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Smuts, the United Nations and the Rhetoric of Race and Rights

For almost half a century apartheid South Africa attracted more attention from the United Nations than perhaps any other problem. It served as a key reference point for international developments in human rights and helped to legitimize the United Nations' aspirations to represent the higher ideals and conscience of the world. Throughout the Cold War, and beyond, the iniquity of apartheid was one of the moral and political issues that countries, large and small, aligned and non-aligned, could mostly agree on.

Vindication of the UN's stance on apartheid was provided by Nelson Mandela, who addressed the General Assembly in October 1994 as president of South Africa. His presence, timed to coincide with the organization's upcoming fiftieth anniversary, lent unimpeachable dignity to the United Nations' contribution to the struggle for justice and freedom. Mandela opened with the words: 'It surely must be one of the great ironies of our age that this august Assembly is addressed, for the first time in its 49 years, by a South African head of state drawn from among the African majority of what is an African country'. By way of tribute to the UN's support of the liberation movement, Mandela noted that the organization would be able to mark its half-centenary 'with the apartheid system having been vanquished and consigned to the past'.¹

Few people present would have been inclined to recall a further irony, namely, that a previous South African head of state had once taken a prominent role in the United Nations' plenary proceedings: a statesman who was also in his time a symbol of world freedom. This was Jan Smuts, who helped to inspire and shape the ringing Preamble to the UN Charter in 1945, including its mention of 'human rights'. A quarter of a century earlier, this apostle of world government and international co-operation had helped to structure the League of Nations and draft its Covenant. But readers of the considerable literature on the international history of human rights which has emerged in the past two decades will have to look hard to find reference to Smuts's hand in the process, if this is acknowledged at all.

1 'Address by President Mandela to 49th session of the General Assembly', www.anc.org.za/ancdocs/history/mandela/1994/sp941003.html. At the unveiling of a statue in his honour in Parliament Square, London, in August 2007, Nelson Mandela recalled joking with Oliver Tambo in 1962 about a future black South African leader standing alongside the statue of Jan Smuts.

Smuts's lustre did not long survive the post-second world war era. In 1946 he was rebuffed at the General Assembly, condemned in his own words as a hypocrite. In retrospect, his presence in San Francisco can be seen as the start of a precipitous political decline, a process highlighted by his failure to comprehend fully the democratizing environment of postwar internationalism, or the narrowing context of nationalism at home. Just as the rest of the world renounced colonialism and racism, South Africa tightened its segregationist strictures under the new banner of apartheid. This paper therefore seeks to explore the contradictions of Smuts's views on freedom and humanity by showing how they became incommensurate with postwar visions of democracy and human rights. It also aims to recoup the imperial legacy of a most universally minded international citizen of the world — a statesman whose significance is now barely acknowledged beyond the world of South African scholarship, and not always within it.

Following his death in 1950 Smuts rapidly disappeared from view. The publication of Keith Hancock's unequalled two-volume biography (1962 and 1968)² was widely recognized as a major achievement, but it was received by the historical profession as a monumental epitaph to a subject best left buried. Liberal South African historians had long been disappointed by Smuts's timid political reforms in the 1940s and now viewed him as something of an embarrassment; the developing school of Marxist revisionism in the 1970s was inclined to explain South African history in terms of the structural forces of class and capital rather than the policies of its political leaders. For Afrikaner nationalists, Smuts was easily dismissed as a traitor to the *volk*. His reputation as 'slim' — Afrikaans for 'clever', as well as 'tricky and manipulative' — commanded wide assent across political and intellectual divisions. The contrast between Smuts's espousal of freedom abroad and his pursuit of racist policies at home left him exposed as a high-handed hypocrite.

In recent years Smuts has begun to attract more attention, in part because his commanding political presence in the pre-1948 era is unavoidable, but also on account of growing interest in his relevance to histories of the environment, anthropology and colonial science.³ The purpose of this paper is not to rehabilitate Smuts's reputation so much as to remind readers of his salience as an international statesman in the area of human rights and institution-building. Smuts's philosophy of holism and his metaphysical musings are easily counterposed to his record of political pragmatism and ruthlessness. Equally, his role as South African politician is all too easily separated from his internationalist ambitions. It is my contention that more account ought to be

2 W.K. Hancock, *Smuts*: vol. 1, *The Sanguine Years 1870–1919* (Cambridge 1962); vol. 2, *The Fields of Force* (Cambridge 1968).

3 For examples, see S. Marks, 'White Masculinity: Jan Smuts, Race and the South African War', *Proceedings of the British Academy* 111 (2001); P. Anker, *Imperial Ecology. Environmental Order in the British Empire, 1895–1945* (Cambridge, MA, 2001); S. Dubow, *A Commonwealth of Knowledge. Science, Sensibility and White South Africa 1820–2000* (Oxford 2007).

taken of Smuts's intellectual ideas — not so much to assess their philosophical coherence or originality, but rather to show the integral connections between Smutsian ideas and practices, especially in respect of his views of race, rights and questions of national identity.

It is easily overlooked that contradictions in Smuts's character owe as much to his political longevity in a rapidly changing world as they do to the difference between his inner and outer persona, or tensions between his idealism and his pragmatism. Smuts's views of freedom were always geared to securing the values of western Christian civilization. He was consistent, albeit more flexible than his political contemporaries, in his espousal of white supremacy. What changed during the course of his long political career was the world around him: at home, the headline politics of race shifted from an emphasis on conflicts between Boer and Briton to relations between black and white; in the international arena, a statesman whose ideas had been formed in the first world war context of the League of Nations and the white commonwealth found himself adrift in the post-1945 world order, as the language of anti-colonialism and democracy challenged his preferred understanding of human freedom. This was graphically illustrated at the birth of the United Nations.

The briefest survey of General Assembly resolutions illustrates how the issue of South Africa, perhaps more than any other, punctuated and shaped the United Nations' history. At the very first session of the General Assembly, in 1946, South Africa was charged by India with discriminating against citizens of Indian descent and of violating earlier agreements entered into between the two countries.⁴ In 1952 the Assembly broadened its attack to consider South Africa's racial policies as a whole. Henceforth, specific objections to the treatment of South Africa's Indian minority and the status of South West Africa were treated not just as an inter-state dispute but in the larger context of racial discrimination. A specially constituted commission found in 1953 that the policies of apartheid contravened the principles and spirit of the Charter and its Preamble. Echoing Smuts's very own formulation, it concluded that 'the doctrine of racial differentiation and superiority on which the apartheid policy is based is scientifically false, extremely dangerous to internal peace and international relations . . . and contrary to "the dignity and worth of the human person".'⁵

The South African government's stock response — that United Nations interference in the country's internal affairs offended the Organization's domestic jurisdiction clause (Article 2(7)) — did nothing to deflect hostile criticism, and by the mid-1950s the apartheid state downgraded its UN

4 Large numbers of Indians arrived in South Africa from the 1860s as indentured labourers. The 1946 census recorded 282,000 Indians in South Africa.

5 'Report of the United Nations Commission on the Racial Situation in the Union of South Africa', A/2505 and Add. 1, 1953; O.A. Özgür, *Apartheid. The United Nations and Peaceful Change in South Africa* (New York 1981), 55–7; T.B. Millar, *The Commonwealth and the United Nations* (Sydney 1967), 143, 150, 154.

delegation and refused to enter into debate on the merits of its racial policies.⁶ In the first 15 years of its existence the Assembly passed 24 resolutions condemning or deploring the South African government. These were agreed with increasing unanimity.⁷ Yet attempts to facilitate diplomatic negotiations or to extract concessions proved fruitless, and they in no way constrained the remorseless consolidation of the apartheid racial system.

The 1960 Sharpeville massacre and the consequent banning of the African and Pan-African Congresses induced a step-change in the UN's approach to the South African problem. Now, for the first time, the General Assembly sought action on apartheid, rather than merely expressing its abhorrence. In 1960 the Security Council passed a resolution on the South African racial question for the first time. A year later, even Britain abandoned its abstentionist position when it endorsed a UN vote declaring South Africa's racial policies to be in flagrant violation of the Charter.⁸ By declaring apartheid a danger to international peace and security the UN's cautious treatment of domestic disputes — and thus of state sovereignty — entered new territory. The Assembly also began recommending specific measures to member states, in order to isolate South Africa diplomatically and economically. Sanctions were finally agreed in 1962. This amounted to the most severe condemnation to date of a United Nations member state.⁹

From the mid-1960s racial discrimination in South Africa became 'one of the major preoccupations of the United Nations system'.¹⁰ In 1967 a General Assembly resolution affirmed the legitimacy of the struggle for human rights and fundamental freedoms in South Africa. In 1971 it adopted a resolution supportive of the growing international boycott of South African sporting organizations.¹¹ The General Assembly adopted an 'International Convention on the Suppression and Punishment of the Crime of Apartheid' in 1973. In 1974 South Africa was excluded from its seat in the General Assembly, marking a new moment in the country's international isolation. Further hardening of attitudes towards the apartheid government resulted from the 1976–7

6 Özgür, *Apartheid*, op. cit., 59–60; E. Luard, *A History of the United Nations*, vol. 2 (Basingstoke 1989), 109; J. Barber and J. Barratt, *South Africa's Foreign Policy* (Cambridge 1990), 52. On the United States' ambivalent attitude towards allowing South Africa's internal policies to be discussed by the UN, see J.P. Brits, 'Tiptoeing along the Apartheid Tightrope: The United States, South Africa, and the United Nations in 1952', *The International History Review* XXVII(4) (2005).

7 Özgür, *Apartheid*, op. cit., 62.

8 R. Hyam and P. Henshaw, *The Lion and Springbok. Britain and South Africa since the Boer War* (Cambridge 2003), 165. The so-called 'famous five' countries who opposed or abstained on resolutions criticizing the South African government (on the grounds that these were not a matter of legitimate UN concern) were Britain, France, Portugal, Belgium and Australia — all of whom, with the exception of Australia, were African colonial powers.

9 Millar, *Commonwealth and United Nations*, op. cit., 165–6.

10 R. Schifter, 'Human Rights at the United Nations: The South African Precedent', *American University Journal of International Law and Policy* 8 (1993), 368.

11 *United Nations Action in the Field of Human Rights* (UN, New York 1988), 104.

