petitioning the authorities. He had led an Indian Ambulance Corps

¹⁹ CWMG, Volume 5, pages 64-65

²⁰ See also “A Sign of Chinese Awakening,” 26 May 1905; “Chinese boycott,” 1 July 1905; “The Chinese and the Americans,” 30 September 1905; “Awakening in China,” 30 December 1905; “Stir in China,” 28 April 1906; “Changes in the Condition of China,” 26 May 1906; “Boycott by Chinese,” 25 April 1908; “Chinese and Japanese in California,” 19 September 1910; “Chinese in Australia, 6 April 1912.

in the Anglo-Boer War, and a Stretcher-Bearer Corps during the suppression of the Bambata rebellion in the Natal in 1906, to demonstrate the loyalty of Indians. The result was this Ordinance. He wrote later:

“When I read this outrageous law, my hair stood on end, and I felt there was something wrong about it. The law was so drafted as to make slaves of us. It was to be the harbinger of other disabilities to come. If the law had come to stay, it would have ruined us everywhere. They passed the law in spite of our protest, treating the entire community as criminally inclined... The law would have made cowards of us all. It would have put an especial affront upon our religion. It also sought to stigmatise our children. If it had been enforced, we would have been doomed to Locations for ever.”²¹

In September, the Indian community decided on resistance and sent Gandhi and H.O. Ally in a deputation to London to appeal to the British Government to decline assent to the Ordinance. The Chinese Consul-General in Johannesburg, Yuk Lin Lew, and L.M. James, who was deputed by the Chinese community to present a petition to the head of the Chinese legation in London, happened to travel on the same steamer as the Indian deputation. The two delegations developed such close relations that in London, Gandhi prepared, at the request of the Consul-General, the draft of a letter by the Chinese Minister to the Secretary of State for Foreign Affairs, Sir Edward Grey.²² The draft conveyed a translation of the petition by L.M. James on behalf of the Chinese community, and concluded:

“... the Ordinance in question undoubtedly appears to be open to very serious objections, and exposes Chinese subjects to unnecessary hardships, inconvenience and degradation.

“I invite your attention to the fact that the most amicable relations exist between His Majesty King Edward VII and the Emperor of China,

²¹ *Indian Opinion*, 29 February 1908; CWMG, Volume 8, page 116

²² *Indian Opinion*, 17 November, 1906: and letters to Yuk Lin Lew on 26 and 31 October and 2 November 1906, CWMG, Volume 6, pages 27, 59-60 and 76.

and that British subjects are entitled to the most-favoured-nation treatment throughout the Chinese Empire.

“I therefore trust that Your Excellency will deem it fit to secure for the Chinese subjects in the Transvaal proper treatment to which I apprehend, as subjects of an independent nation in alliance with Great Britain, they are entitled.”²³

The British Government withheld Royal Consent to the Asiatic Ordinance, but granted self-government to the Transvaal at the beginning of 1907. It indicated confidentially to the authorities in the Transvaal that a decision by the elected Parliament would be accepted. In the election campaign, candidates to the Transvaal Parliament vied with each other in calling for denial of trading licences to Asiatics. For them, Asiatics were only acceptable as labourers for life.

The Government rushed in the Parliament legislation almost identical to the Asiatic Ordinance. The Asiatic Law Amendment Act was passed on 22 March 1907, given Royal assent soon after and came into force on 1 July.

On 29 March 1907, an Indian mass meeting suggested voluntary registration as a compromise which would be equally effective if the sole concern of the Europeans was to stop illegal immigration into the Transvaal.

Replying to the allegation of the Colonial Secretary that the Indian resolutions of 1906 called for a defiance of the law, the British Indian Association of the Transvaal wrote:

“You refer to the Resolutions about defying the law. We must point out in reply that there can be no question of defying the law at all. However, if, for any reason, Indians’ respect for the law is put to a severe strain and if in that context the community seeks to vindicate its honour and prestige, the only way open to it will be to submit to the

²³ CWMG, Volume 6, pages 59-60

ultimate penalty prescribed by law, that is, to go to jail²⁴. Such action cannot be construed as a desire on the part of the Indian community to disobey the law. However, the community desires humbly to point out that the new law gravely offends against its feelings. It implies that the Indian community wishes to defeat the objects of the law. On the contrary, through this suggestion, the community [seeks to] fulfil the intention of the law. My Association therefore humbly requests that the Indian proposal be given a trial before the law is enforced.”²⁵

But the Government rejected the proposal and the Indian community decided not to re-register under the Act and submit to imprisonment.²⁶

The Chinese leaders met on 13 April 1907 at Mr. Gandhi’s office and resolved to support the Indian community. The Chinese Consul had also given them similar advice.²⁷ On 14 April, a Chinese mass meeting decided to support the Indian proposal and sent a telegram to the Government.²⁸

The Chinese started a boycott of the Permit Offices where applications were received for permits under the Asiatic Act - before the British Indian Association decided on boycott of the Permit Offices in May 1907.

The Chinese Association invited Gandhi and his associates to their Sunday meetings to explain the developments, and leaders of the Chinese Association began to attend Indian mass meetings. For instance, Mr. Quinn spoke at a packed meeting of Indians at Surti mosque in December 1907.²⁹

²⁴ I have changed the South African spelling “gaol” to “jail” which is used in all other English-speaking countries.

²⁵ *Indian Opinion*, 20 April 1907; CWMG, Volume 6, page 427

²⁶ All of them had already registered once or twice - under previous legislation by the Afrikaner Government before the Anglo-Boer War and the British administration after the war.

