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U. D. I. IN RHODESIA

by

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THE BRITISH BACKGROUND

1. The Dichotomy of British Colonial Policy

How is it that British policy towards Rhodesia has reached a point where less than 250,000 whites have been driven in despair to face a nation of 50,000,000, and when, as if these odds were not sufficient, Britain has invoked the backing of the 110 member states of the United Nations?

The explanation lies, I believe, in a fundamental dichotomy which has characterised British colonial policy since the 18th century. It may be possible to go further back, but I have always traced it myself to the appointment in 1763 of two superintendents for the (Red) Indians, one north, one south of the Ohio River, and the drawing of a boundary line along the Appalachian Mountains, west of which no white settlements were to be permitted. Trade with the Indians was to be regulated, Indian lands were no longer to be exchanged for guns, firewater or trinkets, and the Indians were to be secure in their hunting grounds. British troops were to remain in North America to keep the peace between the colonists and the Indians. And since troops cost money, attempts were made successively to levy - on the colonists - direct taxes (the Stamp Act), customs and excise duties (the Townsend duties) and even so-called voluntary contributions. Each was, in the end, successfully opposed but the attempts led the colonists first to deny Parliament's right to tax, then Parliament's right to regulate trade, and finally to assert that Parliament was but the equal of the colonial legislatures and possessed no more authority over them than they over Parliament. Colonial charters had, it was argued, been given them by the Crown, by prerogative, and not by Parliament, and could neither be suspended nor changed by Parliament.

Had George III really been trying to restore royal government in Britain, as he has so often been accused of being, instead of trying to rule through control of the British Parliament, he would have accepted the colonial thesis, the British Commonwealth would have come into existence 150 years sooner, and both the war of the American Revolution and the South African War could have been avoided. Instead, in order to maintain his influence and control of Parliament, he backed Parliament's claims to supremacy over the colonial legislatures, with the inevitable result of UDI

in 1776. Such was the end of the first attempt to apply the doctrine of trusteeship to the native inhabitants of overseas territories settled by British emigrants. At the time, be it noted, the American colonists numbered under 3 million (less than the white population of South Africa) and there were in North America perhaps 1 million Red Indians. There were also about three-quarters of a million negro slaves, but since Britain was the biggest slave-trader in the world, no attempt had been made to exercise trusteeship over the negroes!

After 1783 the British Government and Parliament reacted against American independence by extending the doctrine of trusteeship to India - you will remember the impeachment of Warren Hastings, who had been Governor-General, for not respecting the rights of various Indian rulers - and to the abolition of the slave trade in 1807 and of slavery in 1833. The last led to the ruin of the British self-governing colonies in the West Indies and to the Great Trek in South Africa. In addition, the British government sought to control the remaining colonies of settlement, those in Canada, by the creation of nominated upper houses, and by strengthening the governors by providing them with adequate civil lists, to enable them to continue to govern, even if the lower houses of the legislatures refused to vote taxes. These policies could only be enforced by keeping British troops in Canada, South Africa and the West Indies, where they proved even more expensive than they had done in America. This led Britain to attempt to fob off on to the Colonies responsibility for paying them. You will remember the phrase "the damned colonies are a millstone around our necks." Trusteeship, too, became less popular after the Indian Mutiny. You could not blow Indians to pieces, after tying them to the mouths of cannon, and still maintain that their welfare was your paramount preoccupation.

The colonies, not unnaturally, proved to be prepared to accept financial responsibility for internal security only if it were accompanied by complete self-government, and they then dealt firmly with their respective racial problems. It is significant that the formation of the Dominion of Canada in 1867 was quickly followed by the Rieu rebellion of the Red Indians, which was crushed in 1870, that in New Zealand the Maoris were finally defeated by the settlers as soon as they were given self-government, and that in Australia the reduction of the black-fellows to a remnant in the deserts of the centre and north west (those in Tasmania had already been exterminated) should be followed by the enunciation of the white Australian policy to keep out both Asiatics and Pacific Islanders. It was similarly hoped by Britain that if Lord Carnarvon's plan to bring all the colonies in South Africa into a self-governing federation could be implemented, the new federation would take the responsibility for bringing the unending and expensive Kaffir wars to an end. Majuba put an end for the time being to this hope, and South Africa had to wait until 1909, for Britain to turn her back decisively on trusteeship. The Act

of Union transferred the African majority, the Coloured and Asian minorities and the recent Chinese immigrants to the control of the Europeans with scarcely a safeguard. In the meantime, the South African War had rammed home two lessons: that less than 200,000 settlers (note the figure in relation to Rhodesia) could challenge for several years the might of the British Empire at its zenith, and that even though they had been defeated there was no alternative but to give them back complete control of their own affairs.

When Britain, after 1919, no longer controlled any colonies of settlement, trusteeship once more came into fashion. The ex-German and ex-Turkish territories were to be mandates and the welfare of the native inhabitants was to be the first consideration. Inevitably the doctrine extended to similar British territories, first to those without any European settlers, later to those with some - such as Kenya - ultimately to a self-governing colony, such as Rhodesia. An attempt was made after World War II to marry the two threads of British policy once again. The Asian commonwealth countries, without settler problems, and with old civilisations, were declared to merit self-government and equal status within the Commonwealth, just as much as the Dominions had done: and just as the Dominions had done they were to take over the financial burden of their internal security and external defence from the U.K. In return, their minorities were left to them to deal with, whether Muslims or Kashmiris or Nagas in India, Hindus in Pakistan, Tamils in Ceylon, and now, as seems likely, Chinese in Malaya. When this policy was extended to the African colonies, and each in turn received independence, Ashantis were suppressed in Ghana, Nuers in the Sudan, Somalis in Kenya, and Barotse in Zambia. And inevitably the right to deal with African minorities was extended to dealing with European minorities. Only the Chinese of Singapore and the Whites in Rhodesia have so far successfully challenged it, and only in Rhodesia is the U.K. attempting itself to intervene.