Soweto uprising and the murder, while in police detention, of the black consciousness leader Steve Biko. The UN Security Council reacted by imposing a mandatory embargo on arms sales to South Africa in 1977. Never before had it done so in respect of a member state.¹²

Over three decades South Africa had thus lost its status as a respected founder member of the United Nations to become, instead, an international pariah. The United Nations steadily intensified its criticisms of the South African problem, establishing important legal and diplomatic precedents in the process.¹³ Convinced of its rectitude, and fortified by the sense that it was being unfairly picked out for criticism, the response of the South African government in these years remained intractable. As far as it was concerned, the United Nations merely served as proof of international double-standards, of the inexorable rise of godless communism, and even of the parlous decline of western Christian civilization.

In 1988, 40 years after the adoption of the Declaration of Human Rights, the UN published a major review of its activities in this area. Action in respect of South Africa featured prominently, but the Secretary-General, Pérez de Cuéllar, was forced to admit there were few successes in the struggle to put an end to apartheid.¹⁴ That same year the intransigent South African government taunted the UN Security Council: 'do your damnedest'.¹⁵ When the General Assembly voted in 1994 to allow South Africa to resume its seat at the General Assembly there was much self-congratulatory rhetoric in respect of the UN's 'pivotal role' in the fight against apartheid — but few in South Africa saw things in quite this way.¹⁶ One might easily conclude that South Africa did more to shape the UN than the converse.

It is not difficult to see why apartheid South Africa came to symbolize everything the United Nations stood against. In the postwar era human rights moved from a limited, liberal-inspired concern with (mostly) individual freedoms and liberties to embrace a range of rights whose scope now extended to economic, social and gender issues. The process of decolonization, which brought many new entrants to the United Nations as fully fledged nation states, fixed attention on the continuing salience of imperialism and colonialism. Apartheid increasingly became a byword for racism, the eradication of which was one of the Assembly's top priorities. This was amply demonstrated

¹² Özgür, *Apartheid*, op. cit., 64–8, 73; 78, 84; Luard, *A History of the United Nations*, op. cit., 114–6; *United Nations Action*, 97.

¹³ Schifter, 'Human Rights at the United Nations', op. cit., 370, points out that it took a full 20 years after South Africa's internal policies were criticized by the UN before another country — Chile — was subjected to similar treatment.

¹⁴ *United Nations Action*, op. cit., iii.

¹⁵ *Cape Times*, 9 March 1988.

¹⁶ See e.g. Simon Barber in *Business Day* (Johannesburg), 28 June 1994. Excitement at re-entry to the UN was mitigated by the US\$60 million bill for membership arrears. This was eventually cancelled — in an unprecedented concession — after lobbying by Mandela.

when the convention describing apartheid as a punishable 'crime' entered force in 1978.¹⁷

The confrontation with South Africa was all the more dramatic because its racial policies and practices were moving directly against the trend of international opinion. Strikingly, apartheid became official government policy in the same year that the UN adopted its Universal Declaration of Human Rights.¹⁸ That South Africa proceeded to entrench statutory racial discrimination just as the rest of the world tended in the other direction was provocation enough; that the apartheid government could be accused of administering 'internal colonialism' within the country — and direct colonialism in the case of South West Africa/Namibia — offered further offence. The view of apartheid as a system of racial capitalism sustained by the complicity of international corporations and western governments was further confirmation (if this was needed) of its malign nature.

When Prime Minister Jan Smuts attended the 1945 Conference of the United Nations in San Francisco he was a revered figure in the Commonwealth and a venerable world statesman widely respected for his visionary commitment to international peace and justice. Smuts was perhaps the last major figure still in office who had been associated with the creation of the League of Nations. As a member of the Imperial War Cabinet Smuts had been responsible for drawing together British proposals for the peace settlement, and he drafted an influential pamphlet in 1918 entitled *The League of Nations: A Practical Suggestion*. Though by no means the first proposal for a mechanism of international government and mediation, it was to prove highly influential.¹⁹

Smuts's idealism, which proved so invigorating to an exhausted Europe, can be seen as a form of liberal internationalism qualified by hard-headed realpolitik. In respect of Europe the immediate problem, in his view, was how to

17 Gene M. Lyons, 'In Search of Racial Equality: The Elimination of Racial Discrimination', in P.G. Taylor and A.J.R. Groom (eds), *Global Issues in the United Nations' Framework* (Basingstoke 1989); Özgür, *Apartheid*, op. cit., 9.

18 In the case of apartheid and of human rights, general principles rather than specific details were evident at this stage.

19 G.W. Egerton, 'The Lloyd George Government and the Creation of the League of Nations', *American Historical Review* 79(2) (1974), 431, 434; cf. P. Yearwood, 'On the Safe and Right Lines': The Lloyd George Government and the Origins of the League of Nations, 1916–1918', *The Historical Journal* 32(1) (1989). Lionel Curtis, the 'prophet' of Commonwealth and international government, was also devising plans for a League of Nations at this time (1918–19). Curtis's biographer, Deborah Lavin, notes that Smuts's *Practical Suggestion* ended with the same quote from Browning that Curtis employed. A leading member of the Milner Kindergarten (along with Philip Kerr, who also played a role in plans for the League), Curtis played a key behind-the-scenes role in the creation of the South African Union in 1910. His South African experience loomed large in all his later endeavours. See D. Lavin, *From Empire to Commonwealth. A Biography of Lionel Curtis* (Oxford 1995), 159, 161. Given their common interests, it is slightly surprising that Smuts and Curtis did not have more to do with each other. But Smuts, who once dismissively referred to the Kindergarten as 'Curtis and Co.', seems never to have overcome his suspicion of the neo-Milnerites. He did, however, write Curtis a rueful letter about international events in 1950, ending with the words: 'Good-bye my friend and colleague. All warm good wishes'.

fill the vacuum left as a result of the collapse of the old empires and how to induce an instinctively isolationist America to play a central role in maintaining the balance of power. Smuts's recommendation was to sharpen up President Wilson's vague plans for a League of Nations and to design practical arrangements for its operation. With regard to Germany's former African empire, Smuts used his influence to design the League's mandate system. Drawing on his experience of peace-making in the period following the South African War, as well as his view of the complex evolving relationship between nations and empires, he posited the British Commonwealth as a model to be followed, insofar as it combined fundamental principles of national freedom with an acceptance of political decentralization.²⁰

This message played very well in Britain, where, by the end of the first world war, Smuts enjoyed considerable moral authority and was showered with civic, university and state honours. As the quintessential rebel turned loyalist, Smuts's appeal rested on the power of the convert. And indeed, his was a romantic story, especially if read selectively. In the run-up to the South African (Boer) War, in which he played a significant political role, Smuts wrote a brilliant piece of propaganda which stated the Afrikaner case against the injustice of British imperialism (*A Century of Wrong*). As a general during its guerrilla phase, he led a daring commando force, living off the land and attacking British troops hundreds of miles behind the front. From 1902, in defiance of republican 'bitter-enders' who repudiated the peace settlement, Smuts proceeded to champion the cause of reconciliation between Boer and Briton. He became one of the principal architects of South African Union in 1909–10.

At the outbreak of the first world war Smuts helped to suppress an Afrikaner rebellion led by former Boer War comrades who joined the Germans in South West Africa in the hope of restoring the former Republics. He then took personal command of the faltering military campaign against the resourceful von Lettow-Vorbeck in German East Africa. Smuts's role in steering British imperialism towards the idea of a shared 'commonwealth of nations' (a term that he was responsible for popularizing)²¹ and his inspiring thoughts about freedom and faith made him the darling of British liberals and nonconformists. It also earned him the respect of conservative members of the establishment. He was held in high esteem by politicians ranging from Lloyd George and Harcourt to Amery and Churchill; the latter hailed him as 'A new and altogether extraordinary man from the outer marches of the empire'.²² John Colville, Churchill's private secretary, suggested in 1940 that in the event of Churchill's death Smuts might become wartime prime minister of Britain.²³

20 Hancock, *Smuts*, op. cit., vol. 1, 500–1.

21 Ibid., vol. 1, 203–4.

22 Cited in H.C. Armstrong, *Grey Steel (J.C. Smuts). A Study in Arrogance* (Harmondsworth 1939), 200.

23 A. Stewart, "The Klopper Affair": Anglo-South African Relations and the Surrender of the Tobruk Garrison', *Twentieth Century British History* 17(4) (2006), 527.

Smuts's quaint exoticism as a 'Boer' added considerably to his allure. While based in London as an extraordinary member of the War Cabinet (having declined the offer of a seat in Parliament) he proved adept in using his position as a colonial outsider to address matters of immediate concern in British and European politics. He was skilled in bypassing conventional proprieties and institutional niceties. In 1917 this most calculating politician defused the potential of damaging industrial unrest in South Wales.²⁴ He also advised on the establishment of an effective Air Ministry and helped to oversee the defence of London from aerial bombardment. Lloyd George referred to Smuts as the father of the Royal Air Force.²⁵

During 1918–19 Smuts was even more active as a troubleshooter. He advised on the question of Irish home rule, travelled to Egypt and Palestine to consult with Allenby, and negotiated a border dispute with Bela Kun in Budapest on behalf of the Great Powers. He was unsuccessful in this effort, but nonetheless managed to delight the Hungarian leader with his stories of the veldt.²⁶ During the Paris Peace Conference Smuts took a strong stand against imposing unfair penalties on Germany. Recalling his experience of peace-making in South Africa, he insisted on the importance of magnanimity in order to avert Bolshevism and a future second big war. On these issues Smuts was closely in accord with Maynard Keynes, with whom he spent evenings despairing of 'the coming flood'. He urged Keynes to write *The Economic Consequences of the Peace* (1919) in order to explain to the British public the dangers inherent in the Versailles Treaty.²⁷

At this time Smuts recommended 'appeasement' (another word he is credited with bringing into the lexicon) as a form of reconciliation — though not as a synonym for pusillanimity, the connotation it later took on.²⁸ When his predictions of a resurgent Germany proved correct, Smuts's reputation as a prescient international statesman was further enhanced. Unfortunately this did little to endear him either to Afrikaner nationalists back home, who reviled him as the 'handyman of empire', or to white workers and socialists, who regarded him as a lackey of capitalist imperialism.²⁹

In 1939 Smuts led South Africa into the second world war, once again defying the anti-imperialist and often openly pro-nazi sentiment of the resurgent

24 In addition to this episode, Armstrong records that Smuts settled strikes in Coventry and London: *Grey Steel*, op. cit., 213–14. This record presents a marked contrast with his consistent record of using the harshest measures in confronting white and black strikers in South Africa.

