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NOT TO BE REMOVED
THE SOUTH AFRICAN INSTITUTE OF INTERNATIONAL AFFAIRSSOUTH AFRICAN DEFENCE AND THE COMMONWEALTH

In the 19th century, before the development in the British colonial territories of governments that had authority over foreign affairs and defence, the duty of each part of the Empire to aid the rest in time of war was clear, but as the Commonwealth developed along the road to separate sovereign dominions the constitutional obligation was progressively reduced. Nevertheless, at the outbreak of the 1914-1918 war, it could be said with reasonable certitude that for Great Britain the duty of defending the overseas dominions of the Crown remained, although even then the change in her relative strength had made it easy to imagine circumstances in which carrying out this duty might be almost impossible in the face of hostile alliances.

Between the two world wars questions of Commonwealth defence had not only become far more difficult but the new political status that the dominions were achieving reduced progressively any constitutional basis for the duty of mutual defence, and the Imperial Conference of 1923 recognised that on the question of the defence of the territories composing the British Empire "it is for the Parliaments of the several parts of the Empire upon the recommendations of their respective governments to decide the nature and extent of any action which should be taken by them".

Nevertheless, having noted this proviso, the Conference went on to lay down principles to be followed for mutual defence and it is apparent that the assumption was that, whatever the legal and constitutional position, war with one Dominion would almost certainly involve the others.

The Imperial Conferences of 1926 and 1930 prepared the way for the enactment of the Statute of Westminster giving legal form to the concept of a Commonwealth based on complete autonomy and equality of status, but there remained the basic political assumption that a major war at least would involve all the dominions.

It was with this general assumption in the background that defence arrangements were co-ordinated, equipment was standardised and training made uniform. And these arrangements provided the necessary basis for close co-operation between, and integration of, Commonwealth forces during World War II. This has received less attention than it deserves. Much has been said of the Allied Command system that provided such remarkable co-operation between Britain and the U.S.A. during the war but the no less remarkable integration of Commonwealth forces - sometimes down to platoon level - has received much less acknowledgment.

After the war Commonwealth co-operation on defence was strengthened by the establishment of organs of co-operation developed from wartime experience but, at the same time, this co-operation was "diluted" by the new regional defence systems which many Commonwealth members joined, as well as by the growth in number and diversity of membership of the Commonwealth itself.

Commonwealth security and defence were dealt with in the British Defence White Paper of 1946, but this policy statement also referred to the idea of regional defence and implied that this would involve arrangements with non-Commonwealth countries by Commonwealth members.

From the first of these ideas developed the exchange of joint service missions between Commonwealth countries (mainly, it is true, between Britain and the other Commonwealth members) and the meetings of the Commonwealth Committee on Defence Science. On the other hand, under the pressure of the threat from Russia, and particularly as a result of the Communist coup in Czechoslovakia, the concept of regional defence soon became the more important element and a pattern of treaty relations involving Commonwealth members and other countries was rapidly established, viz..

THE NORTH ATLANTIC TREATY ORGANISATION 1949

(Belgium, Canada, Denmark, France, Iceland, Italy, Luxembourg, Netherlands, Norway, Portugal, U.K., U.S.A., Greece (1952) Turkey (1952), German F.R. (1955))

THE ANZUS PACT 1951

(Australia, New Zealand, United States)

THE SOUTH-EAST ASIA COLLECTIVE DEFENCE TREATY 1954

(Australia, France, New Zealand, Pakistan, the Philippines, Thailand, U.K., U.S.A.)

THE CENTRAL TREATY ORGANISATION (BAGHDAD PACT) 1955

(Iran, Turkey, Pakistan, U.K. with U.S.A. closely associated)

It is noteworthy that in these regional pacts there is no African member and that of the "old dominions" South Africa alone is absent. Ceylon, India and Malaya are also uncommitted to any regional defence. The first two are opposed to such pacts as they consider them provocative. Malaya, while not a member of SEATO, has special arrangements with the U.K., Australia and New Zealand whereby these three undertake to assist Malaya not only in external defence but also in internal security and all three maintain forces in Malaya for this purpose.

It may also be mentioned that Canada is believed to be considering joining the Organisation of American States, the constitution of which provides for the study of collective self-defence.

These regional defence pacts are by no means mere treaties for mutual assistance in the event of attack, but are very much more. Tunstall, in his treatise on the Commonwealth and Regional Defence, describes the North Atlantic Treaty as "a revolutionary type of diplomatic compact" and it is the type that the others follow. In fact NATO has involved the setting up of an integrated command and a sacrifice of national control of national contingents that has had no counterpart in peace, and was paralleled only for a short

period during World War II. It is also clear that in each of the regional defence arrangements of the free World, the U.S.A. takes a major, if not the dominating, part. This is an imperative of the post-war situation for it is clear that no defence pact could be effective if it did not have American backing.

The Position of South Africa.

It has been noted that South Africa is not a member of any regional defence pact and that no such pact covers Africa or part of Africa. There have been, however, some post-war moves towards the co-ordination of defence plans. In June 1951 a meeting of Commonwealth Defence Ministers discussed Middle East Defence and on 12th November, 1951, the Department of External Affairs issued a statement saying that "in accordance with its declared policy of assisting in the defence of the Middle East and of the African continent against Communist aggression, the Government has undertaken in time of war to send ground and air forces to the Middle East the Union has accepted membership of the Middle East Command". These arrangements were, however, never brought into effect and subsequent developments in the Middle East outmoded them.