From this very brief summary it is, I think, sufficiently clear that the policy of trusteeship has, over the past 200 years, operated in opposition to the development of that conception of the Commonwealth which has been generally accepted as the particular contribution of Great Britain to the modern world. It contributed to the destruction of the first British Empire, to the South African War which led to the transformation of the second, and to that expansion of the Commonwealth after World War II which has so reduced its cohesion that its influence in the world is now little more than negligible. It caused the withdrawal of South Africa from the Commonwealth in 1961, and it now threatens it with the loss of Rhodesia, and possibly other African commonwealth countries in 1966. Field-Marshal Smuts saw the danger clearly in 1947, but his was a voice crying in the wilderness.

2. The 20th Century Commonwealth

It is, I think, important at this point to consider what has been the constitutional development of the Commonwealth in the 20th century. Before World War I, while the

Dominions were fully self-governing, the Crown, on the advice of the British government, appointed their Governors-General, who also represented the British government within the Dominions, and were the channel of communication with the Dominion Governments. If the King declared war on the advice of the British government, the Dominions were also at war. By the end of World War I the Dominion governments had asserted their right to control their military forces and their employment in any theatre of war, to sign the peace treaties as independent states, and to become separate members of the League of Nations. The Commonwealth Conference of 1926 stated that the Governor-General would in future be the personal representative of the Crown, with the implications that the Dominion government would advise the Crown on the appointment, and that Britain would, in future, have to be represented in each Dominion capital, presumably by a High Commissioner such as the Dominions had sent to London for forty years previously. Member countries of the Commonwealth were declared to be equal in status (if different to some extent in function) and each could negotiate and sign treaties on its own behalf, subject to the convention that it should first inform and consult any other Commonwealth government which might be interested or affected. And laws passed by the British Parliament were only to apply to a Commonwealth country if that country had so requested. In all these respects the Conference was merely recording what had, in practice, already been accepted. General Hertzog in South Africa and Mr. Mackenzie King in Canada soon made it clear that they interpreted the conclusions of the Conference and the subsequent Statute of Westminster to mean that in future their countries could not be committed to war except by decision of their own governments and parliaments, and General Hertzog pushed the changes to their logical conclusion as involving the divisibility of the Crown, the so-called "Seven Kings" theory, rejected by the U.K. at the time but ultimately accepted in practice at the 1949 Commonwealth Conference. Seven Kings, because the member countries included not only the U.K., Canada, Australia, New Zealand, South Africa and the Irish Free State, but also Newfoundland. Newfoundland, with a population of 300,000, had not signed the Peace Treaties, and was not a member of the U.N., but because it had for long been a self-governing colony (it had refused to enter the Dominion of Canada when the latter was formed in 1867), it had been invited to attend Imperial Conferences and so acquired Dominion status. Southern Rhodesia had, in 1923, also become a self-governing colony, having voted against joining South Africa, but since the consent of the British Government was required to Southern Rhodesian Legislation adversely affecting the right of the African inhabitants, and since the white population was only a little over 20,000 as against the 300,000 of Newfoundland, Southern Rhodesia was, with the concurrence of all the Commonwealth governments, simply invited in future to attend each Commonwealth Conference as it occurred, without achieving formal Dominion status. Newfoundland shortly went bankrupt, asked to be administered by Britain as a non-self-governing colony, and ceased to

be represented at Commonwealth Conferences. What is often forgotten, and needs to be emphasised is that each enhancement of the status of the Dominions and the self-governing colonies was merely the recognition of constitutional or political conventions already accepted, and the assimilation of variations to what had become the general pattern. For example, the Australian States had retained residual powers under the Australian Constitution, they had a greater degree of independence of the federal government than the Canadian or South African provinces, and they therefore retained their State Governors appointed by the British government as before. But a convention developed to fit the new status of Australia by which the prior agreement of the state concerned was obtained before an appointment was made. Similarly with Southern Rhodesia. The dispute in the late twenties between Sir Philip Game, then Governor of New South Wales, and the Labour Government (Lang) in that state ensured that in future a governor once appointed would have to accept the advice of his ministers, unless he could show by a vote in parliament or a general election that they no longer possessed the support of a majority in parliament. Rhodesia has possessed a much greater degree of self-government than any Australian state; and if the U.K. has acted for Rhodesia in external affairs, the federal government has similarly acted for the Australian States. It is, therefore, an anachronism to assume that the Governor of Rhodesia should, in any internal matter, act on the instructions of the British government instead of those of his Rhodesian ministers.

3. Mr. Wilson's Dilemma

Mr. Wilson's dilemma is, I believe, the Labour Party.