25 Hancock, *Smuts*, op. cit., vol. 1, 438–42, 455–6.

26 Ibid., vol. 1, 517; K. Ingham, *Jan Christian Smuts, The Conscience of a South African* (London 1986), chap. 5.

27 Hancock, *Smuts*, op. cit., vol. 1, 521, 539; Ingham, *Jan Christian Smuts*, op. cit., 113. After agonizing as to whether or not to sign the Versailles Treaty on behalf of South Africa, in the end Smuts did so.

28 Hancock, *Smuts*, op. cit., vol. 1, 512.

29 S. Marks, entry on 'Smuts' in *Dictionary of British National Biography*. For a coruscating contemporary biography of Smuts, stressing his deviousness and his hypocrisy, see Armstrong, *Grey Steel*, op. cit.

Afrikaner nationalist movement. As prime minister, with the British rank of field-marshal, he played a key role in the campaign in North Africa and advised Churchill on strategic decisions in the Mediterranean and Europe. A natural champion of the rights of small nations, Smuts became closely absorbed with the problems faced by Greece (he formed a close personal relationship with Princess Frederica, who spent part of the war in South Africa and was an avid student of holism). He was fulsome in his support of a Jewish homeland in Palestine and corresponded at length with Chaim Weizmann.

Well before the end of the war Smuts was turning his attention to the problems of securing peace, but he was anything but optimistic about the future. In a much discussed speech to the Empire Parliamentary Association in 1943, Smuts expressed scepticism towards 'catchwords' like democracy. The war had shown that 'all our idealism, all our high aspiration for a better world and a better human society' stood no chance unless the 'problem of power' was addressed. The best way to do this was to recognize Great Britain, the United States and Russia as 'the trinity at the head of the United Nations fighting the cause of humanity'. Smuts's reference to humanity evidently had a sardonic edge, in view of his anxiety that Russia was about to become 'the new colossus in Europe'.³⁰ His concerns about the future were revealed in a private letter written in November 1944, wherein he remarked that the 'making of blueprints for a world which may remain unborn' was a 'horrid undertaking': 'The better world, the new order, all the visions which people see in the skies of the future' reminded Smuts of Godwin and Shelley in the early nineteenth century, 'when people believed in the perfectibility of human nature and thought the old order could be sloughed off like a skin'.³¹

Two years later Smuts was even more concerned. Fearful of the inexorable rise of the Soviet Union, doubtful of the western world's spiritual power to withstand evil and dismayed by the death of Roosevelt, as well as by Churchill's electoral defeat, he was a somewhat reluctant entrant into the brave new world of postwar reconstruction. Smuts dismissed a rumour that he would be invited to chair the 1945 Conference of the United Nations in the knowledge that he would not have the support of the French or the Russians and that South Africa was 'too small fry for such exaltation'. He was aware that, unlike the Covenant of the League, which he had helped to write, much preparatory work had already gone into the process of drafting the Charter. Indeed, he anticipated that by the time of the Conference, 'the play will already have been fully written and only the theatrical performance will take place'. Nevertheless, Smuts resolved to go to San Francisco out of 'a sense of duty' and also because he thought his direct experience of the 1919 Paris Peace Conference might be of value.³²

30 Speech to private meeting of the United Kingdom branch of the Empire Parliamentary Association, Houses of Parliament, London, 1943, published as *Thoughts on the New World*. In J. van der Poel (ed.), *Selections from the Smuts Papers*, vol. VI (Cambridge 1973), doc. 624.

31 Smuts to M.C. Gillett, 22 November 1944: van der Poel, *Selections*, vol. VI, doc. 649.

32 Smuts to M.C. Gillett, 4 March 1945: van der Poel, *Selections*, vol. VI, doc. 662.

Smuts also had South Africa's domestic interests in mind, in particular the imperative to use its favourable wartime reputation to bank the country's political capital and secure its position as the guarantor of western interests in Africa. Briefing George Heaton Nicholls, his appointee as High Commissioner to London (and a leading advocate of racial segregation in the 1920s and 1930s), Smuts reportedly stressed the vital importance to South Africa of a strong and united (white) Commonwealth. Africa was changing rapidly, the end of the war was in sight, and something was being done to create a new 'World Organization'. South Africa, he told Nicholls, would 'play a full part in its establishment. This work can only be done while the war is on. If it is left until afterwards, it will be too late.'³³ Smuts evidently hoped that his own and his country's reputation would be strengthened through taking a lead in international developments and that such participation would help to protect South Africa from criticisms of its racial policies.

Turning to the task of postwar institutional peace-making, Smuts considered that this would have to be tackled 'according to our human lights and means', in the hope that 'Heaven's blessing would follow in due course'.³⁴ This attitude aptly sums up his world-weariness: indeed, a concern with human lights (i.e. capacities) rather than *rights* seems to have been foremost in his mind. As president of the Commission on the General Assembly, meeting in San Francisco, Smuts played an important role in proceedings, but he was frustrated by the slowness of the proceedings and found time to draw spiritual sustenance from walks in the Mount Tamalpais Park and admire giant sequoia in the Yosemite valley. Reporting back to Jan Hofmeyr, who deputized as South African prime minister in his absence, Smuts remarked on the 'strong humanitarian tendency, finding expression in provisions for equal rights all round and other embarrassing proposals so far as we are concerned'. Most immediately worrying for his country's interests was the issue of trusteeships. On the matter of South West Africa he noted stiffly that he was formally 'reserving our rights'.³⁵

In the light of Smuts's less than fulsome support of the Conference, and his discomfort when the Indian Delegation quoted his own words by way of reproach at the General Assembly, it is noteworthy that Smuts was responsible for introducing the phrase 'human rights' into the Preamble of the Charter. Smuts did not of course invent human rights-talk, which was much in the air at this time,³⁶ but he certainly helped to give it salience. The importance of the words 'human rights' (which do not occur in the Covenant of the League) is signalled by their central positioning in the second paragraph of the Preamble. They gain weight through repetition and context: there are no less than seven subsequent references to human rights in the body of the Charter. Smuts's

33 Nicholls quoting Smuts in G.H. Nicholls, *South Africa in My Time* (London 1961), 380.

34 Hancock, *Smuts*, op. cit., vol. 2, 428.

35 Smuts to J.H. Hofmeyr, 6 May 1945: van der Poel, *Selections*, vol. VI, doc. 666.

36 J.H. Burgers, 'The Road to San Francisco: The Revival of the Human Rights Idea in the Twentieth Century', *Human Rights Quarterly* 14 (1992), 447-77.

words were also incorporated into the UN's Universal Declaration of Human Rights, which was unanimously adopted in 1948 — subject only to eight abstentions. South Africa was one of these.³⁷

Smuts first presented his ideas to a meeting of Dominion prime ministers chaired by Viscount Cranborne at 10 Downing Street in May 1945.³⁸ As his biographer, Keith Hancock, explains, Smuts's intent was to leaven the legalistic tone of the Dumbarton Oaks charter proposals by finding uplifting 'words to touch the heart of the common man'. Notably, the Dumbarton Oaks version did not include a preamble, and the only reference to human rights in the document (favoured by Roosevelt alone amongst the Allied leaders)³⁹ was buried in Chapter IX. The Dominion leaders greeted his suggestions with enthusiasm, and British Foreign Office mandarins resurrected a lost document of their own which, under the direction of Charles Webster, was conflated with Smuts's. It was this version that went forward to San Francisco under Smuts's name. Webster and Attlee were among those with direct experience of events who credited Smuts with defining the essence and spirit of the Preamble.⁴⁰ On 8 May 1945, a day dominated by news of the announcement of Victory in Europe, the *Manchester Guardian* carried a small piece from San Francisco reporting that 'General Smuts's preamble to the new world charter — his "declaration of human rights" — [had just been] accepted as a basis for future discussions.'⁴¹

Notably, Smuts's original formulation tabled at the imperial conference spoke of 'basic' rather than 'fundamental' human rights, and it appears that in Smuts's view there was a significant difference. Observe, for instance, that the

37 The Declaration was voted for 48 states. Abstentions were recorded by six members of the Soviet bloc, Saudi Arabia and South Africa.

38 Nicholls, *South Africa In My Time*, op. cit., 394–5.

39 Mary Ann Glendon, *A World Made New. Eleanor Roosevelt and the Universal Declaration of Human Rights* (New York 2001), 9.

40 Hancock, *Smuts*, op. cit., vol. 2, 431–2; C. Webster, *The Art and Practice of Diplomacy* (London 1961), 10–11. Hancock's account is similar to that of British Prime Minister Attlee, who, when reporting back to the House of Commons on 22 August 1945, recorded: '

That Preamble we owe largely to Field Marshal Smuts. His authoritative contributions to the discussions at San Francisco were the result of that union of lofty ideals and practical wisdom that we have come to expect of him. I remember there was a complaint that the Dumbarton Oaks proposals formed a rather frigid document. I pointed out at the time that it was the work of officials who were not expected to be eloquent, but I think it will be agreed that that defect had been cured at San Francisco. Field Marshal Smuts brought before the Conference a draft which he had prepared in collaboration with the Foreign Office, and that Preamble was very carefully considered and amended. But although amendments were made the substance and spirit of the Preamble are derived from the Field Marshal's draft.

For a good discussion of Smuts's contribution see C. Heyns, 'The Preamble of the United Nations Charter: The contribution of Jan Smuts', *African Journal of International and Comparative Law* 7(2) (1995). Less analytical, but informative, is P. Marshall's 'Smuts and the Preamble to the UN Charter', *The Round Table* 358 (2001).

41 *Manchester Guardian*, 8 May 1945. The *Guardian's* special correspondent was Alistair Cooke.