²⁷ *Indian Opinion*, 20 April 1907; CWMG, Volume 6, page 427

²⁸ *Indian Opinion*, 20 April 1907

²⁹ *Indian Opinion*, 7 December 1907; CWMG, Volume 7, page 418

On 26 May 1907, a meeting was held at the hall of the Transvaal Chinese Association to consider the next step to be taken with regard to the new anti-Asiatic law. About 300 Chinese, mostly merchants, were present. Mr. Quinn presided, and the meeting was addressed by Gandhi, who had been specially invited to set forth the position. He pointed out that the new law did not add to the security of those Asiatics [who were] rightly in the Transvaal, as had been so often alleged by the anti-Asiatic party and echoed by the uninformed general public, but really took away all their existing personal liberty, guaranteed under solemn Imperial pledges, substituting a restricted liberty, which no self-respecting subject of a civilised country could possibly accept. The law humiliated the Asiatics, Chinese and Indians, and it should not be accepted by the Chinese. The only dignified defence of their rights that the Asiatics in the Transvaal could make was to ignore the compulsory clauses entailing re-registration, and submit themselves to the extreme penalty of the law, namely, liability to imprisonment.³⁰

After discussion, the meeting decided that every Chinese should declare on oath, in accordance with his religion, that in no case would he take out a new permit and that, if necessary, he would be prepared to face imprisonment. Not stopping there, the community signed a document stating that the signatories would not take out the new permits, but go to jail and would shun taking food or water with those who took out permits. Nearly 900 Chinese appended their signatures to the document.³¹

The Chinese invited H.S.L. Polak, European associate of Gandhi, to their Sunday meeting on 7 July 1907. After Polak explained the position, they

³⁰ *Indian Opinion*, 1 June 1907; CWMG, Volume 6, page 501. The Association had already distributed a Chinese translation of the Asiatic Act, and regulations under it, to the community so that the decision was taken in full knowledge of the provisions of the Act. *Indian Opinion*, 31 August 1907.

³¹ *Indian Opinion*, 15 June 1907; CWMG, Volume 7, page 46

reaffirmed their resolve that no Chinese would submit to the law, and anyone doing so would be excommunicated.³²

Again at the Sunday meeting on 29 September 1907, where Gandhi explained the position, the Chinese reaffirmed their resolve.³³ Gandhi was again invited to the meeting on 3 November and explained the new developments. The meeting decided to post pickets in Pretoria where the Government planned registration.³⁴

The Government was adamant. General Smuts, the Colonial Secretary, declared in a speech in his constituency:

“We have made up our mind to make this a white man’s country, and, however difficult the task before us in this matter, we have put our foot down, and shall keep it there.”³⁵

Mr. Quinn sent an appeal on 14 October 1907 to the Chinese Minister in London. He wrote:

“1. Your Petitioner is the Chairman of the Chinese Association established in Johannesburg four years ago to represent the free Chinese population of the Transvaal.

“2. The free Chinese population is at present estimated at over 1,100 the majority of whom are settled in Johannesburg.

“3. The majority of the Chinese in the Transvaal are storekeepers of good standing and are all old residents of the Colony.

“4. Your Petitioner invites Your Excellency’s attention to the Asiatic Law Amendment Act passed by the Transvaal Legislature, copy whereof is hereto attached.

“5. The said measure was first passed during the latter part of last

³² *Indian Opinion*, 13 July 1907; CWMG, Volume 7, page 91

³³ *Indian Opinion*, 5 October 1907; CWMG, Volume 7, page 268

³⁴ *Indian Opinion* 9 November 1907; CWMG, Volume 7, page 341

³⁵ *Indian Opinion*, 12 October 1907; CWMG, Volume 7, page 287

year, and it was so deeply resented by the Chinese community of the Transvaal that it was considered advisable to send a special representative to London to plead the cause of the Chinese before Your Excellency's predecessor, so that proper representations might be made to the British Government, and your Petitioner is glad to be able to say that, as a result of the efforts made by Your Excellency's predecessor, the measure was suspended by His Majesty's Government.

"6. It was then re-passed unanimously with very great haste by the newly-elected Transvaal Parliament.

"7. In the humble opinion of the Chinese Association, the measure fails totally to recognise our ancient civilisation and the fact of our being an independent sovereign nation.

"8. It places Chinese subjects on the same level as British subjects coming from India. While it may be proper for the British Government to treat its Indian subjects as it pleases, your Petitioner respectfully submits that subjects of the Chinese Empire should not be treated in a manner derogatory to the dignity of the Empire to which Your Excellency's Petitioner has the honour to belong, especially in view of the fact that China is a State in alliance with Great Britain and that the subjects of Great Britain receive the most-favoured-nation treatment in China.

"9. The Asiatic Act requires, under insulting and heavy penalties, every Chinaman, among others, resident in the Transvaal to take out a new registration certificate in place of the documents already held by him. It subjects [the] Chinese to a system of inspection which is utterly degrading. It requires even children under 16 to be registered by their parents in a most humiliating manner. It requires adult male Chinese and their children to give 18 finger-prints, a requirement which is insisted upon only in connection with habitual criminals. The legislation proceeds upon the assumption, totally denied by the Chinese Association, that many of the Chinese are capable of fraudulent

representations. It reduces [the] Chinese to a level lower than that of the natives of South Africa and other coloured people. In short, it is such legislation as can be accepted only by slaves, not free men.

“10. The feeling of the Chinese community being as above described, it has decided not to submit to the Act and to suffer any consequences that may follow such breach of the law. The community understands that total material ruin may follow passive resistance to the law and that every Chinaman may even be deported. Over 900 members of the community have signed a solemn declaration not to accept the degrading Act.

“11. The Chinese Association recognises that immigration into the Transvaal should be regulated and that an effective check should be placed upon illicit entry into the Transvaal Colony and, in order to assist the Local Government in so doing, the Chinese Association has offered to submit to voluntary re-registration as a test merely of the *bona fides* of the Chinese community, and not by way of admission that any such re-registration is necessary. It is the compulsion in a matter of this kind which your Petitioner’s Association resents.

“12. If the voluntary offer cannot be accepted and substantial relief cannot be granted, in the opinion of the Chinese Association, strong representations should be made to the British Government that every Chinaman should be sent back to China, subject to full compensation being paid to him for deprivation of vested rights as to trade, residence, etc.

