

INNER TEMPLE READER'S LECTURE SERIES

Lecture by The Rt Hon The Lord Boateng

16th February 2015

Gandhi: Constitutionalism and the Legacy of Non-Violent Direct Action in Sub-Saharan Africa

Treasurer, Excellency, Reader, Benchers, and as I learnt to say during my time in South Africa, all the feathers of the eagle – that's each and every one of you – in South Africa, on 6 June 1993, at the unveiling of a statue of the Mahatma 'Bapu' Gandhi in the KwaZulu Natal that is, in the Natal that was, these words were spoken: "Today, as we strive to achieve a date for the first democratic elections in this country, the legacy of Gandhi – of Gandhiji – has an immediate relevance. He negotiated in good faith and without bitterness. But when the oppressor reneged, he returned to mass resistance. He combined negotiation and mass action and illustrated that the end result, through either means, was effective.

"Gandhi is most revered for his commitment to nonviolence, and the Congress Movement was strongly influenced by his Gandhian philosophy. It was a philosophy that achieved the mobilisation of millions of South Africans during the 1952 defiance campaign, which established the ANC as a mass-based organisation. The ANC and its congress alliance partners worked jointly to protest the pass laws and the racist ideologies of the predominant white political parties."

In 1960 the speaker went on to say, "The ANC decided to embark on an armed struggle, convinced our oppressors would never be moved other. It was, however, a combination of nonviolent struggles and military action that inspired our people to carry on, to carry on in circumstances where still the enemies that Gandhi fought – ignorance, disease, unemployment, poverty, and violence – are commonplace. Now, more than ever, is a time when we have to pay heed to the lessons of Mahatma Gandhi."

Those words were spoken then by Nelson Mandela and they retain their resonance now, do they not, because the Mahatma's work remains a work in progress? I will

seek in the course of this lecture to explore some of the content and the evolution of his thinking in the London of his Inner Temple days, in South Africa, where he practised law, and the impact of Gandhi during and after the struggle for independent India – what he called the ‘Hindi Swaraj’ – the impact of that movement on the wider movement for colonial freedom in sub-Saharan Africa, with a particular focus on Kwame Nkrumah, Kenneth Kaunda, and the ANC of Luthuli, Tambo, Sisulu and Mandela, who led the struggle for a free, non-racial, democratic South Africa, and its relevance today to the contemporary Africa, where there is ongoing a struggle for a constitutional dispensation which aids, rather than hinders, the fight against those enemies of which Mandela spoke and which the Mahatma so clearly identified: the evils of poverty, of ignorance, of disease, of unemployment, and the violence that they inevitably engender.

Gandhi’s sojourn in London, whilst he read for the Bar, was to have a profound impact on his thinking and his subsequent relationship with the imperial authority – an imperial authority that he was to dramatically challenge and which made of him the enemy of the foremost imperialist of the times, who famously described him as that “Seditious, Middle Temple lawyer, now posing as a fakir of a type well known in the East.” He didn’t even get the Inn right.

Gandhiji subsequently told this notorious imperialist, who was of course Sir Winston Churchill, impishly, “I have an alternative, Sir Winston, that I fear will be unpleasant to you: India demands complete liberty and freedom, the same liberty that Englishmen enjoy. I want to become a partner in the Empire; I want to partner with the English, not merely for mutual benefit but so that the great weight that is crushing the world to atoms may be lifted from its shoulders.” Gandhi was, of course, speaking of that poverty, of that ignorance that he so loathed and the violence that it engendered.

Churchill didn’t get it at the time. Indeed it’s questionable, actually, whether he ever really did, but the English people certainly did, at different stages of Gandhi’s life. When he was here at the Inner Temple studying for the Bar, he came to know and to form real bonds of affection with the English people he met in the vegetarian and freethinking circles that he moved in. Indeed, it was on his becoming a member of

the committee of the Vegetarian Society that this picture, believed to have been taken on his call to the Bar here, was published in the magazine of that society.