Dumbarton Oaks document paired the promotion of 'respect for human rights' with 'fundamental freedoms', suggesting that human rights and freedoms are complementary but not the same things. The phrase 'fundamental human rights' did, however, occur in the final submission of the South African delegation in San Francisco; it was this formulation that was eventually adopted.⁴²

The final version of the Preamble contained several amendments from the one presented by Smuts. One alteration was the substitution of Smuts's original 'We, the United Nations' by 'The High Contracting Parties': diplomatic protocol required that the parties subscribing to the Charter should be explicitly named. However, Smuts's opening was restored in a new guise at San Francisco when the American delegate and Dean of Barnard College, Virginia Gildersleeve, successfully proposed an alteration in the opening sentence to reflect a more popular and idealistic spirit (one which also handily recalled the US Constitution): 'We the Peoples of the United Nations'.⁴³ Another significant change from Smuts's original formulation was the replacement of the formulation 'equal rights of individuals' by 'the equal rights of men and women' in the final version.⁴⁴

The draft presented by Smuts for consideration at San Francisco pledged 'To re-establish faith in fundamental human rights, in the sanctity and ultimate value of human personality, in the equal rights of men and women and of nations large and small . . .' In the version eventually adopted, 'value' was altered to 'worth' because the former was said to have an inappropriate economic connotation.⁴⁵ The phrase 'the human personality' was changed to 'human person'. This latter emendation deserves exploration, since the con-

42 See Heyns, 'The Preamble', op. cit. This interpretation is, however, my own. Heyns (342, fn.44) suggests that Smuts's formulation was probably inspired by Roosevelt's Four Freedoms speech of January 1941 and also by H.G. Wells, with whom he corresponded, though Smuts and Wells differed on South Africa's racial policies.

43 Hancock, *Smuts*, op. cit., vol. 2, 432. As Hancock points out, the lawyers nevertheless had the last word, because the Preamble closes with an assurance that it is 'respective Governments, through representatives' who have agreed the Charter.

44 Heyns, 'The Preamble', op. cit., 342. Gildersleeve, an internationalist and pioneer of women's involvement in tertiary education, is sometimes credited as the author of the Preamble. I have found no convincing evidence for this. She is more plausibly credited with a clause in the Charter that linked human rights and fundamental freedoms 'without distinction as to sex, language, or religion' (although, in the 1920s, she had been instrumental in maintaining indirect quotas for Jewish women at Barnard). See R. Rosenberg, 'Virginia Gildersleeve: Opening the Gates', www.columbia.edu/cu/alumni/magazine/summer2001/gildersleeve.html. The phrase 'equal rights of men and women and of nations large and small' in the Preamble is quoted by Heyns as part of the final submission of the South African delegation at San Francisco, presented on 3 May 1945. This submission was slightly altered from the one agreed in London at the Commonwealth meeting.

45 J. van Aggelen, 'The Preamble of the United Nations Declaration of Human Rights', *Denver Journal of International Law and Policy* 28(2) (2003), 134. This amounted to a reversion to Smuts's original draft agreed at the British Commonwealth meeting, which spoke of the 'essential worth and integrity of the human personality'.

ception of 'personality' was a key code-word in Smuts's philosophy of organic holism. Consideration of this cluster of concepts in turn helps to explain what Smuts meant by human rights.

In 1894, while completing a brilliant law degree at Cambridge, Smuts began work on a biography of Walt Whitman subtitled *A Study in the Evolution of Personality*. Smuts could readily identify with aspects of Whitman's ancestry and upbringing and he admired his poetry of freedom.⁴⁶ Whitman's intimate connection with his natural surroundings and his reputation as a bold, contemplative man living on the frontiers of the New World were all qualities that Smuts, whose own philosophy approximated to a form of pantheism, fully appreciated. Later, Smuts claimed that it was through studying Whitman that he began to free himself from the conventional pieties and fear of sin that so dominated his early life and to appreciate instead the idea of the 'Natural Man'.⁴⁷ Smuts's choice of biographical subject was nonetheless incidental to his larger purpose. Above all, the Whitman biography was a cipher for Smuts's ideas about the development of personality and a means of testing them out.⁴⁸ To the young Smuts, Whitman 'was that rarest flowering of humanity — a true personality; strong, original, organic; a type to which his fellows could but approximate; a whole and sound piece of manhood such as appears but seldom.'⁴⁹

In 1938, reflecting on the coming conflagration with Hitler, Mussolini, Stalin ('and whoever is their opposite number in Japan'), Smuts spoke of the elemental 'struggle of the new ideologies' as 'fundamentally a vast religious war'. This prompted further questions: 'Is human personality inviolate? Is the human soul divine and free? Has conscience to prevail at whatever cost?' The answer was found in a line recalled from Whitman: 'The soul for ever and ever'. This 'great message' or 'eternal gospel' which told that the world is 'Spirit', that 'Men are souls', and that 'Truth is eternal and indestructible', provided the basis for a 'new dawn'. Thus armed, it would become possible to

46 Hancock, *Smuts*, op. cit., vol. 1, 47, 48. The Whitman study was refused by several publishers. It was eventually published as *Walt Whitman. A Study in the Evolution of Personality*, with an introduction by Alan L. McLeod (Detroit 1973).

47 Smuts to M.C. Gillett, 26 December 1942; van der Poel, *Selections*, vol. VI, doc. 588. This letter discussed a new biography of *Walt Whitman* by Fausset. Smuts wrote that Whitman had reached the 'highest' stage of personal development, since he lived in harmony with nature and therefore without crisis. Now he had to concede that Whitman 'was not quite normal in his sexual makeup' because of his 'slight homosexual leanings'. From this he drew the conclusion that:

the higher integration is only reached through experience of the lower, that in a way almost blasphemous to say, the higher good incorporates the evil we have done and passed through, and that the highest does not negate so much as absorb and incorporate the lower and the lowest. Evil becomes an ingredient in the final good which we attain on the higher synthesis or integration of life.

48 J.C. Smuts, *Holism and Evolution* (London 1926), vi; Smuts, *Walt Whitman*, op. cit., 38; J.C. Smuts, *Jan Christian Smuts* (London 1952), 22–3.

49 Smuts, *Walt Whitman*, op. cit., 26. See also Anker, *Imperial Ecology*, op. cit., 44.

ascend out of 'the present depths'.⁵⁰ Smuts meditated on these themes throughout the war. By the time of the war's conclusion, such words and sentiments would recur in his draft Preambular references to 'faith', 'sanctity' and the 'ultimate value of human personality'.⁵¹

For Smuts, the concept of 'Personality' embodied a developing sense of moral self and of moral community and the capacity to integrate lived experience with biological endowment and so attain a higher state of spiritual integrity, harmony or wholeness. Smuts viewed the development of 'Personality' as an ongoing, evolutionary process. He did not see this in terms of the atomistic struggle for survival associated with neo-Darwinian thought, so much as the Lamarckian-style inheritance of characteristics acquired through active engagement with the environment. Always it was inspired by a greater force. He dubbed the science of personality 'Personology'.⁵²

Although Personality could best be studied in the case of individuals (Whitman, Goethe, or indeed himself), Smuts soon discovered that it was 'only a special case of a much more universal phenomenon'.⁵³ By extension, it seems also to be applicable in a collective sense to nations, cultures or races — where Personality could be demarcated into evolutionary stages. Whether applied to groups or to individuals, Smuts disdained the disaggregation of particular traits or elements favoured by reductionist positivistic psychologists or philosophers: his emphasis was on the integration of indivisible characteristics into a unitary, supreme whole. It was through the process of completing the Personality that the achievement of freedom depended.⁵⁴ This meant that human rights, like human Personality, were both conditioned and conditional.

⁵⁰ Smuts to F. Lamont, 13 March 1938: van der Poel, *Selections*, vol. VI, doc. 433.

⁵¹ When Smuts formally proposed his preamble, as agreed in London, to the San Francisco conference, he said:

I would suggest that the Charter should contain at its very outset and in its preamble, a declaration of human rights and of the common faith which has sustained the Allied peoples in their bitter and prolonged struggle for the vindication of those rights and that faith. This war has not been a war of the old type . . . In the deepest sense it has been a war of religion perhaps more so than any other war of history. We have fought for justice and decency and for the fundamental freedoms and rights of man, which are basic to all human advancement and progress and peace.

Cited in Heyns, 'The Preamble', op. cit., 337. Cf. the ideas of Denis de Rougemont, who, in the 1930s, outlined a philosophy of 'personalism' that grew out of his religious convictions and emphasized the 'inviolable value of the human person'. For details see Burgers, 'Road to San Francisco', 462–3.

⁵² J.C. Smuts, *Holism and Evolution*, op. cit., chap. X.

⁵³ *Ibid.*, vi.

⁵⁴ See e.g. Smuts to M.C. Gillett, 6 February 1947: van der Poel, *Selections*, vol. VII, doc. 741. Here Smuts thanks Gillett for sending him a *Times* review of Bertrand Russell's *History of Philosophy*. In response, Smuts rejects the doctrine which analyses experience into its ultimate elements (sense data).

Unless the holistic factor is introduced into this analytical situation you are left with the raw crude elements. How can you reverence the human personality — and give it the status which it occupies in the preamble of the Charter, if personality is but sense-data and sensibilia? The thing is really too absurd to be taken seriously.

In the course of his Whitman essay, Smuts began work on a treatise, the 'Inquiry into the Whole', which eventually emerged as a book, *Holism and Evolution* (1926). Smuts's opaque philosophy — which is perhaps better understood as a creed — is difficult to explain in a brief treatment and not much easier in more extended form. As a work of philosophy or science its technical deficiencies mean that it has more usually been noted than engaged with. Smuts's lifelong Cambridge friend and mentor, H.J. Wolstenholme, to whom he showed a draft of the book in 1912, was highly sceptical, regarding holism as an impenetrable melange of metaphysical nostrums that depended on large leaps of faith and ascribed a cosmic purpose to life without any real evidence. Nonetheless, holistic precepts were taken seriously by many thinkers (Arnold Toynbee's *Study of History* is a case in point)⁵⁵ and the term entered the Oxford Dictionary in 1933.⁵⁶ It has since proved influential in fields such as ecology, education, medicine and psychology (not to mention theology and new-age healing). More recently, it finds an echo in philosophical treatments of communitarianism and in the philosopher Charles Taylor's conception of human rights.⁵⁷

In his elaboration of holism (pronounced with a short 'o' to signal its derivation from the Greek)⁵⁸ Smuts demonstrated his enormously wide reading and remarkable gifts of synthesis. Over the years he drew variously and eclectically on Aristotle, Leibniz, Darwin, late-nineteenth-century idealism (English as well as German),⁵⁹ theories of vitalism, the Greek Testament and the Gospel of St Paul. These authorities he supplemented by his own broad reading in natural science and modern particle physics, where the composition of matter and the notion of 'space-time' provided useful analogies. Smuts also had recourse to his own specialist expertise in palaeontology and botany (he was an international expert on African grasses). Like his conception of human rights, it is easier to explain holism by reference to what it was not than what it was. Holism is anti-Cartesian in the sense that it denies a basic division between body and spirit. It is anti-mechanistic in its embrace of organicist ideas and its claim that the whole is always larger than the sum of its parts. It is firmly grounded in evolutionist thinking, but opposed to the idea that cosmos (or soul or spirit) is devoid of grand design or ultimate purpose.