“13. In conclusion, your Petitioner respectfully trusts that the rights of the Chinese subjects resident in the Transvaal will be fully protected by Your Excellency...³⁶

The Association also sent several cables to the Foreign Office in Peking.³⁷

³⁶ *Indian Opinion*, 26 October 1907; CWMG, Volume 7, page 490-91

³⁷ *Indian Opinion*, 31 August 1907

The Leader of Johannesburg reported on 1 November that only about 400 Indians out of 8,000 had registered, and only two of 1,100 Chinese had registered.³⁸ A Chinese, Chow Kwai, who had taken out the register, committed suicide on 10 November 1907. He wrote in a letter to Mr. Quinn:

“I am going to leave the world, but I must give a public explanation why I intend to commit suicide. Since I came to South Africa I have only been in domestic service. My dialect is quite different from that of the rest of my countrymen, with whom I have very seldom associated. My employer advised me to re-register. At first, I refused to do so, but I was informed that I would be dismissed from my employment. I thought that I should have to lose my situation. Therefore, I was obliged to re-register, but I did not know the degradation that would follow until my friend talked to me about the registration matter and showed me the translation of the law. I found that I would be treated as a slave, which would be a disgrace to myself and my nation. I was not aware of all this before. Now it is too late for me to repent. I cannot look my countrymen in the face. I hope all my countrymen will take warning from my error.”³⁹

The Chinese Association held a memorial meeting for Chow Kwai on 27 November. Gandhi wrote in *Indian Opinion*:

“No one present at the meeting could help feeling admiration for the Chinese. Their beautiful hall was adorned with black cloth. On one side in the hall there was a photograph of the Chinaman who had died. In the centre were standing all those who had served as pickets. Surrounding them on all sides were chairs which were occupied by invitees. About a thousand Chinese, with flowers in their hands, gently

³⁸ *Indian Opinion*, 9 November 1907; CWMG, Volume 7, page 350. The Chinese Consul-General did not approve of the boycott of registration. (*Indian Opinion*, 11 January 1908). By the end of November, the end of the period of registration, only 545 Indians registered. Only four Chinese registered; one of them returned his register and left the country, and another committed suicide.

³⁹ *Indian Opinion*, 16 November 1907; CWMG, Volume 7, page 370

passed by the photograph, praying for the soul of the departed one, and went out through the door opposite. All these men were neatly dressed. Then they sang dirges in Chinese, after which there was a meeting in another hall. The hall was packed to capacity and the chairman, Mr. Quinn, made a speech in Chinese and English. He was followed by Mr. Gandhi and Mr. Polak who commented upon the law. The meeting was then dissolved. Their unity, neatness and courage—all these three things deserve to be emulated by us.”⁴⁰

On 27 December 1907, Gandhi was called to the office of Acting Commissioner of Police for the Transvaal and informed that arrests had been ordered for himself and 21 others, including three Chinese - Leung Quinn, John Fortoen and Martin Easton. The Government considered them leaders of the resistance. Gandhi gave an assurance that all would appear before the respective magistrates the next morning.⁴¹

The resisters were charged on 28 December. Gandhi defended all of them, including the Chinese. They were ordered to leave the Transvaal within two weeks..

To quote from the report in *Indian Opinion*:

“Mr. Easton, the first of the Chinese accused, said that he was a British subject from Hong Kong. He had also been here before the war and had paid his £3 to the Dutch Government for his certificate. By occupation he was a store assistant, and objected to registration because it was too degrading and was against his religion. He was not permitted by his religion-Taoism-to give any impressions. He was ordered to leave within 48 hours.

“Leung Quinn, Chairman of the Chinese Association, stated that he was not a British subject, but had come to the Transvaal in 1896, and obtained a permit from the Dutch Government. In 1901 he left and returned in 1903, obtaining a permit under the Peace Preservation

⁴⁰ *Indian Opinion*, 30 November 1907; CWMG, Volume 7, pages 395-96

⁴¹ *Indian Opinion*, 4 January 1908

Ordinance. He was a storekeeper. He did not take out a permit because it was a law that was disgraceful to himself and his nation. He had translated the law to his countrymen and had been expecting some such prosecution all the time. He would be quite contented with 48 hours' notice; he had made all his preparations....

"The Magistrate insisted on giving Quinn, as he had given the Indian storekeeper, 14 days' notice.

"John Fortoen, the last of the accused to go into the witness box, stated that he had been in the Transvaal for about 13 years before the war, having arrived in the Transvaal with his uncle as a child. He did not know where his uncle was, nor whether his parents were alive or not. He was a student, and had just come back from the Hankey Institution (near Humansdorp) in Cape Colony, where he had been since 1904. He considered that South Africa was his home, and he knew no one in China. He did not want to take out the registration certificate because it was degrading to his country and his honour. His age was 21."⁴²

Meetings in support of resistance were held by Indians at several places, with the participation of the Chinese.⁴³ The Chinese convened a meeting on 30 December to thank Gandhi for his services. It was attended by about four hundred Chinese residents.⁴⁴

Gandhi indicated that Polak would work for the British Indian Association in his absence. The Chinese held a meeting and appointed Polak as honorary adviser to the Chinese Association.⁴⁵

When the registration ended, the Government denied trade licences to those who did not register. Storekeepers and hawkers carried on business without licences at the risk of imprisonment.⁴⁶

⁴² *Indian Opinion*, 4 January 1908; CWMG, Volume 7, pages 466-67

⁴³ Ibid; CWMG, Volume 7, page 471

⁴⁴ Ibid; CWMG, Volume 7, page 471

⁴⁵ Ibid; CWMG, Volume 7, pages 475-77

⁴⁶ *Indian Opinion*, 11 January 1908

As they defied the order to leave the Transvaal, the Indians and Chinese tried on 28 December were sentenced to imprisonment. By the end of January 1908, there were almost 200 prisoners.

In the prison, Indians and Chinese were treated as “coloured” and were provided the diet given to the Africans, mainly of mealie meal. The Indians were given some rice, but the Chinese were not. They were not used to this diet and suffered greatly with starvation, or constipation and diarrhoea.⁴⁷

Mr. Cartwright, a journalist who had opposed the British war against the Boers, tried to mediate. On his advice, Gandhi, Leung Quinn and Thambi Naidoo wrote a letter to General Smuts again offering voluntary registration if the anti-Asiatic Act was repealed. If the Government agreed to this, they undertook to use all their influence to induce their compatriots to register.

General Smuts received Gandhi and ordered all the prisoners released.