The Party's attitude towards the Commonwealth has always been ambivalent. The British Empire represented to it, and still more to its left-wing, in the twenties of this century when it first came to office, an overseas facet of capitalism. The Tory capitalists, the Party believed, exploited the Asian and the African just as they exploited the working man in Britain, and just as the latter was using his vote to win general elections, so the latter ought to have a vote to exercise. When after nearly 15 years Labour again came to power, its determination to give independence to India, and, therefore, as it turned out to Pakistan, Ceylon and Burma was clear: in the end it had to push India and Pakistan into independence by announcing its intention of leaving the sub-continent, whether or not any alternative government or governments had been set up by the inhabitants. The decision of India, Pakistan and Ceylon to stay within the Commonwealth, the discovery that British trade did not necessarily suffer from the grant of independence (although it has subsequently done so from both India's and Ceylon's shortage of external currency), and the relatively good record of the Asian Commonwealth countries so far as the observance of democratic constitutional proceeding is concerned, convinced the Labour Party in Britain that they were on the right lines. The Tories, between 1951 and 1964 paid them the compliment of taking over their policy, and extending it to African countries, and, while the record of the Labour Party in the fields of nationalisation, the welfare state, and education was at different times attacked by the Tories, and

lost much of its appeal to the voters, the Party's contribution to the independent Commonwealth never ceased to be recognised by both Parties and became an accepted tenet of the Party faithful.

The Labour Party went further. It took over from the Australian Labour Party, and made its own, the idea that the Labour Party, alone of British political parties, was the disinterested supporter of the independent Commonwealth countries. The Conservatives, so the theory ran, would always sell out to the financial or commercial interests of big business - for example, when the latter came to believe that it could make more out of the European Common Market than the Commonwealth and prepared happily to sacrifice New Zealand dairy produce, Australian meat, South African fruit and Rhodesian sugar as the price of British admission - and only Labour could be relied upon to put co-operation with the Commonwealth before co-operation with Germans and Gaullist French.

On the other hand the Party inherited from its international socialist forebears an ideological commitment to international co-operation, pacifism and disarmament. It had to shed some of its pacifism in the cold war, and to accept rearmament, as distinct from nuclear weapons, over Berlin and Korea, but it has continued to proclaim its full and complete support of the U.N. and its support for the principle of trusteeship where less developed peoples have remained under European control. It has therefore been totally opposed to the policy of apartheid preached in South Africa, and to any suggestion of the development of a similar policy in Rhodesia. Mr. Wilson has therefore had to be extremely cautious not to give the appearance, particularly to his left wing, of sacrificing 4,000,000 Africans to 220,000 whites. Even to suggest that some delay in reaching the stage when African voters will outnumber European has led to vocal criticism, and to postpone this stage indefinitely would probably threaten the unity of the Party. The left-wing has always been emotional, and attaches little importance either to constitutional conventions within the Commonwealth, or to the letter of the U.N. Charter. If Labour ministers are well aware that the basis of successful democracy is the careful observance of the letter of the Constitution, Labour members are apt to disregard the letter in the name of the spirit. They have had to swallow, during the past year, the postponement of plans for the nationalisation of the steel industry, what they tend to consider American aggression in Vietnam, the Polaris submarine programme, and co-operation with de Gaulle over the Concorde aircraft, but they will not swallow independence for those whom they regard as the capitalist, colonialistic white settlers of Rhodesia. Mr. Wilson has, indeed, had to rely upon Tory pressure for moderation to keep his left wing from pressing for immediate military sanctions. He has shown great dexterity in so doing, but he could easily face a revolt in his Party. This would destroy the edifice of party unity which he built only a year before the 1964 election, and probably consign the Labour Party to parlia-

mentary and electoral defeat, and, possibly, another 14 years in the wilderness. Mr. Wilson has himself achieved the Prime Ministership young enough to look forward to years of office. He does not intend to sacrifice either his Party or himself to Mr. Ian Smith.

B. THE RHODESIAN BACKGROUND

(a) The Rhodesian Economy and Economic Sanctions

The last two years in Rhodesia have been so packed with interest and excitement that I shall not today refer, except incidentally, to the break-up in 1963 of the Federation of Rhodesia and Nyasaland, and instead, suggest that any of you who may be interested should refer to a lecture which I gave to another branch of the Institute two years ago, dealing with the problems of Southern Rhodesia in the context of the Federation, and which was reprinted as one of four chapters of a book entitled "Problems of Southern Africa."

In 1963 I concluded that lecture on Rhodesia by saying that "the immediate prospects of Southern Rhodesia are therefore favourable so far as farming is concerned, and unfavourable as regards manufacturing and construction, while mining is likely to continue depressed. It is therefore the urban population which will be likely to be adversely affected" and that "the immediate task of the government of Southern Rhodesia is therefore to do everything possible to stimulate the economy of the colony quickly, and to the utmost extent of the resources available, and to avoid a break with Britain at all costs."