History, and indeed Gandhi himself, are silent as to how he negotiated the food served here, Reader, Sub-Treasurer, but we know that he survived it; indeed, he flourished and passed all his exams and completed his course of dinners. Gandhi actually, interestingly, said of his time here, “The Bar examinations did not require much study.” His autobiography suggests – see how times have changed; I see the look on the faces of a number of you – Gandhi was able to say, “The Bar examinations didn’t require much study.”

But what he did do, and this is clear from his autobiography, which I commend to you, what he did do was to use the time studying here to read the Bible, [Theosophy tracks 0:13:16], and indeed Sir Edwin Arnold’s translation of the Bhagavad-Gita. In this and in the Sermon of the Mount he found the moral underpinning of his later campaigning activism. Interestingly, he says, “My regard for jurisprudence increased. I discovered in it religion.”

Gandhi viewed both the law and religion as a means of discerning truth in the daily challenge of trying to live a moral life. This proved at times, as well it might, problematic in his practice of the law. He maintained, however, “It’s not impossible to practise law without compromising truth.” We know, however, that at various times in his legal career he found that actually a very difficult issue for him personally. He at times found the pull between his duty to the client and duty to the truth one that was very difficult to survive, a balance that he found difficult to keep, and he expressed his deep frustration and alienation at times from the practice of the law. Nevertheless, he persisted.

It was an important decision of his to come here at all. He came because he wanted to obtain a qualification that would see him rise, as his father had risen, in the service of a local ruler under the Raj, but in travelling at all out of India and exposing himself to the dangers and the likelihood of pollution, he was himself entering upon the first steps of a challenge to the caste system that he was to fight all his life, a challenge which then involved him in no more than alienation – and it was alienation – from a group of his family. When he went back to India, having qualified, that alienation was one which he paid a professional price for, but of

course that challenge to the caste system became even more fundamental in the course of the independent struggle.

Once in England, once here, he began to be exposed to other intellectual and religious influences that were to shape his worldview in ways that were transformative in every respect. He was a Hindu culturally, albeit his chief mentor was a Jain, but he never failed to recognise the contribution to a life lived in faith, with all the good that might come from that, of those other faiths, not least the faith of the peoples of the book: Christians, Muslims, and Jews, from whose number he drew some powerful and significant friendships throughout his life in London and later in South Africa, where Henry Polak, the Jewish Assistant Editor of the Transvaal Chronicle, critic, a campaigning journalist of the time, became a major influence on his life.

He actually lived in Durban; he and his young wife lived with a Jewish couple. Imagine what it must have been at that time in the history of South Africa – actually at any time, actually, during that period, anywhere – to have two multiracial couples living side-by-side, but choosing as they did so, a Jew, white, Hindu, a person of colour making a statement even then. Henry Polak and, interestingly, Emily Hobhouse, a fierce critic of imperialism and earlier British feminist, those were the two great influences of his time here.

When he went to South Africa to seek advancement in the law after his return to India, where he felt professionally stifled, South Africa offered new opportunities for the practice of law, which he readily took up. He quickly found, however, that the Indian in South Africa was subject to a degree of personal institutional racism of a virulence hitherto completely unknown to him.

Bishop Tutu describes Gandhi's first encounter in the Archbishop's own inimitable way: "Gandhi was thrown off a train because he sat in a whites only, first-class compartment, even though he had paid the fare. I am glad that he suffered this great indignity – he, a London-trained lawyer. I am glad because it aroused in him a righteous anger to develop his own Satyagraha methods of nonviolent resistance. He honed those methods in South Africa as he campaigned non-violently to improve the lot of his fellow Indians."

This reference to the origins of Gandhi's anti-imperialist activism is to be found in Tutu's acceptance speech at the James Madison University in the US, when he was awarded the inaugural Mahatma Gandhi Global Nonviolence Award. It's significant not only in highlighting the source of the method that came to be known as 'Satyagraha', a term Gandhi coined himself for nonviolent resistance, which meant 'soul force' or 'holding onto the truth', but also the Arch's statement is making clear that for Gandhi at that stage, in the development of his thinking, the struggle he waged was specific to the Indian community in South Africa, which he consistently identified as distinct in their expectations and entitlements from all others.