Indian and Chinese leaders considered this a great victory and decided to express their appreciation to Europeans who had been helpful.

The British Indian Association arranged a banquet at Masonic Hall and sent invitations to 23 Europeans; 17 of them were able to attend. Mr. Leung Quinn was also present and there were about 40 Indians at the banquet. This was the first gathering of its kind. Among the speeches at the event, special mention may be made of the speech of the Reverend Charles A. Phillips, President of the Association of Clergymen, who said:

“The Chinese have set a worthy example by donating £105 to an association in aid of the poor among the whites. It is no small matter

⁴⁷ *Indian Opinion*, 21 March 1908. Gandhi wrote petitions on behalf of the Chinese and an order was finally passed that the Chinese should get the same food as Indians. *Indian Opinion*, 21 March 1908.

In the evenings, Gandhi used to explain the Bible to Mr. Fortoen, a Chinese Christian. As he wished to learn English, Gandhi taught it to him through the Bible. *Indian Opinion*, 28 March 1908.

for the Chinese to have helped the same Association that refuses help to any Coloured person and the very whites who have harassed them so much...”⁴⁸

The Chinese arranged a more elaborate function - a meeting to present addresses to those who helped their cause, and a banquet for 92 persons, including 30 Europeans and Indians. At the meeting, in addition to the addresses, they gave gifts to 7 Europeans, with a value of 186 pounds. The address presented to Gandhi read:

“It was thanks to your political acumen that this excellent settlement was effected. You were the only one who could have achieved this, and we are very grateful to you for what you have done. But for you, we would have lost. But we revere you especially for your good qualities of character, which, we believe, ennobled our campaign, with the result that Asiatic communities are treated today with respect. You combine courage with courtesy and humility, on account of which all of us bear you love and want to seek your guidance.”⁴⁹

Essop Mia, Chairman of the British Indian Association, said in his speech:

“The Chinese have outdone the Indians. In many respects they have excelled them. It was a good thing that the Indians and the Chinese presented a united front during the campaign.”⁵⁰

The Indian and Chinese leaders persuaded their compatriots to register voluntarily, pointing out that it was the compulsion that was humiliating, not the finger prints. But Smuts denied later that the Government undertook to repeal the Asiatic Act. Negotiations with Smuts by Gandhi failed.

Resistance was resumed in the last week of July when several Indians courted prison and were sentenced to four days in prison for hawking without a licence. On 27 July, Mr. Quinn and other Chinese joined Indians

⁴⁸ *Indian Opinion*, 21 March 1908; CWMG, Volume 8, page 150

⁴⁹ *Indian Opinion*, 28 March 1908; CWMG, Volume 8, page 163

⁵⁰ *Indian Opinion*, 28 March 1908; CWMG, Volume 8, page 164

in hawking without licence but they were not arrested.⁵¹ The Prime Minister convened a high-level meeting to discuss the situation. Mr. Quinn was among those invited. But the offer by the Government proved unacceptable.

On 16 August, the resisters staged an extraordinary event. *Indian Opinion* reported on 22 August:

“Last Sunday [August 16] afternoon witnessed such a scene as, it is to be hoped, may never need to be re-enacted in this country. Some three thousand British Indians gathered together purposefully... intent only upon consigning [the registration certificates] to the flames... The whole of the space looking westwards from the Fordsburg Mosque within the fence was packed with members of the Indian community... It was a wonderful display of national unity, and one that the mother country might well be proud of...

“On the platform were the Congress leaders... various prominent Transvaal Indians. . . Mr. Leung Quinn, Chairman of the Chinese Association, and Mr. Gandhi... Mr. Essop Ismail Mia presided over this vast gathering... beyond that, a sea of upturned and expectant faces, with determination and a bitter merriment stamped deep...

In the front row a dozen representative Chinese leaders grimly sat, awaiting the fateful moment. Briefly, the Chairman, first in Gujarati, and then, through the medium of Mr. N.A. Cama, detailed in measured accents the reason for calling the meeting together... Then Mr. Gandhi addressed the gathering, after which the voluntary registration certificates were thrown into a large cauldron, saturated with paraffin, and set ablaze by Mr. Essop Mia in the name of the community.”⁵²

The *Transvaal Leader* added: “The Chinese then mounted the platform, and put their certificates in with the others.” About 2,500 certificates were burnt.

⁵¹ *Indian Opinion*, 1 August 1908; CWMG, Volume 8, page 409

⁵² *Indian Opinion*, 22 August 1908; CWMG, Volume 8, page 456

Meanwhile, a factional dispute in the Chinese community hindered resistance for some time. While the Chinese Association decided by a large majority to resume passive resistance, as did the Indian Association, a small minority (known as “the party of compliance”), including the treasurer, wanted to use the funds of the Association subscribed for resistance for other charitable purposes. The passive resisters and the party of compliance went to the Witwatersrand High Court for litigation regarding the funds of the Chinese Association. The court ruled in favour of passive resisters in February and April 1909. On 18 April 1909, a riot occurred in the Chinese quarter and the police arrested 29 Chinese, all but one passive resisters.⁵³

In view of the dispute, the passive resisters formed a new organisation, “Transvaal Chinese Passive Resisters.” C.F.J. Frank was Acting Chairman in the absence of Mr. Quinn. C. Canteen was honorary secretary. F. Kimson, Martin Easton and H.K. Lee were members of the Committee.⁵⁴

Mr. Quinn had resumed hawking and had been arrested on 20 February 1909. He was sentenced to three months’ imprisonment. The Chinese held a mass meeting on 10 March 1909 to congratulate Mr. Quinn and pledge continued resistance.⁵⁵

At the end of May 1909, a meeting at West End Hall and a tea party at the residence of A.M. Cachalia were held to welcome Ebrahim Aswat and Leung Quinn who were released from prison. Gandhi said on those occasions:

“I am happy beyond words today that Indians and Chinese have assembled here together. Only yesterday I decided in consultation with the Chairman of the British Indian Association that Mr. Aswat should be invited here and entertained at Mr. Cachalia’s. I did not

⁵³ *Indian Opinion*, 13 February, 1 May, 22 May, 16 October and 27 November 1909. In October 1909, seven of the prisoners were sentenced to imprisonment and ten others to a fine of 15 pounds each. *Indian Opinion*, 27 November 1909.