After a major recession in 1961 and 1962, resulting from political uncertainty, from the change from immigration to emigration, from the world-wide falls in the prices of many raw materials, from the drying-up of external sources of capital investment, and from the establishment (and still more the threats of the establishment) of local industries in Zambia, Rhodesia made an unexpected and highly creditable recovery in 1963-64 and 1964-65, which was said, just before U.D.I. to have created a boom surpassing that of the palmiest days of Federation. Political uncertainty can scarcely be said to have decreased to an extent which would account for this improvement (though the improvement in morale resulting from a much tougher policy, both internally and externally, should not be underrated as a factor of the improvement). But the break with Britain was avoided for two years and this last year has seen the net outflow of Europeans from the country reversed, and, perhaps still more important, the return of many Rhodesians who had left in the course of the previous year or two. Farmers from Kenya have been coming in with considerable capital resources, and even Britain has again been sending a number of immigrants. With the natural increase of the white population within the country, demand for accommodation, consumer goods, and social services has successively increased. The steady increases in the world prices of copper, asbestos, lead and zinc have stimulated mining to the extent that total production, which was valued at £23m in 1963, increased to nearly £27m in 1964 and looked, before U.D.I., like reaching about £29m in 1965. Bumper crops of tobacco, even at lower prices, have

brought increased returns, and the embargo on Cuban sugar helped to boost the income from Rhodesian production to £3½m in 1964. The boom in Zambia contributed to a 10% increase in the value of Rhodesia's manufactures in 1964. An active policy of trade agreements with other countries has also contributed to the overall improvement. Exports to South Africa increased by 46% in the first 8 months of 1965 and may reach a total of £13m in the full year, and agreements have been made or were in process of negotiation, before U.D.I., with Japan, Italy, Portugal and France. If the recommendations of a Japanese steel mission for the creation of an iron, steel and chemical complex at Bukwe at a cost of £100m could be accepted, exports of iron ore and pig iron to Japan could necessitate the sort of port developments at Beira which the Swazi-Japanese agreement has already necessitated at Lourenco Marques (to berth ore ships of 60,000 tons and over) with equal benefit to Rhodesia, but it is difficult now to see where Rhodesia could get £100m for this or any other purpose.

Rhodesia's financial position has nevertheless improved since 1963. The financial arrangements after the break-up of the Federation brought £2m in 1964 and a further £2m in 1965; the United Kingdom loaned nearly £4m in 1953-4 and South Africa £2½m in 1965, and immigrants with over £100 a head brought in £1m, and tourists £3m in 1953-4. Mr. Oppenheimer felt it necessary in June of this year to warn that the inflow of capital into Rhodesia was still inadequate to meet investment needs, but the above funds and the success in October of two internal loans of £9m would have enabled the Government to go ahead with its development plans (which envisaged the expenditure of £40m in 3 years) but for U.D.I.

To sum up, Rhodesia should this year have a favourable balance of trade, so the Financial Mail has calculated, of £35m, possibly reaching £40m: and it could have managed with its existing capital resources.

(b) Recent Political Developments in Rhodesia

It was therefore to be expected that when the Federation of Rhodesia and Nyasaland was broken up by the British Government in 1963, and when Northern Rhodesia and Nyasaland were promised independence, that Southern Rhodesia, which had enjoyed full self-government for 40 years, should also ask for it. Few Southern Rhodesians could understand that there could be any argument about it. The British government, however, faced the fact that there would be an outcry by the independent African States, and that the latter would be supported by the Asian States, by a majority, therefore, of the Commonwealth countries, and by a majority at the U.N., if formal independence were given to Southern Rhodesia without the prospect of early achievement of an African government in Southern Rhodesia. They sought assurances from the Rhodesian government which might satisfy the independent African States, and, when Rhodesia refused.

these, the U.K. sought to stand pat on the status quo. Rhodesians, on the other hand, believed that they had a right to independence and to settle their own system of government. They foresaw increasing African pressure on Britain and they believed that only as an independent country would their future be secure. It is in the light of these conflicting forces that it is necessary to consider the developments of the past two years.

What have these been? In February, 1964, Mr. Field returned from an abortive visit to London in which he had pressed for independence for Rhodesia at the same time as Malawi and Zambia, to say at a press conference that "the British government cannot, not just will not, but cannot, suspend or interfere with our Constitution." He went on to say that "we ... shall act in all respects as a government owing allegiance to the Crown and not to any particular British government." You will recognise the echoes of 1776. Ian Smith, the Deputy Prime Minister, was said to be in favour of an immediate declaration of independence because he had been thoroughly disillusioned with the attitude of the British government, when he had been to London in September, 1963. The Rhodesian Front at this time had 35 M.Ps, Sir Edgar Whitehead's Rhodesia National Party 29 (including 14 Africans) and there was one Independent. The opposition and Sir Roy Welensky, still Federal Prime Minister, were only ready to go along with the Rhodesia Front if Britain actually suspended the Constitution.

Mr. Field resigned and Mr. Smith headed a new Rhodesia Front government. At this stage the other Commonwealth African countries suggested that the U.K. should sponsor a constitutional conference in Rhodesia at which all shades of Rhodesian opinion should be represented. Mr. Smith retaliated by claiming the right of Rhodesia to be represented (as before Federation) at the proposed Commonwealth Conference in July, but the Commonwealth Prime Ministers did not agree. Malawi became independent on July 6th, 1964. Clashes between the PPC and ZANU parties in the African township of Highfield in Rhodesia led to the intervention of troops and the banning of both parties in August, but Mr. Smith went to London in September, and after discussions announced that "if I can prove to the British government that I have the support of the majority they will grant me independence on this Constitution and this franchise." The Rhodesia Front immediately put up Mr. Dupont (Mr. Smith's successor as Deputy Prime Minister) to oppose Sir Roy himself in the Arundel by-election, to test their support, and on October 1st Mr. Dupont won decisively, and so ended Sir Roy's political career (at least for the next year). A second Rhodesian National Party candidate was defeated by an even bigger majority at another by-election on the same day. On October 24th Zambia became independent and on the 26th an Indaba of Chiefs in Rhodesia voted for independence under the 1961 Constitution. Mr. Smith believe that he had now proved support by both races, but the new British Labour Prime Minister immediately dashed his hopes. Lord Salisbury denounced in the House of Lords "the ferocity of the