55 C. Navari, 'Arnold Toynbee (1889–1975): Prophecy and Civilization', *Review of International Studies* 26 (2000), 292.

56 Hancock, *Smuts*, op. cit., vol. 1, 170, 294–7, 305.

57 My thanks to Richard Wilson for pointing out the Taylor connection.

58 T.J. Haarhoff, *Smuts the Humanist* (Oxford 1970), xii.

59 The affinities with German romantic nationalism are plainly evident, though there is more of Herder in his outlook than Fichte. Smuts was deeply antipathetic to totalitarianism. He did not worship the state, was receptive to a multiplicity of loyalties, laid much store by personal spirituality and did not confuse race with nationality. Smuts's patriotism, I have argued elsewhere (with Shula Marks), was not of the 'blood and soil' variety; it had more to do with place than race. See S. Dubow and S. Marks, 'Patriotism of Place and Race: Hancock on South Africa', in D.A. Low (ed.), *Keith Hancock. The Legacies of a Historian* (Melbourne 2001).

The concept of holism proved to be of considerable practical use to Smuts in explaining his views of the Commonwealth and the League of Nations. In both cases his notion of units fitting into greater wholes explained how small nations could find their place in larger organizations; in this way nations might expand, rather than lose, their meaning and purpose, for the particular retained its own special identity within the whole. What was true of life, as shown in the realms of biology and physics, was equally applicable to the world of human society.⁶⁰ Similar arguments were deployed by Smuts to rationalize the hope that South Africa should expand northwards towards Kenya, eventually embracing the High Commission Territories (Lesotho, Botswana and Swaziland) and the Rhodesias, as well as the mandated territory of South West Africa, on its way. This grandiose pan-African view, which recalled Rhodes's dream of a British sphere of influence from the Cape to Cairo, was sustained by Smuts's consuming vision of the 'Greater South Africa', or the notion that the whole was greater than the parts.⁶¹ Always the spread of western civilization was the driving logic or spirit.

Smuts never completed or updated his ideas, but he continued to meditate on the meaning of holism throughout his life, especially as he grew older and tried to make sense of human existence in the long letters he regularly wrote to friends like Margaret Gillett.⁶² In various speeches and broadcasts towards the end of the war Smuts ruminated about holism and personality in the context of human dignity, rights and values. Here, the notion of restoring faith to a world that had undergone untold suffering in war figures prominently.⁶³

Whether Smuts's ideas about holism helped shape his actions or merely served to justify them is impossible to determine. Certainly, there were plenty of critics who regarded holism as mere cant. Soon after the publication of Smuts's book on holism the maverick South African poet Roy Campbell satirized Smuts's pretensions in verses such as

Statesmen-philosophers with earnest souls,
Whose lofty theories embrace the Poles
Yet only prove their minds are full of Holes.⁶⁴

⁶⁰ For Smuts's view of holism in the field of science see, in addition to *Holism and Evolution*, his presidential address to the British Association for the Advancement of Science in 1931, 'The Scientific World-Picture of To-Day', reproduced in *Greater South Africa. Plans for a Better World. The Speeches of J.C. Smuts* (Johannesburg 1940).

⁶¹ For discussions of Smuts's territorial ambitions see M. Chanock, *Unconsummated Union. Britain, Rhodesia and South Africa 1900-45* (Manchester 1977); R. Hyam, *The Failure of South African Expansion, 1908-1948* (London 1972).

⁶² Smuts's correspondence with women, particularly those with liberal and Quaker inclinations (like Margaret Gillett and Emily Hobhouse), is a rich resource. His long meditations and apologies must be read as a plea for sympathy and an attempt to expiate guilt, and almost certainly, too, as a pitch for posterity. For an illuminating exploration of Smuts's relationship to women — and much besides — see Marks, 'White Masculinity: Jan Smuts, Race and the South African War', op. cit.

⁶³ Heyns, 'The Preamble', op. cit., 344-5.

⁶⁴ Anker, *Imperial Ecology*, op. cit., 74.

More acidly, Campbell reiterated a widely current South African view of Smuts which regarded him as a ruthless leader with blood on his hands.⁶⁵

The love of Nature burning in his heart,
Our new Saint Francis offers us his book.
The Saint who fed the birds at Bondelswaart
And fattened up the vultures at Bull Hoek.⁶⁶

These lines recalled the violent removal of an African millenarian sect of Israelites from Bulhoek in the Cape in 1921 and, a year later, the aerial bombardment of the Bondelswarts community in South West Africa, which resulted in the death of 115 Africans. The punitive treatment of the Bondelswarts received wide treatment in the British press. It was also taken up at Geneva, because the massacre had taken place in one of the League's mandated territories. Smuts was not directly implicated in these events, but he showed no remorse. His callous attitude to loss of life and human dignity had also been demonstrated when strikes by white workers were put down in 1907, 1913–14 and, most brutally, 1922. On these occasions Smuts bore direct responsibility and showed scant concern for the due process of law.

The progress of western civilization, which for Smuts was a basic article of faith, fundamentally affected his views on race. Holism and Personology provided a ready framework for his exploration of such problems. Although Smuts professed the wish to defer dealing with the 'Sphinx Problem' of relations between blacks and whites, his political life was inextricably concerned with the politics of racial segregation, of which he was always a convinced supporter. Smuts abjured the harshest versions of eugenicist thought (though the horror of miscegenation and racial fusion often creeps into his writings), but he had no doubt that the races were fundamentally different. His views were closely moulded by his experience of growing up among the Afrikaner rural gentry in the western Cape, where relations of paternalism born of generations of slavery were densely imbricated.

The developing disciplines of palaeoanthropology and social anthropology provided constant intellectual reference points. From the former, Smuts derived a consoling sense of the depth of the human past, as well as evidence of underlying variations within the human race. He used the latter to articulate a form of cultural relativism that stressed the deep, perhaps unbridgeable, differences between human races, as well as the necessity to develop the political mechanism of segregation so as to maintain separate identities. A paradigmatic expression of his racial outlook is provided in his 1929 Rhodes lectures at Oxford. Here he criticized the view of Africans as 'essentially inferior or sub-human, as having no soul, and as being only fit to be a slave', but he was equally opposed to the 'opposite extreme', born of the 'principle of equal rights', by which the 'African now became a man and a brother'. This

⁶⁵ The best contemporary debunking of the Smuts myth is H.C. Armstrong's *Grey Steel*, op. cit.

⁶⁶ Hancock, *Smuts*, op. cit., vol. 2, 100.

view might give Africans ‘a semblance of equality with whites’ but it ‘destroyed the basis of his African system which was his highest good’. The solution was to build upon African cultural foundations and, like the principles of the dual mandate adumbrated by the Nigerian administrator Lord Lugard, ‘conserve what is precious’ in the African past, building Africa’s future progress and civilization on specifically African foundations.⁶⁷ Smuts used precisely this form of analysis, namely the ethical responsibility of the ‘advanced people to look after the more backward’, in order to justify racial segregation at home and the sacred duty of ‘trusteeship’ in the covenant of the League of Nations.⁶⁸

Palaeoanthropology allowed Smuts to ruminate on the meaning of deep historical time and evolutionary divergence. In his 1929 Oxford address he spoke of the ‘negroid Bantu’ as a ‘distinct human type which the world would be poorer without’. This ‘unique human type has been fixing itself for thousands of years’ and may even be the ‘original mother-type of the human race’, as South African physical anthropologists like Raymond Dart were then asserting. Africans might have ‘wonderful characteristics’ such as a ‘happy-go-lucky disposition’, but they nonetheless ‘remained a child-type, with a child psychology and outlook’.⁶⁹

In his 1925 presidential address to the South African Association for the Advancement of Science, Smuts deployed his holistic vision of underlying unity to demonstrate the interconnectedness of South African science. His review of recent developments in theories of hominid evolution prompted him to reflect on the theory that Africa was the cradle of humanity. Smuts was open to this possibility, but he did not deduce from it that all humans were identical. On the contrary, evolution might be multilinear, such that divergence from a common stock was the defining pattern. ‘Our Bushmen’, for example, were ‘nothing but living fossils whose “contemporaries” disappeared from Europe many thousands of years ago’. As such, they could be compared to cycads in the botanical world, which, likewise, might be said to be fossil survivors from prehistory.⁷⁰

That Smuts could have aired these sentiments to erudite audiences of scientists, academics and policy-makers says as much about the broad acceptability of racialized ideas in the interwar period as it does about his own views.⁷¹ By the late-1930s, as signalled, for example, by Huxley and Haddon’s important

67 J.C. Smuts, *Africa and Some World Problems* (Oxford 1930), 77–8. I have analysed this line of thinking and these passages in greater depth in my *Racial Segregation and the Origins of Apartheid in South Africa, 1919–36* (London 1989), chap. 1. In re-reading Smuts now I am struck by the code-word references to ‘Personology’ in references to the African ‘soul’ and ‘mentality’ — words which are of course also drawn from religious and anthropological discourses.

68 ‘Address to the South African Institute of Race Relations’, 21 January 1942: van der Poel (ed.), *Selections*, vol. VI, doc. 556.