⁵⁴ *Indian Opinion*, 1 May 1909

⁵⁵ *Indian Opinion*, 15 and 29 March 1909

think it even possible that my countrymen and the Chinese would come together in such large numbers. I am very happy that these two groups— the Chinese and the Indians— who took part in this struggle, have been brought together. This manner of welcoming heroes like Mr. Quinn and Mr. Aswat deserves no small praise. Both of them are leaders of their respective communities and sincerely cherish their welfare..."⁵⁶

"However, it is our bare duty to honour those whom we consider to be our seniors. Mr. Quinn is also the same to us as our two leaders and he has been reduced to much the same condition as theirs. He used to get mealie pap and maize in jail and when the Governor offered to order rice for him, he said he would accept it only if it was ordered for all Chinese. As the Government did not agree, he firmly refused the rice, which was no small thing. Truly, Mr. Quinn is a pillar of satyagraha. The Acting Chairman of their Association is now impatient to go to jail. All these persons will have justice at least from God."⁵⁷

By mid-1909, most of the Indian merchants had dropped out of resistance. Resistance was kept alive by the Tamil-speaking Indians, and by the Chinese.⁵⁸

In August 1909, a large number of Chinese were arrested. Gandhi, then in London on a deputation, wrote to the private secretary to Lord Crewe on 2 September that he had received a cable from the Chinese Association, as follows: "Reuters report interview Smuts indicates

⁵⁶ *Indian Opinion*, 5 June 1909; CWMG, Volume 9, page 234

⁵⁷ *Indian Opinion*, 5 June 1909; CWMG, Volume 9, pages 235-36

⁵⁸ In the Indian community in the Transvaal, the majority were Gujaratis, merchants and their employees. The Tamil-speaking Indians from South India were poorer, many of them hawkers. Gandhi wrote in *Indian Opinion* of 5 March 1910: "While the Chinese are again roused, Indians seem to have sunk into lethargy. The Tamil Indians are an exception. We entreat and urge the Gujarati Hindus and Muslims to consider the great significance of the struggle and throw themselves into it whole-heartedly..." *Indian Opinion*, 5 March 1910; CWMG, Volume 10, page 174.

settlement Asiatic question. If so, why continued arrest of Chinese? Twenty-seven within week..."⁵⁹

Gandhi soon received another telegram from the Chinese Association, which read: "Eighty Chinese arrested, including Chairman". "Increasingly determined passively resist utmost." He commented:

"In the humble opinion of my colleague⁶⁰ and myself, these cablegrams show that the British Indian community, as also evidently the Chinese community, in the Transvaal are determined in their opposition. I may state that, if the number of arrests sent by the Chinese Association be not a cable mistake, it is for the first time that the Government have seen fit to arrest such a large number of the Chinese. In the course of the campaign, I cannot recall even in the Indian community, so many as eighty Indians arrested in a single place at the same time. The cablegrams, however, make it clear that the measures adopted by the Government, instead of weakening Asiatics, have nerved them."

Indian Opinion reported on 4 September 1909:

"We note with pleasure that our staunch friends, the Chinese Passive Resisters, are again to the front. When nine were arrested last week, at least a hundred offered themselves to the police, and were disappointed that their company as prisoners was not required."⁶¹

Seventy-three Chinese were arrested during a mass meeting on 15 September.⁶² They were charged on 16 September for failing to produce their registration certificates and for refusing to give their finger prints. About half a dozen produced their certificates and were released.⁶³

⁵⁹ CWMG. Volume 9, page 380

⁶⁰ Haji Habib, member of the deputation with Gandhi.

⁶¹ The nine Chinese were sentenced on 3 September to three months' imprisonment with hard labour. *Indian Opinion*, 11 September 1909.

⁶² *Indian Opinion*, 25 September 1909

⁶³ *Indian Opinion*, 25 September 1909

On 4 March 1910, five more Chinese were arrested. *Indian Opinion* commented:

“The enthusiasm our Chinese friends are showing in simply wonderful.”⁶⁴

Gandhi sent a cable to the South Africa British Indian Committee⁶⁵ on 25 February 1910 that over thirty Chinese and nearly forty Indians were in jail.⁶⁶

Quinn visited the Tolstoy Farm, set up for Indian resisters and their families in need, on 14 January 1910 and spent the night there. He joined the inmates in manual work.⁶⁷ He left on 18 January to Volksrust to receive his sentence.⁶⁸

Around that time, Mr. Quinn, as Chairman of the Chinese Association, addressed another petition to the Chinese Minister in London. After describing the suffering of Chinese in the Transvaal, he wrote:

“1. Your Petitioner is a subject of His Imperial Majesty.

“2. The Petitioner respectfully draws your attention to the Asiatic struggle that is going on in the Transvaal at the present time, and that has been going on for the last three years. The struggle has arisen over the Asiatic Registration Act, known as Act 2 of 1907, which, in the opinion of the vast majority of the Chinese residents of the Transvaal, is degrading, insulting and derogatory to our national honour. It may be mentioned that British Indian subjects who are affected by that legislation equally with the Chinese have also offered stubborn resistance to the Act. Out of a possible population of over 900 Chinese,

⁶⁴ *Indian Opinion*, 5 March 1910

⁶⁵ The Committee also took up the grievances of the Chinese.

⁶⁶ CWMG, Volume 10, page 162

⁶⁷ *Indian Opinion*, 22 January 1910

⁶⁸ Ibid.

over 150 Chinese subjects have suffered imprisonment extending to three months with hard labour. The prison life has been very onerous, in that the Chinese are classed with the Natives of South Africa whose manners, customs and diet are entirely different from those of the Chinese. Latterly the local Government have commenced deportation of Chinese, and over twenty are already under order of deportation. According to the laws of the Colony, deportation beyond the Transvaal border cannot be carried out, but, by some secret treaty and agreement with the Portuguese Government at Lourenco Marques, the local Government are to hand the Chinese deportees to them, so that the latter may take them overseas. It is not yet known when Chinese subjects are to be thus illegally landed, but it is feared that they will be landed at a foreign port, where they will have neither friends nor other helpers. The Chinese community in the Transvaal has become reduced to poverty, owing to the struggle.