He was a pragmatic and insightful political technician, who realised that to go further at that time would undermine the argument he sought to proffer for the protection of the rights of non-indentured Indians and lose all hope of any gains at all, because he sought to prevent and to project... To prevent the further humiliation and exportation of the South African Indian, by presenting that South African Indian as a loyal member of an imperial family, with rights equivalent to those enjoyed by those residing in what was at the time the jewel in the crown of Imperial Britain.

This isn't always an easy position for us in 21st-century Britain and in the wider world to understand, but it made sense then. Indeed, in his initial call to his community not to comply with the 1907 Transvaal Registration Law, Gandhi said – and these words are not easy, not easy even to quote – “Even the half-castes and the kaffirs,” even the half-castes and the kaffirs, “who are less advanced than we, have resisted the government. The pass law applies to them as well, but they do not take out any passes.”

This grudging recognition on the part of the Mahatma, alongside his more fulsome references in his newspaper entitled 'Indian Opinion' to Thoreau, to Socrates, to Tolstoy, to the Prophet Daniel and our Lord Jesus Christ, is an indication of how the development of soul force – nonviolent resistance – sprang not just from those preferred and obvious sources of Tolstoy and the rest of them but from Africa itself, not just from the context of Indians in Africa but from Africa itself.

That perhaps explains why Gandhi, in that self-same newspaper of his, identified the Reverend Dube, a black man, one of the kaffir community to which he referred but above all one of the founders of the African National Congress, identified him amongst the pantheon of great men who Gandhi was profiling in his newspaper.

Gandhi, though he believed it was not in the interests of the Indian in South Africa to seek a united front with either the African or, in South African terms, the Cape Coloureds, as he developed and honed his Satyagraha technique through the National Indian Congress, which he set up in 1894, was in frequent communication with both W. E. Du Bois and the National Association for the Advancement of Coloured People in the United States and its forerunners, and with the Pan African Congress in 1900 here in London.

It's very interesting, because before Gandhi returned to India in 1914 we had already begun to see his methods become used by the Africans in their struggle, not least by the black women of Bloemfontein in South Africa when they made the first protest against the pass laws in 1913. Then, in turn, those same methods were used in 1919 in Johannesburg and became the forerunners, as Nelson Mandela referred, to the 1952 defiance campaign, which was so important in the development of the African National Congress.

By 1924 Gandhi predicted, in relation to the Movement for Colonial Freedom generally, that if "Africans caught the spirit of the Indian movement, their progress must be rapid." With even greater prescience, given the impact of the Satyagraha movement, of the soul force movement, in its purest form in the life and work of Martin Luther King, Gandhi said, "It may be through the Negroes that the unadulterated message of nonviolence will be delivered to the world."

If you think about those scenes in Selma, Alabama, if you think about the global impact of young people – black people, white people – being dragged, un-protesting, silent, dignified, from the soda fountains, where they were not allowed as young black people and white people to sit together to eat ice cream and to have a glass of soda, when you think of the screaming, and the shouting, and the hatred in the faces of those who barred the way of the young students in Little Rock, Alabama, you see what Gandhi meant when he talked of the unadulterated impact of soul force, of his method of the consciousness of the world.

Now to the Movement for Colonial Freedom itself. Kwame Nkrumah, who attended the historic Negro University, as it was called, of Lincoln in Philadelphia, a university college which I know well and which I'm honoured to hold a doctorate from, was profoundly influenced by Gandhi at that time. He writes in the introduction to his autobiography: "At this time I devoted much energy to the study of revolutionaries and their methods. Those who interested me most were Hannibal, Cromwell, Napoleon, Lenin, Mazzini, and Gandhi. I found much of value to be gleaned and many ideas that were useful to me later in my own campaign against imperialism."

These ideas came to fruition, in the case of Kwame Nkrumah and the struggle for Ghanaian independence, in the strategy that Kwame Nkrumah called 'positive action', which was a direct descendant of the soul force methods of Mahatma Gandhi. He described it in these terms: "These were weapons – legitimate political agitation, newspaper and educational campaigns, and as a last resort the constitutional application of strikes, boycotts, and non-cooperation based on the principle of absolute nonviolence, as used by Gandhi."