ultimatum issued by the Prime Minister to the Rhodesian government ... Make no mistake, the savage brutality of that message, ... savours of old-fashioned colonialism at its very worst, and in particular the word treason as applied to loyal Rhodesians", and said that it was "going to leave a legacy of bitterness - which may make a final solution to this problem more difficult than before." In February, 1965 Mr. Bottomley and Lord Gardiner visited Rhodesia for talks, after Mr. Smith had rejected Mr. Wilson's suggestions for a commonwealth or a parliamentary mission. Their emphasis on further assurances of general support for independence in Rhodesia led Mr. Smith to hold a general election in May in which he won every A roll Rhodesian National seat, as well as all others: the result was 50 - 0. Mr. Smith then suggested defence pacts with South Africa and Mocambique, while the Security Council of the United Nations called on the U.K. to prevent a U.D.I. in Rhodesia. In June Mr. Bottomley said that the British government was convinced of Mr. Smith's desire to reach a solution but went on to warn Rhodesia against "hasty or ill-judged action" which, he said, would have disastrous consequences. A further meeting of Commonwealth Prime Ministers the same month opposed independence without hope of majority rule, but the 'old' commonwealth countries added that they were against the use of force or economic pressure. A month later the Duke of Edinburgh pleaded for patience and the Minister of State at the C.R.O. visited Rhodesia for further talks. Mr. Smith said: "The issue is one of either constitutional peaceful settlement or unconstitutional but still peaceful settlement." In September Rhodesia sent and Portugal accepted an independent representative to Lisbon and Lord Caradon told the Assembly of the United Nations that Britain would continue to seek a constitutional solution and would not use force. Mr. Bottomley had meanwhile in Nigeria also said the same but had added significantly that the U.N. (to which Mr. Wilson had pledged Britain's support) or the O.A.U. might decide to consider the use of force. In October Mr. Smith again went to London, but talks with Mr. Wilson reached no agreement. Mr. Bottomley again proposed a new conference, including the African opposition parties in Rhodesia; Mr. Wilson once more proposed a commonwealth mission (which Mr. Smith countered by saying that Sir Robert Menzies would be welcome), the U.S. voted for a resolution in the Assembly condemning Rhodesia and Mr. Smith then served a banning order on Mr. Garfield Todd to prevent him leaving the country, and, as Mr. Todd subsequently admitted, recommending what would have amounted to the establishment of a government in exile. Mr. Wilson then himself visited Rhodesia for a week. The Times had emphasised before his departure that (1) progress towards majority rule under the 1961 constitution would have to be guaranteed, (2) that there would have to be a guarantee against subsequent amendment of the Constitution in a contrary sense, (3) that there would have to be some immediate improvement in the political status of Africans, (4) that there would have to be progress towards ending racial discrimination, and (5) that the British government would need to be satisfied that the basis of independence

was acceptable to the people of Rhodesia as a whole. None of the first four conditions seemed to be impossible of acceptance and Mr. Wilson was able to see the leaders of the African parties as well as Mr. Todd, and over 70 other representatives of opinion in Rhodesia in the course of the week. The African Party leaders objected to anything less than immediate majority rule and Mr. Wilson appears to have been exasperated into pointing out to them the difference between what they desired and what was practicable. Rumours of threats to white Rhodesians left the latter equally unmoved, and it looked as if complete breakdown and immediate U.D.I. over the weekend was likely. At this point Mr. Wilson suggested a Royal Commission to seek to find a basis for independence under the present Constitution plus amendments acceptable to the Rhodesian people as a whole.

Mr. Smith accepted, provided the Commission was headed by the Chief Justice of Rhodesia and was completed by 1 British and 1 Rhodesian member. The terms of reference still had to be agreed and Mr. Bottomley and the Attorney-General were left behind to draft them with Rhodesian ministers. The speedy departure of the two British representatives to London to report to the Cabinet appeared to indicate that some wording had been agreed ad referendum, Mr. Smith was apparently ready to let the Commission have until the end of the year to report, but the British Cabinet would appear to have decided that it must stick to its earlier proposals and that whatever variation, if any, had been discussed in Salisbury could not be accepted. Mr. Wilson's subsequent message would appear to have led Mr. Smith to decide that further discussions would be useless and his government went ahead with their preparations for U.D.I. on 11th November. Rhodesia, like the American colonies in 1775, declared its loyalty to the Crown, and denied only the authority of British ministers and the British Parliament to exercise control over Rhodesia. The British government declared, as in 1776, such action to be rebellious and treasonable, and ordered the Governor to dismiss his ministers; they then introduced legislation to inflict such economic and financial distress on Rhodesia as would, in their view, lead Rhodesians to overthrow Mr. Smith's government and return to their allegiance.