“3. Your Petitioner trusts that your Excellency, as representing His Imperial Majesty, will move the British Imperial Government, and obtain relief (a) by getting repeal of the obnoxious Act [Asiatic Registration Act] and securing a recognition of the right of Chinese subjects to enter the colony on the same terms as Europeans; (b) by obtaining relief from deportation and imprisonment in so far as they are unnecessarily and illegally vexatious; and in such other ways as to your Excellency may seem meet. And for this act of justice and mercy your Petitioner shall, as in duty bound, for ever pray.”⁶⁹

The Prince Regent of China telegraphed the Consul-General in Johannesburg to report at once on the disabilities to which the Chinese subjects were obliged to submit, and directed the Chinese Foreign Office to make the necessary representations to the British Government to secure better protection for Chinese subjects in South Africa.⁷⁰

⁶⁹ *Indian Opinion*, 7 May 1910

⁷⁰ *Indian Opinion*, 24 September 1910

As indicated in the petition by Mr. Quinn, the Transvaal Government resorted to further repression. Twenty-four Indians and 26 Chinese were illegally deported by the *Umfuli* on 18 May 1910 instead of being imprisoned. The ship was bound to Colombo where the detainees were strangers.⁷¹

Fortunately, Mr. Polak, who was in India at the time, met them and accompanied the deportees to Durban.⁷² They arrived in Durban on 28 September but were not allowed to disembark. They were sent to Cape Town where also they could not disembark.⁷³

Gandhi wrote to the Minister of Interior on 8 October 1910:

“I have just returned from Durban, where I had gone in connection with the British Indians and Chinese who were deported from this Province to India, and who had returned again to claim entry. I am aware that the Chinese produced registration certificates, but that, as they were deported under an administrative order, your Department declined to recognise the right of those Chinese to re-enter the province, and that, therefore, the Immigration Officer at Durban declined to issue visitor’s passes enabling these Chinese to proceed to the Transvaal. May I know whether the information given to me was correct, and whether it is the intention of the Government to treat these men who produce the certificates as prohibited immigrants because of an administrative order of deportation against them? May I know also whether, in the event of the Government holding that these people are prohibited immigrants, they will afford facilities to aggrieved parties to test their right before a Court of Law by granting

⁷¹ *Indian Opinion*, 28 May 1910. While awaiting deportation, David Andrew and Samuel Joseph stayed with the Chairman of the Chinese Association at his invitation. They were put up in the Chinese Club. *Indian Opinion*, 25 June 1910. The Transvaal Government asked the Government of Ceylon to send the Chinese on to China at their own expense. *Indian Opinion*, 25 February 1911.

⁷² Mr. Quinn apparently stayed on in Bombay for some time and did not return with the deportees. An article by him on the Transvaal struggle was published in *Indian Review*, Madras, in June 1910.

⁷³ *Rand Daily Mail*, 5 October 1910

them permission to land in South Africa? As the matter is urgent, and as cases like the above may arise in Durban very shortly, I shall be obliged if you will favour me with an early reply.”⁷⁴

Nineteen Chinese were sent back to India.⁷⁵

On 11 November 1910, the Chinese community held a meeting to present illuminated addresses to L.W. Ritch and H.S.L. Polak, associates of Gandhi, for their assistance to Chinese deportees.⁷⁶

In 1911, General Smuts appeared to be interested in a settlement of the Asiatic problem in order to calm the situation before the Coronation of King George V and as the delegation of India was expected to refer to the problem at the Imperial Conference which was to follow. Gandhi entered into correspondence with General Smuts who was now responsive to Indian demands and willing to compromise. He assured Gandhi that he intended to introduce legislation in the next session of Parliament which would grant legal equality for all immigrants and repeal the Asiatic Act. Passive resisters and deportees would be allowed to register. When assurance was received that passive resistance would be suspended, resisters would be released from prison.⁷⁷ These assurances formed a provisional settlement of 20 May 1911.

On 29 April 1911, when negotiations between Gandhi and General Smuts for the provisional agreement were at a final stage, Gandhi wrote to E.F.C. Lane, Private Secretary to General Smuts, pointing out that the Chinese had continued to suffer to the end and that their Chairman, Mr. Quinn, had only recently been discharged from jail.

⁷⁴ *Indian Opinion*, 15 October 1910; CWMG, Volume 10, pages 331-32

⁷⁵ They returned in February 1911 and were allowed to land in Durban. They proceeded toward the Transvaal and were arrested at Volksrust.

⁷⁶ *Indian Opinion*, 12 November 1910

⁷⁷ The correspondence does not contain information on the release of Chinese passive resisters, but they were also released. Gandhi had indicated that there were then more Chinese than Indian resisters in prison. *Indian Opinion*, 27 May 1911. CWMG, Volume 11, page 49.

“There are now, I think, more Chinese than Indian passive resisters in jail. I am quite sure that General Smuts will not expect Indian passive resisters to desert their Chinese fellow sufferers. They naturally ask for the same protection for the Chinese passive resisters as for themselves. There are, I understand, only about twenty pre-war Chinese passive resisters who were not registered when the struggle was revived in 1908. But I introduced the question of the Chinese in order to mention the somewhat delicate matter of four who are undergoing terms of imprisonment for public violence among themselves. When the struggle was revived, the Chinese became two factions and fought with each other. As a result, some were convicted. Now the two factions are united. They are even preparing a petition to the Governor-General for the exercise of the clemency of the Crown. Will not General Smuts recommend them for favourable consideration?”⁷⁸

The Chinese, like Indians, held meetings, and passed resolutions accepting the proposed settlement, asking Gandhi to attend to certain difficulties of their own. Gandhi wrote:

“The one very satisfactory result, so far as the Chinese are concerned, that has been achieved is that the two parties into which they were unhappily divided after the renewal of the struggle in the middle of 1908 have now reunited.”⁷⁹

The second phase of passive resistance, in which the Chinese had participated with courage and discipline, came to an end. The Chinese were not involved in the final phase of passive resistance which was centred in Natal and concerned Indian grievances.