Kwame Nkrumah put an emphasis, as did Gandhi, always in seeking to exhaust all methods before resorting to direct action, so some of the earliest meetings between Smuts and Gandhi, his subsequent meetings with a succession of viceroys and imperial representatives, including famously his very first meeting with Stafford Cripps, an interesting meeting because it gives an example of the mischievousness and sense of humour that the Mahatma had all his life, and I have this account on the highest authority from one of the persons present and from the daughter of the other.

Stafford Cripps, Labour politician, Chancellor of the Exchequer famously, committed to finding some resolution to the Indian question, arrived in Delhi and immediately, together with Woodrow Wyatt, his PPS, his Parliamentary private secretary, sought a meeting with the Mahatma. He noticed that people kept on encouraging not actually to meet with the Mahatma at that particular time, but the reason for this was completely lost on Stafford Cripps, who couldn't understand; why wouldn't the Mahatma want immediately to meet the representative of the King Emperor – and one, after all, who, although he represented the King Emperor, was

a prominent Labour politician? Everyone wants to meet prominent Labour politicians; why not Mahatma Gandhi?

He kept on being encouraged actually not to go and see the Mahatma, but he insisted, and who was to gainsay? So, he went with Woodrow Wyatt; they were ushered into the Mahatma's room, this eminent British delegation. The Mahatma was sitting there, as was his wont, dressed in his usual garb, smiled beatifically at them a wonderful life-enhancing smile for which he was famed, and then he was handed a note for Woodrow Wyatt to show his boss, the representative of the King Emperor, Stafford Cripps. Stafford looked at it and the note said, "You are most welcome. This is one of my silent days, but do please talk amongst yourselves." That is negotiation.

Kwame Nkrumah similarly engaged with the Colonial Secretary in Ghana, Gold Coast – Ghana as is, Gold Coast that was – on the eve of the first positive action campaign. It was a very tense time. The local Ga chief Nii Bonne, to his credit, had been organising a boycott of imported goods because he felt that they were much too expensive and they were causing hardship to the people. There had been a demonstration which had ended in the death of two ex-servicemen on 28 February 1949, and the situation was tense.

Kwame Nkrumah went to see the Colonial Secretary, the number two in the government of the day, and in his autobiography Kwame Nkrumah recounts this conversation: "Think seriously, Mr Nkrumah, before you take this step here. India, India was a very different matter. The Indian was used to suffering pains and deprivation, but the African," said the Colonial secretary, "the African has not that spirit of endurance. Mark my words, my good man, mark my words, my good man: within three days the people here will let you down. They'll never stick it. Had this been India..."

Nkrumah writes: "I cut him short. 'All we want,' I said, 'is a constituent assembly and a general election, letting the people decide for themselves.'" The colonial authorities refused that demand. Positive action ensued; Kwame Nkrumah went in and out of prison, together with party activists, including my own father, but within three years – never mind within three days – within three years Kwame Nkrumah was leader of government business and shortly after that became Prime Minister.

What was demonstrated all too clearly, with this emphasis on constitutionalism, to which Nkrumah refers in his autobiography – constitution in Ghana that ultimately came to be written with the assistance of Geoffrey Bing, whose son Inigo is with us tonight – what that demonstrates is that the Mahatma's teaching was not culturally specific, as the Colonial Secretary predicted, but it had a universal application.

It is that universal application that was demonstrated in Ghana, it was demonstrated in Zambia by the struggle of Kenneth Kaunda and that group who came to be known, formed with Julius Nyerere and Milton Obote, they called the 'Mulungushi Club'; it was that movement that underpinned the wider struggle in sub-Saharan Africa. It was that movement which itself took place within a political context that was best enunciated in the Bandung Declaration.

Here you see the transition, Gandhi in South Africa, where the lessons are honed of soul force, of Satyagraha; here soul force, the force of love in action, where you might think the challenging of the imperial power through hitting at the livelihoods of folk in the mother country might cause alienation, and bitterness, and resentment, and mistrust on the part of the livelihoods of those most intimately affected by the boycott of the cotton mills and the produce of the cotton mills of Lancashire.