C. THE UNITED NATIONS AND SANCTIONS

(1) The Legal Position as to Sanctions

I have referred to sanctions by the United Nations, but it is as well to remind ourselves that Chapter VII of the U.N. Charter (which deals with sanctions) refers specifically or by implication in three separate articles to sanctions against "states". Article 39 provides that the Security Council can make recommendations or decide on measures to maintain or restore "international peace and security": 'international' means 'between states'. Article 50 refers to preventive or enforcement measures being taken by the Security Council "against any state". And Article 41, in listing measures not involving the use of armed force includes "the severance of diplomatic relations"; these

can only be conducted with states. It is also probable not only that sanctions can only be taken by the U.N. against 'states', but that they can only be taken against "states which are members of U.N.", (Article 2 (6) refers to "States ... not members of the U.N. acting in accordance with its principles so far as necessary for the maintenance of peace and security)". It does not give any authority to the U.N. to enforce sanctions on non-members, because of the basic principle of international law that a treaty cannot enforce obligation, on a non-signatory. The position in international law is therefore that -

- (1) if, as Mr. Wilson maintains, Rhodesia is simply a rebellious British colony, there is no basis for sanctions by the U.N. against Rhodesia, and
- (2) if Rhodesia is, as Mr. Smith maintains, now an independent country, the U.N. cannot impose sanctions on Rhodesia under the Charter of the U.N. to which Rhodesia was not a party, and
- (3) if nevertheless the U.N. should equate Rhodesia with an independent state and seek to impose compulsory sanctions, Rhodesia could claim that under Article 2(7) the form of government she may choose is entirely within her domestic jurisdiction.

Rhodesia would, then, in effect, be in the position of South Africa, where the African States have denounced apartheid but been unable to go beyond recommending that it should be abolished.

So far the U.N. Security Council has been careful not to treat Rhodesia as an independent state; it has confined itself to recommending member states (1) not to take any action likely to encourage the Rhodesian government, (2) to refrain from supplying Rhodesia with arms, and (3) to sever economic relations, which would include an oil embargo, and it has called upon the U.K. to quell the rebellion. This is in accordance with the U.K. claim that Rhodesia is a self-governing colony - the U.K. has always refused to submit annual reports on Rhodesia, such as are required by the U.N. from non-self-governing territories - but that the U.K. is responsible for its external relations and can alone amend its constitution, or decide whether or not, and on what conditions it may obtain independence.

But the Security Council has also decided that the continuance in time of the serious situation in Rhodesia would constitute a threat to international peace and security. It has therefore assumed competence to find it so at a future date and therefore to make recommendations for dealing with it if the U.K. has failed to do so. In so doing the Security Council has taken a first step towards endorsing, in connection with Rhodesia, the dangerous doctrine that threats to the peace can in practice be stimulated by the deliberate action of countries which then clamour for U.N. action against their victim, who is

denounced as an aggressor. This is to turn both the Charter and the English language upside down, but the African States are bent on this course because they have assessed the situation and do not believe that Britain's action is likely to be effective. Further, if they can persuade either the Security Council or the General Assembly, under the Uniting for Peace Resolution, to act in this way against Rhodesia, they will consider that they can then apply a similar procedure against South Africa, which is always their ultimate objective.

South Africa has therefore to walk the tight rope between giving Rhodesia sufficient economic, financial and military assistance to survive, and doing so without openly opposing recommendations of the Security Council. The former is necessitated by the strategic importance of the Zambia frontier, which safeguards not only the Republic, but Portuguese East Africa, Swaziland, the other British territories and South West Africa, and the latter, by the tactical importance of not giving the African States any excuse for demanding immediate sanctions against South Africa. Both are delaying tactics, and both are based on the assumption that time is on Rhodesia's and South Africa's side.

(2) Economic Sanctions

It could be, and has been argued, that the increase in the value of Rhodesia's gross national production, to over £300m a year, simply increased Rhodesia's hostages to fortune, and that Rhodesia will suffer the more from the imposition of economic sanctions. This is doubtful. The United Kingdom has, for example, refused in future to buy the £20m of Rhodesian tobacco which she has annually purchased, but (1) this will not affect tobacco sales for another year (this year's crop was sold in September and Mr. Smith's timing has been very careful) and (2) it makes the U.K. tobacco industry almost entirely dependent for its supplies upon the United States, which is its principal competitor for overseas sales of cigarettes and tobacco, with a risk of rising prices by the end of next year. The U.K. has also refused to buy Rhodesian sugar. Rhodesian inventories are said to be good - sufficient to last for 6 months - and Mr. Smith has stated that Rhodesia could, in retaliation, obtain elsewhere the whole £35m of her present imports from Britain and also market her exports with the countries from which she will buy. The former is likely, the latter remains to be seen and is, on balance, unlikely.