When Gopal Krishna Gokhale, Indian leader, visited South Africa, to help redress the grievances of Indians, the Chinese Association honoured him at a breakfast meeting on 1 November 1912.⁸⁰

⁷⁸ *Indian Opinion*, 27 May 1911; CWMG, Volume 11, page 49

⁷⁹ *Indian Opinion*, 26 May 1911; CWMG, Volume 11, page 57

⁸⁰ *Indian Opinion*, 9 November 1912; also ‘Diary’, 1 November, 1912, CWMG, Volume 11, page 412.

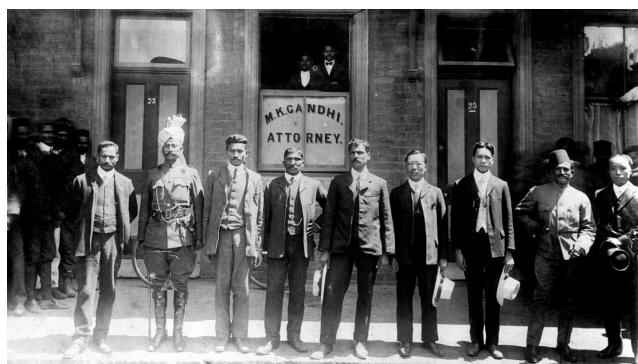
On 14 April 1914, a farewell banquet was given in Johannesburg in honour of Gandhi, Mrs. Kasturba Gandhi and Hermann Kallenbach, on the eve of their departure from South Africa. The Cantonese Club was among those who presented addresses to Gandhi. Their address, signed by the officers of the Club, read:

“We, the undersigned, on behalf of the members of the Cantonese Club, desire to express to you our sorrow at your approaching departure from South Africa. The Chinese Community of the Transvaal have, for many years past now had the advantage, not only of your wise counsel, but also of the remarkable example of your character and conduct.

“In you they have always recognised a great leader and a great Asiatic, and during the tremendous and uplifting struggle of Passive Resistance that you inaugurated in 1906 on behalf of all Asiatics in South Africa, and at which throughout you have been the Shining Exemplar.

“You have raised the prestige of the Asiatic name not only throughout the Union of South Africa, but in the whole civilised world.

“We feel that, with your departure, the Chinese Community are losing a dear friend, a valued adviser, & a source of inspiration for nobler things. We trust that our common Father may have you, Mrs. Gandhi, & all those near & dear to you in His keeping, & that you may be spared for many years to continue the work of humanity that you prize so much and that you are so well fitted to perform.”



The Passive Resistance Movement

Gandhi outside his office in Johannesburg in 1908. On his left is the late Thambi Naidoo one of Gandhiji's staunchest lieutnants. 6th from the left is Mr. Leong Quinn the Chinese leader who took an active part in the Passive Resistance Movement

LEUNG QUINN



Chairman of the Chinese Association and the Cantonese Club. Ordered in December 1907 to leave the Transvaal. Sentenced in January for two months for defying the order. Wrote a letter, jointly with Gandhi and Thambi Naidoo, to General Smuts, Minister of Interior, proposing voluntary registration. Released at the end of the month.

Sentenced to three months with hard labour for hawking without licence on 1 August 1908. Participated in talks with the Government in August 1908.

Arrested on 20 February 1909 for hawking without licence and sentenced to three months.

Deported to Colombo on 18 May 1910. "...shortly before his departure, General Smuts sent for him once more to discuss the situation. Yet Mr. Quinn has been deported on the ground that he cannot be identified by the authorities." (*Indian Opinion*, Madras, June 1910).

Returned to South Africa after an absence of eight months and was arrested at Volksrust on the border of the Transvaal on 9 January 1911. Sentenced to three months with hard labour.

Served four terms of imprisonment.

APPENDIX

CHINESE PASSIVE RESISTERS⁸¹

Leung Quinn. Chairman of the Chinese Association and the Cantonese Club. Served four terms of imprisonment.

Martin Easton. Ordered in December 1907 to leave the Transvaal. Sentenced in January for defying the order. (*Indian Opinion*, 11 January 1908). Was Acting Chairman of the Chinese Association in 1911 in the absence of Quinn.

John Fortoen. Ordered in December 1907 to leave the Transvaal. Sentenced in January for defying the order. (*Indian Opinion*, 11 January 1908).

C.F.J. Frank. Acting Chairman of Chinese passive resisters during imprisonment and absence of Mr. Quinn. Released on 7 September 1909 after serving six weeks imprisonment, and charged again on 8 September. (*Indian Opinion*, 11 September 1909). Charged in February 1911 for failing to produce registration certificate. (*Indian Opinion*, 25 February 1911). Sentenced to three months hard labour. (From the list of Chinese resisters sentenced to hard labour, in CWMG, Volume 10, page 475).

L. J. Winsee, Ming Loo, Chu, Yok Chu, Chan Nam, Hoi Ling, Pook Tim, Leary Kang, Chan Pak Wah, Sang Kai Yuen, Fook Tim, Leing Chin, Lo Tim, Sing For, Fook Ding, Sam Chu, A. Tong.

(Charged on 14 January 1908 with being in the Transvaal without a registration certificate. *Indian Opinion*, 18 January 1908).

⁸¹ This list includes only a fraction of the Chinese resisters. It is prepared mainly from information in *Indian Opinion*, a list of Chinese satyagrahis in a paper at Gandhi archives at Sabarmati (SN 5321; CWMG, Volume 10, page 475), and notes prepared by Anil Nauriya on Gandhi's Chinese Associates.