69 Smuts, *Africa and Some World Problems*, op. cit., 74–5, 76.

70 J.C. Smuts, ‘South Africa in Science’, *South African Journal of Science* 22 (1925), 17.

71 For the broader picture see S. Dubow, *Scientific Racism in Modern South Africa* (Cambridge 1995).

critique of racial determinism *We Europeans* (1935), the beginnings of an anti-racist movement can be detected. The second world war marked an important moment in what Barkan calls the international 'retreat from race'. But the process of rethinking race was neither straightforward nor automatic, and typological assumptions proved difficult to shift. Thus, the campaign to mobilize scientists collectively against nazi racism, led in the United States by the anthropologist Franz Boas and his students, made slow and uncertain progress during the 1930s. Persuasion depended on an unlikely and ambivalent alliance between up-and-coming proponents of non-racial cultural anthropology on the one hand, and establishment figures in the world of physical anthropology (like E.A. Hooton) on the other, who remained strongly disposed towards hereditarian and taxonomical views of race.⁷²

The shock of the Holocaust prompted a revulsion towards nazi science and attitudes, but even now scientists did not immediately fall into line with the new anti-racist discourse. As Donna Haraway demonstrates in her fine analysis of the landmark 1950 and 1951 UNESCO statements on race, physical anthropologists persisted in their reluctance to support a view of 'universal man' — and woman — consonant with the Universal Declaration of Rights. A great deal of hard bargaining and scientific argument transpired in order to create consensus on the notion of universal humanity. Ironically, it was the so-called Bushmen of South Africa (so often condemned by mainstream physical anthropologists — not least Smuts — to an evolutionary backwater or placed on one of the lowest rungs of the human ladder) who re-emerged in the post-war (and post-Vietnam) world as the pre-eminent embodiment of UNESCO's universal man, hunter-gatherers on the open Savannah, living *en famille* the human way of life.⁷³ In a relatively short period of time they had been transformed in the western imagination from 'brutal savages' to 'harmless people'.⁷⁴

New social pressures were also forcing a re-examination of African rights within South Africa. The 1940s were a tumultuous period in the country's history. Entry into the war split the Smuts government and encouraged nazi-sympathizing Afrikaner nationalists to fight for a republican *volk* state based on principles of Christian nationalism. Vast numbers of Africans moved to the cities to find employment in a rapidly expanding wartime economy. Many lived in informal settlements and squatter encampments beyond the reach of the Native Administration Department. Their very presence posed a challenge to the segregationist view that only those blacks who were engaged in 'ministering' to the needs of whites should be permitted to reside in urban areas.

72 E. Barkan, 'Mobilizing Scientists against Nazi Racism, 1933–39', in G.W. Stocking (ed.), *Bones, Bodies, Behaviour* (Madison, WI, 1988); and *The Retreat of Scientific Racism* (Cambridge 1992). For the South African story, see Dubow, *Scientific Racism*, op. cit.

73 Donna Haraway, 'Remodelling the Human Way of Life. Sherwood Washburn and the New Physical Anthropology, 1950–1980', in G.W. Stocking (ed.), *Bones, Bodies, Behaviour*, 248. An important South African proponent of the neo-romantic view of the Bushman as the embodiment of uncorrupted humankind was Laurens van der Post, but the trajectory of his views was anything but simple.

74 M. Guenther, 'From "Brutal Savages" to "Harmless People"', *Paideuma* 26 (1980).

The demographic shifts consequent upon rapid urbanization also encouraged the emergence of vibrant new political and cultural associations. This was the age of the 'New Africans': confident, forward-looking, progressive and eager to assert their rights.⁷⁵ The African National Congress, which had been mired in torpor for much of the 1930s, was enlivened by the formation of the Youth League, led by activists and intellectuals like Anton Lembede, Nelson Mandela and Walter Sisulu. Even if he was cautious about the new spirit of radicalism, the ANC's president, Dr Alfred B. Xuma, was responsive to the need to remodel the organization as modern mass party.

In 1943 Xuma initiated a major ANC policy document known as *Africans' Claims*. This statement was explicitly modelled on the 1941 Atlantic Charter and sought to apply the Charter's international principles to 'Africans within the Union of South Africa'. The document included a Bill of Rights which began by demanding, as a matter of urgency, the granting of 'full citizenship rights' for the African people of South Africa.⁷⁶ *Africans' Claims* marked the ANC's most ambitious and clear statement of African political aspirations and rights to date and had been pressed by the organization's Youth League, of whom Nelson Mandela was a leading representative. It was notable, too, for the way in which it universalized and adapted the meaning of the Atlantic Charter to suit African realities — notwithstanding the fact that the Atlantic Charter was intended 'to exclude anti-imperial assertions of self-determination'.⁷⁷ Xuma sent Smuts a copy and asked for an interview. But the ANC leader was rebuffed by a note which stated that the document was 'propagandist'. The prime minister could not agree with the ANC's attempt to stretch the meaning of the Atlantic Charter to African problems and conditions. No useful purpose would be served by the proposed meeting.⁷⁸

The Smuts government was somewhat more amenable to improving the welfare of Africans. Ideas of 'social citizenship' were widely advanced by left-liberals and reformists during the 1940s, and a new mood of expectancy and hope in respect of postwar reconstruction was widely in evidence. Policy-makers and politicians within the Smuts government drew up plans for extensive social welfare schemes, ranging from universal pensions to socialized medicine.⁷⁹ Smuts did not actively encourage such developments, but he conceded to them in the knowledge that old-style segregation was no longer

75 See S. Dubow and A. Jeeves (eds), *The 1940s in South Africa: Worlds of Possibilities* (Cape Town 2005).

76 T. Karis and G. Carter, *From Protest to Challenge*, vol. 2 (Stanford, CA, 1973), doc. 29.

77 D. Armitage, *The Declaration of Independence. A Global History* (Cambridge, MA, 2007), 110. Elizabeth Borgwardt counterposes the Atlantic 'charter of Winston Churchill's intentions . . . to the charter of Winston Churchill's aspirations' in *A New Deal for the World. America's Vision for Human Rights* (Cambridge, MA, 2005), 34.

78 P. Walshe, *The Rise of African Nationalism in South Africa* (London 1970), 273–4; S. Gish, *Alfred B. Xuma. African, American, South African* (London 2000), 121–2, 129.

79 See J. Seekings, 'Visions, Hopes and Views about the Future: The Radical Moment of South African Welfare Reform', in Dubow and Jeeves (eds), *The 1940s in South Africa*, op. cit.

viable. He was certainly alive to the mobilizing appeal of democracy and citizenship. In particular, he appreciated that in order to maintain support for the war effort, it was important that soldiers and civilians should be aware not only of what they were fighting *against*, but also what they were fighting *for*. Yet, Smuts was instinctively not a democrat in the modern sense of the word. His political style was high-handed to the point of being autocratic. This was not just a matter of personality. In his biography of Whitman he had devoted considerable attention to the question of democracy and its shortcomings. He accepted it as an 'indisputable fact of social evolution', but observed that '[N]o great geniuses have consciously forwarded the movement of democracy'.⁸⁰

In 1942 Smuts delivered a major speech to the South African Institute of Race Relations wherein he argued that the unstoppable process of urbanization and 'detrribalization' meant that Africans (he still called them 'Natives') deserved a new deal. Housing, nutrition and health all required urgent attention. In an oft-quoted passage he delivered this judgment: 'Isolation has gone and segregation has fallen on evil days, too.'⁸¹ These words were generally taken to be a statement of liberal intent. Yet closer inspection of this speech reveals that Smuts conceded segregation's shortcomings only reluctantly. He was mostly concerned in this speech to elaborate the idea of 'trusteeship', a term which he credited to Cecil Rhodes, and which had been subsequently been endorsed as a principle by the League of Nations. This referred to the "sacred trust" which is imposed on the more advanced people to look after the more backward'. It was a 'beautiful word' describing the desirable basis of the relationship between blacks and whites in South Africa, where 'we have a more advanced and a less advanced race side by side.'⁸²

The 1942 speech suggested a relaxation of racial boundaries but not their eradication. It was manifestly not a statement of equality. Trusteeship, which had long been part of the vocabulary of segregation, represented an attempt to dignify differential forms of citizenship within a framework of asymmetric rights and obligations. For Smuts, trusteeship involved a duty to look after the material needs of Africans, particularly in respect of health and housing. He evidently hoped that black demands for political rights could be headed off by making pragmatic administrative adjustments in the style of African governance. In reality, half-hearted concessions and unrealized promises only served to increase levels of frustration, anger and alienation.

The language of duty was an intrinsic part of Smuts's understanding of rights. As he expressed these to the Chinese Confucian Chung-Shu Lo, one of a number of philosophers consulted by UNESCO in 1947 on the question of the universality of human rights, 'there is the right to live, to self-development, to self-expression, and to enjoyment.' But 'our modern emphasis on "rights"

80 Smuts, *Walt Whitman*, op. cit., 141.

81 'Address to the South African Institute of Race Relations', 21 January 1942, 336: J. van der Poel (ed.), *Selections*, vol. VI, doc. 556.

82 *Ibid.*, 333, 334.

[is] somewhat overdone and misleading.’ Smuts maintained that the statement of rights in the tradition of Rousseau, the French Revolution and the American Declaration of Independence allowed people to forget ‘that the other and more important side of “right” is “duty”’. All the great codes of human advance — from the laws of Hammurabi to the Ten Commandments and the Sermon on the Mount — laid stress on duties.

Thus, Smuts explained his opposition to ‘individualistic’ rights which ‘give no recognition to that organic human and social unity which the duties of the older codes recognized as the real rule and law and pattern of right living.’ The organic idea, he ventured, was expressed in his concept of holism. There is a clear sense that Smuts was distancing himself from the formulation of rights in the Preamble to the Charter. These expressed ‘the fundamental objectives of our advancing human society in their most general form’. If more specificity was required, justice, the rule of law and the like could be highlighted. But for a bill of human rights to be of any value, stress should be laid on ‘practical rules and guides of conduct’ rather than ‘high sounding phrases’.⁸³

It is one of the many ironies of Smuts’s involvement with the United Nations that this great phrase-maker, having successfully made the case for a Preamble rich in rhetoric and inspiration, was now advocating a retreat to a more practical approach. This is not to say that he was being contradictory. Although clothed in high-minded spiritual terms (words like faith, values, and personal dignity figure prominently in his lexicon), Smuts’s list of human rights pertained to basic — that is, minimal — needs. They expressly fell short of political equality. Freedom was always a larger concept for Smuts, and this was earned, not granted; freedom implied obligations and duties rather than entitlements and demands. Small wonder that Smuts balked at the ANC’s 1943 document ‘Africans’ *Claims*’ (my emphasis).