Zambia, which imports from Rhodesia about the same amount (£35m) as Britain, could reduce or prohibit imports from Rhodesia, principally of manufactures and food, and will probably achieve some reduction. Zambia is, however, much more vulnerable to Rhodesian retaliation than is the U.K. Rhodesia could, through her control of the Railways from the Copper Belt to Portuguese East African and South African ports, compel the mines there to reduce production (the Benguela Railway from Katanga to Angola is already said to be operating to capacity and stockpiling would be necessary in Katanga if Zambia is to be helped), create a shortage of

food, and by the repatriation from Rhodesia to Zambia and Malawi of 500,000 of their African nationals - at which Mr. Smith has hinted - cause a very serious unemployment problem in both, while also reducing to a negligible amount the sums which these workers have hitherto remitted from Rhodesia to their families. Mr. Wilson has already talked of an Anglo-American Berlin-type airlift to ferry supplies in, a threat which the U.S. has so far refused to endorse, and which could only succeed, if at all, at a fantastic cost. The Berlin airlift was estimated to have cost as much as a war with conventional, i.e. non-nuclear, weapons and a Zambian airlift could cost up to one-third as much. Perhaps more practical has been Lockheed's offer to Anglo-American to use 30 Hercules aircraft to fly coal in to the mines and copper out. It has been reported that the freight cost of the copper would then be £9 a ton as against £15 by rail, but these figures need to be checked, and each aircraft would have to make 800 flights a year, fully loaded. Since Zambia supplies 45% of Britain's copper, the effect of failure for Britain could be serious.

The recommendation of the Security Council of the United Nations to all member countries to support the U.K. in making the steps the latter has already taken effective, can be expected to bring about some further reduction of Rhodesian exports. The curve of Rhodesia's exports might indeed at some time in the course of the next twelve months slip to 50% of what they have been in the past year. They would then probably rise again, but not to their former level, and the Financial Mail has calculated that Rhodesia would be lucky to get away with an overall reduction in value of exports of about £40m (from £155m). If, as seems likely, imports could be reduced by about 25% (from £120m to £90m), this would save £30m. Rhodesia could then get through 1967, and might expect some improvement in 1968.

It has been suggested that Mr. Smith will have to devalue the Rhodesian £ in order to increase the competitiveness of Rhodesia's exports, particularly of manufactures, but the effect would be to reduce proportionately the return from Rhodesia's exports of agricultural and mining products. Moreover, Rhodesia is a debtor country and sanctions may provoke her, in retaliation, to decide not to make payments on loans, etc. from the U.K. and so reduce the strain on the reserves. So long, therefore, as Rhodesia can keep imports and exports in balance on the lines suggested, devaluation would appear to be neither useful nor necessary.

Mr. Wilson's additional threat of a possible oil embargo by the U.N. which Britain might have to support, not only throws a doubt on the efficiency of the economic sanctions which she has already taken, but would increase the area of impact so widely that it is to be hoped that more reasonable counsels will prevail. To judge from experience of the League of Nations Committee on sanctions

against Italy in 1935-6, economic sanctions are slow to take effect and an oil sanction needs to be universal to be effective at all. The glut of world oil has already led French and Italian companies to state that they intend to continue to supply Rhodesia, while the government of South Africa has said that her ports will continue to be open to Rhodesian imports. The government of Portugal has announced an immediate R30m development plan for the Angolan oilfields, from which some Rhodesian supplies might be obtained, and has also stated that it will not interrupt the flow of supplies through Mocambique and Angola. The U.N. might ask South Africa and Portugal to import supplies only at existing levels, and if both governments agreed to do so, an oil sanction could begin to be effective, but are they likely to agree? If they did not, the only way other countries could compel them to do so would be by rationing both of them (i.e. applying sanctions to them), which would probably mean setting up a complete naval blockade of all the Atlantic and Indian Ocean coasts of Africa, south of the Congo and the Rovuma Rivers, a coastline of some 7,000 miles. I will be discussing military sanctions later, but the group which last year investigated sanctions with a view to their applicability to South Africa in a South African, not a Rhodesian context came regretfully to the conclusion that a naval and air blockade is a practical impossibility. The cost of the 7 Fleet carriers and 100 other naval vessels which they calculated to be needed to enforce a blockade would exceed R50m a month, a sum beyond the resources of the U.N. organisation.

As regards the financial sanctions imposed on Rhodesia by the U.K., (1) it looks as if the South African banks will be prepared to perform the ordinary exchange and other services hitherto performed by banks in London, and (2) it has been reported that over half Rhodesia's reserves have already been transferred outside the sterling area. It was simultaneously reported that the Swiss Consul had been instructed to remain in Rhodesia and the deduction was possible that the destination of the transferred portion of the reserves had been Switzerland, but it has since been stated that the reserves have been moved to more than one country. The closing of access to the London loan market will, however, involve Rhodesia in a search for loans from other countries which is, for the time being at least, unlikely to be successful (since lenders will wait to assess the prospects of independent Rhodesia), and possibly in an unpalatable decision further to slow the rate of development.

To sum up, provided Rhodesians are prepared to tighten their belts to the limit, there is less doubt now than there would have been in 1962-3 of their capacity, successfully, to resist any economic sanctions which may be imposed on them, even though the sanctions imposed have been more severe than was expected. Belt-tightening will, however, have, in the course of 1966, to go far beyond paying more for whisky and cigarettes. They must face unemployment, a reduction in their standard of living which could, for the next year or two, be severe, and individual financial losses in return for the

common political gain - I am assuming that they regard it as such.