L. J. Winsee. Charged on 14 January 1908 with being in the Transvaal without a registration certificate. (*Indian Opinion*, 18 January 1908)

Ming Loo. Charged on 14 January 1908 with being in the Transvaal without a registration certificate. (*Indian Opinion*, 18 January 1908)

Chu. Charged on 14 January 1908 with being in the Transvaal without a registration certificate. (*Indian Opinion*, 18 January 1908)

Yok Chu. Charged on 14 January 1908 with being in the Transvaal without a registration certificate. (*Indian Opinion*, 18 January 1908)

Chan Nam. Charged on 14 January 1908 with being in the Transvaal without a registration certificate. (*Indian Opinion*, 18 January 1908)

Hoi Ling. Charged on 14 January 1908 with being in the Transvaal without a registration certificate. (*Indian Opinion*, 18 January 1908)

Pook Tim. Charged on 14 January 1908 with being in the Transvaal without a registration certificate. (*Indian Opinion*, 18 January 1908)

Leary Kang. Charged on 14 January 1908 with being in the Transvaal without a registration certificate. (*Indian Opinion*, 18 January 1908)

Chan Pak Wah. Charged on 14 January 1908 with being in the Transvaal without a registration certificate. (*Indian Opinion*, 18 January 1908)

Sang Kai Yuen. Charged on 14 January 1908 with being in the Transvaal without a registration certificate. (*Indian Opinion*, 18 January 1908)

Fook Tim. Charged on 14 January 1908 with being in the Transvaal without a registration certificate. (*Indian Opinion*, 18 January 1908)

Leing Chin. Charged on 14 January 1908 with being in the Transvaal without a registration certificate. (*Indian Opinion*, 18 January 1908)

Lo Tim. Charged on 14 January 1908 with being in the Transvaal without a registration certificate. (*Indian Opinion*, 18 January 1908)

Sing For. Charged on 14 January 1908 with being in the Transvaal without a registration certificate. (*Indian Opinion*, 18 January 1908)

Fook Ding. Charged on 14 January 1908 with being in the Transvaal without a registration certificate. (*Indian Opinion*, 18 January 1908)

Sam Chu. Charged on 14 January 1908 with being in the Transvaal without a registration certificate. (*Indian Opinion*, 18 January 1908)

A. Tong. Charged on 14 January 1908 with being in the Transvaal without a registration certificate. (*Indian Opinion*, 18 January 1908)

J.I. Wengsee. Acting Chairman of Chinese Association. Merchant who had been in the Transvaal for 21 years. Charged on 20 January 1908 with being in the Transvaal without a registration certificate. Ordered to leave the Transvaal within 14 days. (*Indian Opinion*, 25 January 1908)

Ho Ling. Wholesale merchant who had been in the Transvaal for 11 years. Charged on 20 January 1908 with being in the Transvaal without a registration certificate. Ordered to leave the Transvaal within 14 days. (*Indian Opinion*, 25 January 1908).

Lo Chin. General dealer. Arrived in the Transvaal in 1897. Chief picket. Charged on 20 January 1908 with being in the Transvaal without a registration certificate. Ordered to leave the Transvaal within 14 days. (*Indian Opinion*, 25 January 1908).

Hosai. Arrested in September 1909 for refusing to produce a registration certificate. (*Indian Opinion*, 11 September 1909).

Chan Son. One of the 20 Chinese illegally deported to Colombo on 18 May 1910 and sent back to India when they returned. They were allowed to disembark in Durban when they arrived again in February 1911 and arrested at Volksrust on the Transvaal border. (*Indian Opinion*, 25 February 1911).

Ah How. One of the 20 Chinese illegally deported to Colombo on 18 May 1910 and sent back to India when they returned. They were allowed to disembark in Durban when they arrived again in February 1911 and arrested at Volksrust on the Transvaal border. (*Indian Opinion*, 25 February 1911).

Shum Gi. One of the 20 Chinese illegally deported to Colombo on 18 May 1910 and sent back to India when they returned. They were allowed to disembark in Durban when they arrived again in February 1911 and arrested at Volksrust on the Transvaal border. (*Indian Opinion*, 25 February 1911).

Joseph Cowhee, Ah Hung, Chu Fah, Mak Hoy, Fong Ying, Leong Tchu, Hok Lee Hin, Chan Chua, Ah Cheen, Ah San, Low Da, Leong Young, Ah Fook, Ah Chan (The 20 Chinese illegally deported to Colombo on 18 May 1910 and sent back to India when they returned. They were allowed to disembark in Durban when they arrived again in February 1911 and arrested at Volksrust on the Transvaal border. *Indian Opinion*, 25 February 1911).

Fong Ying. One of the 20 Chinese illegally deported to Colombo on 18 May 1910 and sent back to India when they returned. They were allowed to disembark in Durban when they arrived again in February 1911 and arrested at Volksrust on the Transvaal border. (*Indian Opinion*, 25 February 1911).

Leong Tchu. One of the 20 Chinese illegally deported to Colombo on 18 May 1910 and sent back to India when they returned. They were allowed to disembark in Durban when they arrived again in February 1911 and arrested at Volksrust on the Transvaal border. (*Indian Opinion*, 25 February 1911).

Hok Lee Hin. One of the 20 Chinese illegally deported to Colombo on 18 May 1910 and sent back to India when they returned. They were allowed to disembark in Durban when they arrived again in February 1911 and arrested at Volksrust on the Transvaal border. (*Indian Opinion*, 25 February 1911).

Chan Chua. One of the 20 Chinese illegally deported to Colombo on 18 May 1910 and sent back to India when they returned. They were allowed to disembark in Durban when they arrived again in February 1911 and arrested at Volksrust on the Transvaal border. (*Indian Opinion*, 25 February 1911).

Ah Cheen. One of the 20 Chinese illegally deported to Colombo on 18 May 1910 and sent back to India when they returned. They were allowed to disembark in Durban when they arrived again in February 1911 and arrested at Volksrust on the Transvaal border. (*Indian Opinion*, 25 February 1911).

Ah San. One of the 20 Chinese illegally deported to Colombo on 18 May 1910 and sent back to India when they returned. They were allowed to disembark in Durban when they arrived again in February 1911 and arrested at Volksrust on the Transvaal border. (*Indian Opinion*, 25 February 1911).

Low Da. One of the 20 Chinese illegally deported to Colombo on 18 May 1910 and sent back to India when they returned.

Lee Kong, Luk Nan Dickson, Ho Low, Sam You, Chong Ah Kie, Wo Kim, Ah Wy, Ismail Essach, Louis Benjamin. (From a list of Chinese resisters sentenced to hard labour, in CWMG, Volume 10, page 475).

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