Many commentators have pointed to the contradiction between Smuts’s international reputation as a prophet of freedom and his domestic record as an unwavering supporter of white supremacy. His miscalculation was not only that he thought he could keep South Africa’s internal policies separate from its international role, but that he believed his reputation as an international statesman would secure him immunity from external criticism. Few could have predicted that his participation in the recently formed United Nations would catch him out so dramatically. At once, Smuts found himself exposed to a changing environment in which the old rules of diplomacy were shifting, assumptions of impermeable state sovereignty were being questioned, and racism was becoming a matter of international concern. Several related events may be instanced to show the convergence of domestic and international politics in 1946, which inflicted such great damage on Smuts. Though not entirely unanticipated, they caused Smuts acute embarrassment and signalled the

83 Letter to Chung-Shu Lo, 29 July 1947: J. van der Poel (ed.), *Selections*, vol. VII, doc. 758. Chung-Shu Lo also took the view that duty to one’s neighbour, rather than the claiming of rights, was at the heart of Chinese ethics. See Glendon, *A World Made New*, op. cit., 75.

beginning of his political demise, a process of decline that was sealed two years later, when D.F. Malan's Nationalists ejected him and his government from office.

The most spectacular challenge to his authority occurred at the first meeting of the General Assembly in October 1946, when Smuts formally asked for South West Africa to be incorporated into the Union. Not only was this request rejected, but the leader of the Indian delegation, Mrs Pandit, launched a series of attacks on the Smuts government for its treatment of the country's Indian minority. Her principal target was the 1946 Asiatic Land Tenure and Indian Representation Act, which sought to restrict or 'peg' the rights of Indians to purchase land in return for a modicum of indirect political representation.⁸⁴ This messy piece of legislation, known by opponents as the 'Ghetto Act', satisfied neither the increasingly assertive Indian political constituency, whose leaders were pressing for full citizenship and franchise rights (in tandem with the ANC), nor white politicians who were obsessed by Indian encroachment into white urban and rural areas and alarmed by the prospect of any Indian parliamentary representation.

Mrs Pandit's ambush was the culmination of a long historical argument about the status of Indians, which came to a head as a newly independent state, seeking to provide alternative global leadership, tested its power against one whose internal policies were coming under international scrutiny. It bore directly on issues with which Smuts had long personal experience, going all the way back to 1908, when he encountered Mahatma Gandhi, who was then experimenting with the principles of *satyagraha*. Gandhi had then refused to comply with the provisions of the 1907 so-called 'Black Act', requiring Indians resident in the Transvaal to register themselves and carry documentation at all times. The battle between Gandhi and Smuts continued intermittently, reaching a climax in 1913 when Gandhi led a march of 2,700 Indian protestors from Natal into the Transvaal. A year later Gandhi left South Africa.⁸⁵ The relationship between the two men was complex, involving mutual suspicion as well as respect. From prison in India, Gandhi sent Smuts a pair of sandals, which the ascetic Smuts enjoyed wearing. They remained in touch until 1946.⁸⁶ It is clear that Smuts regarded Gandhi as a formidable opponent, and almost as an equal — both, after all, were believers in soul force⁸⁷ — which is more than can be said for Smuts's attitude towards any African leader. Smuts would certainly

84 Indian criticism of South Africa at the United Nations is covered by, for example, Bridglal Pachai, *The International Aspects of the South African Indian Question 1860–1971* (Cape Town 1971); J.P. Brits, 'Tiptoeing along the . . . Tightrope', op. cit.

85 On Gandhi in South Africa see e.g. J.M. Brown and M. Prozesky (eds), *Gandhi and South Africa. Principles and Politics* (Pietermaritzburg 1996).

86 Hancock, *Smuts*, op. cit., vol. 2, 472, relates that Gandhi sent Smuts a telegram in March 1946 in which he denounced Smuts's land and franchise proposals, but closed with 'your and South Africa's sincere friend, Gandhi'. Gandhi also conveyed a message to Smuts through Mrs Pandit. He told Mrs Pandit to shake Smuts's hand and to ask Smuts's blessing for his — Gandhi's — cause!

87 Sarah Gertrude Millin, *General Smuts*, vol. 1 (1936), 237.

have agreed with Gandhi, who disliked “rights-talk” of all kinds, associating it with the self-indulgence of the modern age’.⁸⁸

At various stages in the interwar period Smuts was forced to address external criticisms from India, notably the challenges led by Srinivasa Sastri at the 1921 Imperial Conference and Tej Bahadur Sapru in 1923. Sapru warned Smuts at this time that the Indian problem in South Africa, if ignored, would cease to be a domestic issue and instead become a grave matter of foreign policy. This would in turn threaten the unity of the empire. Smuts failed to heed the warning, insisting that equal rights for South African Indians would lead to equal rights for Africans, thereby spelling the end of South Africa.⁸⁹ With respect to Commonwealth politics, which was Sapru’s primary concern, Smuts understood the case for Indian self-government and evinced some sympathy for it. In private, however, he professed himself ‘mildly sceptical of the political capacity of the Oriental.’⁹⁰

Smuts expected Indian hostility to South Africa’s racial policies at the General Assembly in 1946, but he was shocked by the power of the assault and, in particular, by the manner of Mrs Pandit’s condemnation of him. Smuts referred to his failure at the UN as ‘a bitter experience’: ‘Here is the author of the great preamble of the Charter’, he complained, ‘exposed as a hypocrite and a double-faced time server!’⁹¹ Back home, the Afrikaner nationalist opposition ruthlessly exploited his discomfort by stoking up fears about the tide of blacks about to engulf the cities. Smuts wallowed in self-pity at the circumstances of his come-uppance in New York and considered that he was being punished for the sins of his country. In a letter to Daphne Moore he complained that the ‘acclaim of human rights at U.N.O’ was making the question of colour in South Africa and in the world as a whole ‘intransigent’. While demonstrating insight into his personal predicament, he plainly revealed his prejudices:

I continue to swim in my sea of troubles, and may yet drown in it. On one side I am a human and a humanist, and the author of the preamble to the Charter. On the other I am a South African European, proud of our heritage and proud of the clean European society we have built up in South Africa, and which I am determined not to see lost in the black pool of Africa.⁹²

If Smuts was shocked by the criticisms from India, he was bewildered by the manner in which relations between blacks and whites were becoming internationalized. In 1946 a strike by 70,000 African mineworkers on the Witwatersrand was brutally put down, resulting in many injuries as well as loss of life. Smuts supported the police. In the midst of this unrest the Natives’

88 K. Cmiel, ‘The Recent History of Human Rights’, *American Historical Review*, 109(1) (2004).

89 Hancock, *Smuts*, op. cit., vol. 2, 139, 149.

90 Smuts to Daphne Moore, 23 September 1947: van der Poel (ed.), *Selections*, vol. VII, doc. 764.

91 Smuts to M.C. Gillett, 14 January 1947: van der Poel (ed.), *Selections*, vol. VII, doc. 738.

92 Smuts to Daphne Moore, 2 March 1947: van der Poel (ed.), *Selections*, vol. VII, doc. 743.

Representative Council, which served as an indirect forum for discussions between African leaders and the government, convened in cramped quarters in Pretoria. Tensions in the meeting ran high when the inept acting chairman, the Undersecretary for Native Affairs, bypassed the burning issue of the miners' strike. Councillor Paul Mosaka famously likened the Council to a 'toy telephone'. Dr Moroka moved to adjourn the session with an angry motion deprecating the 'Government's post-war continuation of a policy of Fascism which is the antithesis and negation of the letter and spirit of the Atlantic Charter and the United Nations Charter.' The Council demanded the abolition of all racially discriminatory legislation — something it had never done before. Smuts left the next day for New York, via Paris, his mind on bigger things. All he could suggest to Jan Hofmeyr was the need to make 'rapid progress with "practical social policy away from politics"'.⁹³

To make matters worse for Smuts, the ANC leader, Alfred B. Xuma, was also hastening to the United Nations, along with two representatives of the Natal Indian Congress. The effusive left-wing 'Native's Representative' in the Senate, Hyman Basner, was on the boat as well. This loosely configured deputation foreshadowed the emergence, in the early 1950s, of a common alliance against apartheid formed by representatives of the Indian Congress, the African National Congress, and the (outlawed) Communist Party. A key figure in these growing organizational links was Yusuf Dadoo, a Muslim communist born into an immigrant Gujarati trading family, who was now assuming Gandhi's mantle in South Africa. Dadoo's transnational approach to politics involved pressing the case of Indian South Africans at the United Nations through the agency of the Indian government.⁹⁴

Transnational links were also much in evidence in Xuma's campaign. As has been noted, the 1940s was a moment of great ferment in black South African politics. In the United States it was a period when black organizations were developing a heightened awareness of the trans-Atlantic African diaspora and of the need to support 'international anti-colonialism'.⁹⁵ These broadening horizons facilitated the forging of multiple bonds of political solidarity between black South Africans and African Americans. At the request of Paul Robeson, who led the radical anti-colonial Council on African Affairs (together with Max Yergan, William Alphaeus Hunton and W.E.B. Du Bois), Xuma sent a telegram in May 1946 stating that 'UNO must champion freedom of colonial peoples with equality of opportunity for all irrespective of race, creed, or colour'. Robeson welcomed Xuma to New York, where he was greeted as a visiting dignitary at meetings and receptions. There was natural convergence between the Robeson's pan-Africanist-inclined Council and

93 M. Ballinger, *From Union to Apartheid. A Trek to Isolation* (Cape Town 1969), 192–3; Hancock, *Smuts*, op. cit., vol. 2, 485–6; A. Paton, *Hofmeyr* (London 1964), 432–4.

94 P. Raman, 'Yusuf Dadoo: Transnational Politics, South African Belonging', *South African Historical Journal* 50 (2004).