Here is the Mahatma, that seditious Middle Temple lawyer, half naked, posing as a fakir; here he is with the people who really understood him, the people who really knew what it was about, who saw in him the goodness that his soul force represented, even though their livelihood was directly threatened and who are here seen cheering him to the rafters – the women, the mill women, of Lancashire.

That, for me, more than any other picture of the Mahatma, sums up the moral force of this man and the capacity of our world to respond to it, and then here with Nehru, who he handed the responsibility of taking independent India, the movement that he... The movement for independent India, the movement that he had started, taking it to the next stage of delivering independence and its fruits.

It was Nehru who, alongside the leaders of Gold Coast Ghana as it was – Egypt, Indonesia – formed the Bandung movement, issued the Bandung Declaration in 1955 that was to provide the political context of the struggle, a struggle which

Geoffrey Barraclough has referred to the process of decolonisation of Africa and Asia in this way: “Never before in the whole of human history had so revolutionary a reversal occurred with such rapidity.”

It's ironic, isn't it, that the country in which in one sense the moving and the moral force which brought about that reversal was inspired with the throwing-off of a train of an Inner Temple lawyer, South Africa, that it was in fact that country which was the last to be liberated but which was liberated in a way that demonstrates that the doctrine of nonviolent protest, of soul force, had so managed to embed itself so powerfully in the ANC of Luthuli, Tambo, Sisulu, and Mandela, and in the Black Consciousness Movement of Biko that that most significant transition from the horrors of apartheid, whose core reality Gandhi had experienced on that train long before the term was ever coined, that that transition from that horror to a free, multiracial, democratic South Africa occurred without the bloodbath that seemed to all of us to be inevitable?

The origins of that lie directly in the teachings of the Mahatma, of his experience in Africa and of the enduring strength and significance of what he described as the sovereignty of love. The significance of Gandhi and his principles continues – continues to be relevant, continues to be cited as a mover and shaper of movements of liberation to this day, but now different movements.

If you read the acceptance speech of the Nobel Laureate Leymah Gbowee, who was awarded the Nobel Prize in 2011 for her work in conflict resolution and in post-conflict development in Liberia, she in that speech refers to how she, as a woman, awarded the prize for “Her nonviolent struggle for the safety of women and women's rights to full participation in peace-building work,” she speaks of the influence of the Mahatma and of Dr King in her life.

She speaks too of the reality that although the vast majority of the women amongst whom she had worked had never heard either of the Mahatma or Dr King, that for them they felt a compulsion; they felt a growing awareness that there had to be another way, and that way was the way of soul force. She puts it this way: “We were aware that the end of war will truly only come through nonviolence, as we have all seen that the use of violence was taking us and our beloved country deeper into the abyss of pain, death, and destruction.”

Gandhi, then, in summation, shows us that better way. His soul force is love in action – not love as some soft sentiment, but love as a strategy, love in action. Gandhi the lawyer, the activist, Gandhi the great soul offers us all, not least us lawyers, all of us in this room as lawyers, an alternative path.

The question, at a time when we confront – and the news today surely bears it out, the news from Libya, the news yesterday from Copenhagen – when we live at a time in which we are obliged to confront the influence of those who make a god of violence in its most extreme and horrific forms, the question for us at this time is whether we will have the vision and the courage not just to imagine another way but to seek to live it, to seek to live another way, without violence but with the strength of the soul, with truth as God.

What ought to give us hope is that the man who has done the most to envision this and with an effect that has been truly transformatory on our world, that inspires and continues to inspire, that man, the Mahatma, studied here in these Inns of Court, that the light that he possessed was not dimmed but nurtured here, here in these Inns of Court.

We have but to open ourselves up to that light, to the possibilities of that soul force, to nurture it when we experience it or when we see it, as it was nurtured too, remembering that each of us in our own way can make a difference too, each of us in our own way can make a difference too, remembering that varied as we all are in shape, in size, in weight, in colour, in abilities, that varied as we all are it truly is, as the South African proverb tells us, it is each and every feather that makes the eagle soar – each and every feather that makes the eagle soar; different shapes, different sizes, different weights, different colours, different abilities, but it's each and every feather that makes the eagle soar. Gandhi, the Mahatma, represents the ideal lawyer, activist, great soul. Let us soar, let us soar; let us soar. Thank you.