(3) Military Sanctions

The prospect of many months, if not years, of frustration over economic, financial and oil sanctions has led, within three weeks of U.D.I., to the possibility of the use of force being increasingly canvassed. The British Labour Government may be tempted to try it against Rhodesia alone, as a means of saving its own face and preventing U.N. military action. In that event the first step would be to send a force to Zambia to prevent Rhodesian 'aggression' (Mr. Kaunda has asked for this) and then next to send it into Rhodesia to put an end to 'disturbances' there - a process which, if resisted, could lead to full-scale military and air operations. In view of the narrow majority enjoyed by the British Labour Party, the certain opposition of the Conservative Party to military sanctions, Mr. Wilson's own pledges and the effect which any major operation could have on the £ sterling, it is, I think, still unlikely in present conditions, that Mr. Wilson will try more than token military action in Zambia. The second possibility is that if the British government refuse to take military action, the United Nations, under pressure from the independent African States, may invite these states, and possibly other member countries to contribute to a force to overthrow the Smith regime. Recent events in the Congo have perhaps made this a little more likely. Mr. Tshombe, whose government was recently overthrown, would never again have let U.N. forces into the Congo in transit or otherwise, and the alternative route via Tanzania and Malawi is even longer and more difficult. The Congolese President, Mr. Kasavubu, has now been overthrown in his turn, and replaced by General Mobutu, the Commander in Chief of the Congolese Army. General Mobutu is reported to have offered the use of the Congolese army to the Organisation for African Unity against Rhodesia, but not until all members of the O.A.U. have ceased to support the rebels in the North East Congo. He is well aware, in the first place, that the striking force of the Congolese army consists of South African and Rhodesian mercenaries, and, in the second, that he must rely for civilian support on Mr. Tshombe and his party, with whom Mobutu has always co-operated in the past. With or without the Congolese army, however, the prospects of an U.N. force, if drawn from African states only, would be poor: they have, in fact, been the subject of recent derisory comment from Dr. Banda, Prime Minister of Malawi, who, in his turn, is unlikely to agree to transit through Malawi.

The only remaining source of forceful action would be a great power. The United States, daily more entangled in Vietnam, is most unlikely to take any military action, unless compelled to do so to keep Russia out of Central Africa; Russia, in its turn, has already indicated in the Security Council her own opposition to the use of any U.N. force in Rhodesia, and Mr. Wilson's attempt to frighten off opposition to his policy by picturing Red troops in light blue berets has become much less convincing.

While Rhodesia obviously could not, without outside help, resist military action by the U.N. or the U.S.S.R., Dr. Banda is probably correct in believing that it could resist any forces which the African States could bring into action against it, for Rhodesia is now in a much stronger military position than in 1963. Instead of the Southern Rhodesian component of the Federation's military forces, Rhodesia now has, entirely under her own control, a re-organised army and air force. The army is about 3,400, including 1,000 white officers and men, and has been re-organised on commando lines. An active territorial force of 6,000, nearly all white, has to be added, and a police force, one-third white, of 6,500, with a further 20,000 whites in the police reserve. The Air Force has 12 Hunters equipped for a ground attack role and 12 Vampires. There are reconnaissance aircraft, 8 helicopters and DC3 transport aircraft, as well as 12 Canberra bombers.

If, in spite of what I have said to be likely, Mr. Wilson's government should decide to try military action against Rhodesia, it is worth noting that (1) Rhodesian Command has been purged of senior officers not prepared to obey possible orders to oppose British forces; (2) the base in Kenya is in process of being handed over to the Kenya government and although it could, with the permission of the Kenya government, be reactivated, there is now none nearer than Aden; (3) reductions in the numbers of the British Army has made it almost impossible to keep both the forces in Germany and those committed in Malaya up to strength; (4) the military correspondent of the London Times recently calculated that a brigade group, fully equipped and on the Zambian border might prove to be sufficient to overthrow Mr. Smith's government, but added that it would be impossible to bank on quick success; (5) for purposes of comparison, the numbers and equipment needed by the U.K. would, on this calculation, be about the same as the United Kingdom was able to get to France in the first month of the 1939 war when they had only to cross 21 miles of sea: to get to Zambia they would have to travel 6,000 miles by air, and all equipment and supplies would have to be airborne also. In the light of these figures and estimates, Mr. Bottomley's repeated statements, and Mr. Stewart's recent one at New York, that Britain will not use force is simply military common sense, a factor which the Archbishop of Canterbury apparently did not feel it necessary to consider. Finally, the United Nations has no funds to send a force of its own to Rhodesia. It is finding the greatest difficulty in paying 200 observers on the India-Pakistan cease-fire line in Kashmir. Nor has the O.A.U., members of which are so behindhand in their annual subscriptions that its Secretary General has had to circularise them to point out the danger of even its secretarial activities coming to a standstill.

What is much more likely is that the Afro-Asian countries will, while keeping up the pressure on Rhodesia, exploit the situation to press for further action against the Portuguese territories in Southern Africa - they have already begun to do so - and against South Africa itself,

if and when the verdict by the International Court on South West Africa gives them the excuse. The danger of escalation is very real.

I have not time to speculate further. In conclusion the most likely form of military sanctions against Rhodesia is by the U.K., under the pretext of preserving order, but both to prevent U.N. action and to give the least pretext for South African assistance to Rhodesia. It is therefore the primary short term task of Mr. Smith's government to preserve order, just as it is its longer term task to keep Rhodesia's economy from collapsing; both should be possible. But his success is not inevitable "il faut laisser un peu à Dieu, ou au diable." Stone throwing could lead to rioting, the ill-considered action of an individual police reservist could lead to shooting, and shooting could give the needed excuse for intervention. Intervention would be as likely to lead to chaos as to feud. From the point of view of all Southern Africa, the strengthening of Mr. Smith's government by all possible and cautious means would seem to be the most promising way to prevent it.