95 P.M. Von Eschen, *Race against Empire: Black Americans and Anticolonialism, 1937–1957* (Ithaca, NY, and London 1997), 5 and *passim*.

developing radical Africanist tendencies within the ANC. Attentive to the need for solidarity with Africa's colonized peoples, the African-American press reported enthusiastically on Xuma's visit, as did African newspapers back in South Africa.⁹⁶

Like earlier ANC leaders — Dube and Seme among them — Xuma had strong American connections. He had spent more than a decade studying at Tuskegee, Minnesota, Milwaukee and Chicago, graduating from Northwestern University as a medical doctor in 1925. In the mid-1930s Xuma formed a political association with the widely travelled African American activist Max Yergan, who took a deep interest in South Africa, and he joined Yergan's International Committee on African Affairs (forerunner of the Council on African Affairs). Xuma's close links to the American Methodist Episcopal Church and his marriage to Madie Hall, an African American feminist social worker, reinforced these ties to the United States. Smuts, who had ignored several previous attempts by Xuma to discuss ANC policy, met Xuma for the first time by accident at a press function in New York. He was reported to have been taken aback. Xuma evidently had the better of the encounter and explained his presence in New York by saying: 'I have had to fly 10,000 miles to meet my prime minister. He talks about us but won't talk to us.'⁹⁷

Xuma had long sought to press the demands of Africans at the postwar peace conference. Telegrams were backed up by personal lobbying of General Assembly delegates, including Secretary-General Trygve Lie. At the UN Xuma chose to present the case of black South Africans via a memorandum on the issue of South West Africa, arguing that South Africa's treatment of its own black citizens meant it should not gain control over Africans in other parts of the subcontinent.⁹⁸ This represented a direct effort to frustrate Smuts, who had long desired to incorporate the territory (which had been administered as a 'C' class mandate under the terms of the League of Nations) into the Union. Indeed, Smuts might have done so with little international opposition during the war, but he chose to observe legal protocols. However, the postwar situation significantly altered his scope for action. Led by the Indian delegation, which opened a second front against South Africa on the question of South

96 T. Bennett-Smyth, 'Transcontinental Connections: Alfred B. Xuma and the African National Congress on the World Stage', paper presented to workshop on 'South Africa in the 1940s: Worlds of Possibilities', Kingston, Canada, 2003; Gish, *Xuma*, op. cit., 145. Von Eschen, in *Race against Empire*, op. cit., shows how the Cold War and the spectre of communism split the Council for African Affairs in 1948, as mainstream African American leaders in the United States endorsed global anti-communism and focused instead on domestic racism, to the detriment of their internationalism. This truncated the politics of the African diaspora. For the (mostly) West African dimension see M. Sherwood, "'There is no deal for the black man in San Francisco": African Attempts to Influence the Founding Conference of the United Nations, April–July 1945', *International Journal of African Historical Studies*, 29(1) (1996).

97 Gish, *Xuma*, op. cit., 148; Von Eschen, *Race Against Empire*, op. cit., 18; Bennett-Smyth, 'Transcontinental Connections', op. cit., 10.

98 Gish, *Xuma*, op. cit., 149.

West Africa, Smuts's ambitions were thwarted and he was pressured instead to place the territory under UN trusteeship.

Precisely because of the territory's ambiguous sovereign status and its legacy as a League mandate, South West Africa now became the inviting back door for international pressure on South Africa. In 1946 the Indian government, the African National Congress and the Council on African Affairs all exploited this route to criticize South Africa's domestic racial order. Britain was also drawn in, because the South West African issue impinged on the indeterminate status of the High Commission Territories in southern Africa (which the expansionist Smuts also coveted). In Botswana, Tshekedi Khama, regent of the Bangwato, announced his intention to go to the UN to help forestall annexation of South West Africa. Smuts took strong exception at the prospect and warned the British government that Tshekedi's appearance would prove inflammatory.⁹⁹

Tshekedi's case, coupled with Herero opposition to South African incorporation of South West Africa, was taken up in November 1946 by Michael Scott, a radical Anglican priest and activist who had adopted Gandhian principles of passive resistance while campaigning in South Africa. Imprisoned for joining Indian protestors against the 'Ghetto' bills, Scott finally arrived at the UN in 1947 as an adviser to the Indian delegation, and he duly became a champion of the South West Africa cause. Scott's intervention at the UN helped international opinion against South Africa's racial policies to coalesce within the terms of a moral discourse around human rights.¹⁰⁰ The era of international mobilization against South Africa had arrived.

Decolonization and the internationalization of politics on a global scale after the second world war signalled the end of Europe's pretensions to be the centre of western, let alone world civilization. These forces finally caught up with the declining Smuts at the United Nations. Contradictions in Smuts's role as leader of white South Africa and his status as world statesman were painfully exposed, while the assumption that South Africa's domestic racial policies could be insulated from external criticism began to be tested. Smuts sensed these developments but could not fully comprehend them. Shortly before his bruising experience at the 1946 General Assembly he complained that he would be 'entangled with minor issues' like the colour bar, whereas 'the immense issues of our human future fail to be dealt with'. This was a telling statement of his priorities. He also described 'South Africa [as] a little epic of European civilization on a dark continent', and wondered how it could be that 'this noble experiment' could now be threatened by India, 'with her vast millions who have frustrated themselves and now threaten to frustrate us'.¹⁰¹

⁹⁹ Hyam and Henshaw, *The Lion and the Springbok*, op. cit., 149–50.

¹⁰⁰ R. Skinner, 'The Wartime Roots of Anti-apartheid: Pastoral Mission, Local Activism, and International Politics', *South African Historical Journal*, 50 (2004), 23–4, 25.

¹⁰¹ Smuts to M.C. Gillett, 27 October 1946: van der Poel (ed.), *Selections*, vol. VII, doc. 730.

It was not only his tribulations at the United Nations that were weighing on Smuts. The 1946 mineworkers' strike and the Native Representative Council's demand for full citizenship forced him to realize that back home 'both Native and Indian leaders want *status* and not social benefits and advance . . . the Natives want *rights* and not improvements. There we bump up against the claim for equality which it is most difficult to concede except in very small doses which will not satisfy the leaders.'¹⁰² Smuts had no answer to this. Unfortunately for him, the claim of 'equal rights' (a well-worn phrase in South Africa going back to the mid-Victorian era, when it referred to the privileges and expectations accruing to male subjects of the British empire) was becoming synonymous with the very different concept of *human rights*, the valency of which was taking on new significance as the notions of individual democratic citizenship secured by international institutions came into vogue. The assumption that 'human beings had rights and agency only as citizens of a nation-state' was now being vigorously contested at the United Nations 'by an alliance of black Americans, Indian and black South Africans, and the government of India.'¹⁰³

In his long career as an international statesman the great phrase-maker had made words like 'commonwealth', 'appeasement', 'trusteeship' and 'mandates' his own. Offered the opportunity of ushering the world into the second half of the twentieth century, Smuts came up with the idea of a morally uplifting Preamble to the UN Charter founded on the notion of 'human rights'. In Smuts's view, this conception concerned the need to restore personal dignity and spiritual values to a world that had endured one form of totalitarianism and was now threatened by another, in the form of communism. Human rights concerned basic or minimal needs like security and life, and they pertained to matters like freedom of expression and religion. But they were not synonymous with equality — whether of a political, social or racial variety. Human rights, moreover, could not be defined merely by reference to individuals; they involved reciprocal duties and obligations and these, in turn, implied bonds of organic social unity which related to some higher or more fundamental source.¹⁰⁴

Mark Mazower has drawn our attention to the cynical calculations which underlay the Great Powers' endorsement of 'human rights' in the 1940s. In his view 'human rights' was an empty phrase that filled a rhetorical gap and substituted for the League's failed regime of minority rights.¹⁰⁵ At Yalta the Great Powers had been consumed with matters of collective security, and they displayed a cool if not actually dismissive attitude to the idea of individual human rights — not least, as Mary Ann Glendon shows, when it was initiated

¹⁰² Smuts to M.C. Gillett, 6 February 1947: van der Poel (ed.), *Selections*, vol. VII, doc. 741.

¹⁰³ Von Eschen, *Race against Empire*, op. cit., 75.

¹⁰⁴ My thanks to Knud Haakonssen for explaining how Smuts's conception of human rights fits into an older language of moral powers and virtues.

¹⁰⁵ M. Mazower, 'The Strange Triumph of Human Rights, 1933–1950', *The Historical Journal*, 47(2) (2004).

by representatives of small nations like those in Latin America.¹⁰⁶ The surge of interest in human rights talk at San Francisco and after was not widely anticipated by the major powers and, indeed, its universalist implications were actively resisted by countries like Britain. (There is a striking parallel here with Churchill's inspirational substitution of the phrase 'all the men in all the lands' for 'all peoples' in the Atlantic Charter, an emendation which likewise proved a hostage to democratic fortune and whose universal applicability was promptly denied by Churchill in the House of Commons.)¹⁰⁷

How convenient it must therefore have been that Jan Smuts — visionary idealist, advocate of self-determination and leader of a small country within the British Commonwealth — should be on hand to write the stirring opening words for the United Nations, just as he had previously done for the Covenant of the League. And yet, how ironical, too, that this leader of the wronged Boer nation should all of a sudden come to be viewed by the newly emerging colonial world as the representative of a dominant white minority — and, moreover, a minority which regarded itself as a unique outpost of western Christian civilization. Smuts obliged, and wrote the Preamble. But even in the assessment of his biographer, Hancock, these were 'the words of a tired old man slipping down the grooves of his tired old tongue.'¹⁰⁸

But Smutsian language was not altogether exhausted; it remained sufficiently fluid to be re-channelled in new directions, which find contemporary relevance in debates around the universality of human rights. In 1947, the UN Human Rights Commission received a lengthy memorandum drafted by Melville Herskovits on behalf of the American Anthropological Association. Concerned that the forthcoming Declaration would give support to ethnocentric attitudes, it asserted that 'The Individual realizes his personality through his culture, hence respect for individual differences entails respect for cultural differences'.¹⁰⁹ It is a matter of supreme irony that Smuts might have used precisely these words at just this time. Unlike the Boasian cultural relativists, however, Smuts's intent would have been to justify racial segregation: as he argued in 1929, 'a race so unique, and so different in its mentality and its cultures from those of Europe, requires a policy very unlike that which would suit Europeans.'¹¹⁰

106 Mary Ann Glendon, 'The Forgotten Crucible: The Latin American Influence on the Universal Human Rights Idea', *Harvard Human Rights Journal* 16 (2003); *A World Made New*, op. cit., 15.

107 E. Borgwardt, *A New Deal for the World*, op. cit., 28–30.

108 Hancock, *Smuts*, op. cit., vol. 2, 438.

109 Cited in R.A. Wilson, 'Human Rights, Culture and Context: An Introduction', in Wilson (ed.), *Human Rights, Culture and Context. Anthropological Perspectives* (London 1997), 5. See also Johannes Morsink, *The Universal Declaration of Human Rights* (Pennsylvania 1999), ix. For an illuminating discussion of Herskovits's cultural relativism, see K. Cmiel, 'The United Nations and Human Rights: Ambiguous Origins', paper delivered to the conference 'Whose International Community? Universalism and the Legacies of Empire', Center for International History, Columbia University, 2005.

110 Smuts, *Africa and Some World Problems*, op. cit., 76.

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