In August 1951 an African Defence Facilities Conference was convened jointly by Britain and South Africa in Nairobi and was attended by representatives of Belgium, France, Italy, Portugal and Southern Rhodesia, with the United States sending observers. The Conference set itself limited objectives and there seems no reason to doubt that its achievements are reflected in the communiqué which stated that it had made "a series of unanimous recommendations designed to ensure the rapid movements of troops and military supplies through the eastern and central parts of Africa". There have, however, been suggestions that it had been hoped, if not specifically intended, that the Conference would lead to a regional defence pact. This could reasonably have been expected if developments had been analogous to those in other regions and Tunstall states bluntly that what "prevented the Nairobi Conference from leading to a regional defence treaty for South and Central Africa was the refusal of the Union Government to countenance any scheme which involved employing part of the African population in the armed forces in such a manner that they actually bore arms. This applied not only to co-operation with France, Belgium, Italy and Portugal as African colonial powers, but also to the British Commonwealth and Colonial Territories of Southern Rhodesia, Northern Rhodesia, Kenya, Tanganyika, Uganda, Nyasaland, as well as to the Protectorates, regardless of the future political status of any of these territories". As he quotes no authority, Tunstall's statement cannot be accepted without reservations but it is nevertheless true that the views of the South African Government on this point were well known and this was doubtless a factor in preventing the growth of a regional defence treaty. On the other hand, even at that time it could be foreseen that political changes in Africa would make an effective treaty which took account of future political developments in the African territories, well-nigh impossible to conclude and, looking back, it is difficult to see how any such treaty could have withstood the test of changes in the

Congo, French Africa and the British Colonial Territories.

Whatever the reasons for the failure of African defence to develop on the lines followed elsewhere, the steps taken subsequent to the Nairobi Conference fell far short of a modern regional defence system, although in 1954 a conference to consider lines of communication was held in Dakar with Liberia included as a member and the Central African Federation replacing Southern Rhodesia.

It would seem that after 1955 it was tacitly recognised that political developments in Africa had made fruitful discussion of regional defence impossible. On 30th June, 1955, Mr. Selwyn Lloyd and Mr. Erasmus exchanged a series of letters which make up the Anglo-South African Agreement or, as it is frequently called in South Africa "The Simonstown Agreement", since it provided for the transfer of the Simonstown Naval Base to the Union Government.

In fact this Agreement provided for much more and embodies agreements under three specific headings :-

- (1) The need for international discussions with regard to regional defence against external aggression.
- (2) The defence of the sea routes round Southern Africa.
- (3) Transfer of the Simonstown Naval Base and arrangements for its future use.

Perhaps the most remarkable feature of this Agreement is that nowhere does it create mutual obligations for the parties to come to each other's assistance in the event of war. It is not a defensive pact in the normal meaning of the term. There are two likely explanations of this. The first is that given by Tunstall, i.e. that co-belligerency is assumed and that "South African belligerency with British neutrality is apparently not contemplated, even as a possibility". Clearly such an assumption needs revision in the light of later events, particularly the ending of the Commonwealth tie. The other possible explanation is that as the Agreement foresaw the need for international discussions on regional defence, the question of mutual defence was left for later settlement in the framework of a wider defence arrangement. In the event no arrangements for regional defence have been evolved and as South Africa is now leaving the Commonwealth the failure to make provision for mutual defence appears to be an omission with serious implications for South Africa's security.

As far as Britain is concerned the Agreement covers her security requirements adequately. Paragraph 2 of the letter dealing with the Transfer of the Simonstown Naval Base provides that "the Union Government agree that the facilities of the Base will be available for use by the Royal Navy in peace and by the Royal Navy and ships serving with the Royal Navy and by navies of allies of the United Kingdom in any war in which the United Kingdom is involved". Paragraph 4 specifies that the Union Government will ensure that there are facilities elsewhere in the Union for the South African Navy so that in a war in which the United Kingdom, but not

the Union, is involved Simonstown Base will be available to the Royal Navy and its allies.

Elsewhere the Agreement provides for "a joint maritime war planning committee" (paragraph 10 of the Agreement on Defence of the Sea Routes) and for the designation of a Royal Naval Commander-in-Chief who is responsible for strategic planning and the organisation of training in peace time and the co-ordination of planning and the conduct of maritime operations in time of war. Forces are to be assigned, or earmarked for assignment, to him by both Governments.

On the face of it the Anglo-South African Agreement, as seen from South Africa, makes detailed and satisfactory provision for naval co-operation in the event of South Africa being a co-belligerent, but does not impose any obligations on Britain to assist South Africa if the latter is alone involved in hostilities. It records that it is Britain's policy "to contribute forces for the defence of Africa, including South Africa, and the Middle East, and that it is South Africa's policy to contribute forces to keep the potential enemy as far as possible from the borders of South Africa". That these policies would lead to co-belligerency in a major war against Communism is clear, but hostilities against South Africa alone by a non-Communist power would present a very different situation. Nor does the Agreement provide for co-operation by other arms of the services. The "Memorandum on the Need for International Discussion with regard to Regional Defence" foresees supplementary arrangements for mutual defence involving not only the signatory powers but also "the countries mainly concerned", but the remainder of the Agreement deals with naval matters only. It was clearly the intention that arrangements for air force and army co-operation on a regional basis were to be worked out later and it may have been the intention to leave until then the question of mutual defence obligations.

Events in the last five years have made arrangements for African regional defence and for co-operation on land and in the air even more necessary, but infinitely more difficult to achieve. A treaty obligation on the United Kingdom to aid South Africa in the event of the latter being involved in hostilities may have seemed superfluous in 1955 but it may be doubted if its superfluity is equally apparent in June 1961.

G.G. LAWRIE

Jan Smuts House,
University of the Witwatersrand.

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