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Subject file
Nyerere Visit
Tanzania Aug 79.

Foreign and Commonwealth Office

London SW1A 2AH

12 September 1979

Dear Michael,

Rhodesia: Constitutional Conference

This letter follows Lord Carrington's minute PM/79/74 in which he set out our approach to the Constitutional Conference.

Lord Carrington made clear in his opening speech that we regard it as essential in the Conference to seek a measure of agreement first on the general outline of the independence Constitution, before going on to tackle the pre-independence arrangements. In his opening statement, Bishop Muzorewa made a strong defence of the existing constitutional arrangements, but implied that he was prepared to discuss our outline proposals. The Patriotic Front, as expected, sought to evade discussion of the main elements of the constitution and to insist on prior agreement on the pre-independence arrangements.

We have now managed to get over the initial procedural hurdle and have moved to item one of our agenda: "The Independence Constitution". In an attempt to focus discussion on this item we have tabled our fuller constitutional proposals (Annex B to Lord Carrington's minute). The Prime Minister's meeting with Nyerere will therefore come at a most important stage. We have to continue to urge the Commonwealth African Presidents to persuade the Patriotic Front to negotiate seriously on the Constitution. This is a necessary preliminary to being able to demonstrate to them and to a wider audience that, if the Patriotic Front will not co-operate, the responsibility for failure to reach agreement will lie with them.

It will be important to enlist Nyerere's support for our constitutional proposals. In doing so it will be necessary to make clear to him that we regard it as indispensable to an agreement that, for a limited period, there should be a reasonable proportion of white representatives in the House of Assembly elected by the white community. The proportion should not exceed 20% and must fall short of the minority required to block constitutional amendment or a wide range of legislation. This is the point of principle at issue for us.

In order to enlist Nyerere's support - if we can obtain it - for constitutional proposals on these lines it will be important to convince him that we are prepared to deal satisfactorily with the pre-independence arrangements. In discussion with him, and in our subsequent contacts with the other African Presidents, we must make it clear that we are prepared to accept the implications of the call

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in the Lusaka communique for "free and fair elections properly supervised under the authority of the British Government". It will then be up to the Presidents to ascertain whether the Patriotic Front are prepared to put their political standing to the test in elections in which they would have a fair - but no more than that - chance of winning.

/ The brief which I enclose with this minute is designed to achieve that objective. The Prime Minister could start from the position that we wish to enlist Nyerere's help in ensuring that the Patriotic Front continue (if they have so started) or begin (if they have not) to engage in serious discussion of our fuller constitutional proposals. If President Nyerere attempts to defend the Patriotic Front's initial attempt to stall on the independence Constitution until the "transfer of power" had been discussed, it will be necessary to tell him that - so far as the British Government is concerned - the question of to whom power is to be transferred must be settled by the people of Rhodesia in free elections, supervised under our authority. We should obviously do so in terms designed to reassure him that we recognise that there are real issues to be settled in this connection, when the time comes to deal with them.

/ Exactly how far it would be prudent to go in discussing the pre-independence arrangements with Nyerere is a matter for careful consideration. I am enclosing, in addition to the brief for the meeting, background papers which illustrate the kind of military and administrative arrangements for the transition which might need to be discussed in the unlikely event of an agreement on an independence constitution and of an expression of willingness by the Patriotic Front to take part in elections without a dominant position in advance. As these papers show, such a situation would pose many difficult problems, of which the difficulty of making military arrangements in these circumstances would be the worst, and quite possibly insuperable. But, as preparation for a talk with Nyerere, the Prime Minister may wish to have these problems in mind because he will expect us to have thought about them, and may himself mention them. He may, for example, ask whether we are prepared to contemplate a return to legality - which could involve the appointment of a British Commissioner - and the introduction of a Commonwealth, or some other neutral, force in the period before elections are held.

We have not yet discussed any such ideas with Bishop Muzorewa. There is a risk that what is said to Nyerere in this connection will be relayed to Muzorewa and misunderstood by him. In talking to Nyerere this consideration should be balanced against the need to convince him of our readiness to accept the implications of the Lusaka agreement, and to make the Patriotic Front in due course a fair offer on the electoral process. The Prime Minister will probably not wish to go further than is suggested in paragraphs 12 and 13

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of the notes for the meeting. On one point we must stand absolutely firm with Nyerere - that in our Conference there can be no discussion with the parties of the pre-independence arrangements until agreement has been reached on the independence constitution and on the principle of free and fair elections, properly supervised under our authority.

These papers are intended to provide a basis for the Foreign and Commonwealth Secretary's meeting with the Prime Minister at 5.30 pm tomorrow, to discuss the handling of the working dinner with President Nyerere. As I explained to you, the papers have been written in the light of Lord Carrington's comments on a previous draft, but have not yet been seen by him in their present form.

yours etc

Roderic Lyne

(R M J Lyne)
Private Secretary

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