

RESTRICTED

CC(79)41

COPY NO: 89

EIGHTEENTH PLENARY SESSION

CONSTITUTIONAL CONFERENCE  
LANCASTER HOUSE  
LONDON

---

Summary of the proceedings of the  
Eighteenth Plenary Session of the  
Conference, Saturday 27 October 1979

---

Lancaster House  
27 October 1979

RESTRICTED

PRESENT:

UK Delegation

Sir I Gilmour Bt (in the Chair)

Mr R Luce

Sir M Palliser

Sir J Graham

Mr D M Day

Mr R W Renwick

Mr P R N Fifoot

Mr N M Fenn

Mr C D Powell

Mr P J Barlow

Mr A M Layden

Mr S J Gomersall

Mrs A J Phillips

Mr M C Wood

Mr Mugabe, Mr Nkomo and Delegation

Mr R G Mugabe

Mr S V Muzenda

Mr J M Tongogara

Mr H Ushewokunze

Mr D Mutumbuka

Mr J Tungamirai

Mr E Zvobgo

Mr S Mubako

Mr W Kamba

Mr J M Nkomo

Mr T G Silundika

Mr A M Chambati

Mr John Nkomo

Mr L Baron

Mr S K Sibanda

Mr W Musururwa

Mr D N Madzimbamuto

Miss T Siziba

Bishop Muzorewa and Delegation

Bishop A T Muzorewa

Mr E L Bulle

Mr F Zindoga

Mr D C Mukome

Mr G B Nyandoro

Rev N Sithole

Mr L Nyemba

Chief K Ndiweni

Mr Z M Bafanah

Mr I D Smith

Mr D C Smith

Mr R Cronje

Dr J Kanusikiri

Mr L G Smith

Air Vice Marshal H Hawkins

Mr D Zamchiya

Mr G Mutambanengwe

Secretariat

Mr J M Willson

RESTRICTED

The session commenced at 11.05.

THE CHAIRMAN recalled that at the previous meeting Mr Mugabe and Mr Nkomo had both made statements on the arrangements for the interim period. The texts had subsequently been circulated (Conference Papers CC(79)39 and CC(79)40). Lord Carrington had promised that the British Government would give an early reply.

The Chairman then delivered a statement in answer to the papers tabled by Mr Mugabe and Mr Nkomo, which was subsequently circulated as Conference Paper CC(79)42.

MR MUGABE thanked the Chairman for his response. It amounted, however, to a reaffirmation of the British position, which threw into doubt the usefulness of the whole exercise. Why had his delegation been invited, if the main intention was to accept what the British said? Mr Mugabe had gathered from the document on the pre-independence arrangements tabled by the British delegation on 22 October (Conference Paper CC(79)32) that the British proposals were negotiable. It now seemed that they were final. If so, the Chairman should let it be known that this was the British point of view.

Mr Mugabe asked the Chairman to remember that his delegation had come to London thinking that it was not merely a constitutional Conference, but a peace Conference. It was necessary to take into account the fact that there was a war going on and that, if war was to be transformed into peace, his delegation's viewpoint had to be considered. It was the Patriotic Front

/which

RESTRICTED

which had undertaken the decolonising process as a result of British failure. It was on the basis of the Patriotic Front's achievement that the British side was now able to assert its authority. Britain itself had no authority in Zimbabwe. His delegation would be happy to take part in a peace conference, but could not accept dictatorship.

THE CHAIRMAN expressed surprise that Mr Mugabe had questioned the usefulness of the Conference, at which a considerable measure of agreement had been reached after concessions by both sides on the constitution. Little was to be gained by looking back in detail over the last 15 years. He did not think the previous Salisbury regime would agree that Britain had aided and abetted it over that period. The British Government had put forward its proposals in its capacity as the decolonising power. Negotiations were difficult when neither side could have its own way completely. What his delegation was now seeking was the acceptance of the basic principle that elections should be supervised under British authority. If agreement could be reached on that, then the Conference could proceed to discuss the details of the election arrangements.

MR MUGABE said that he did not think there was disagreement on basic principles. There was, however, disagreement on the modalities; where his delegation had put forward alternative proposals which, it believed, would prove more effective, he did not understand why the British side stuck to their position without rationality. He gave as an example his  
/delegation's

RESTRICTED

delegation's proposals on the balance of forces. It would be unfair for Britain simply to return and decolonise after all these years. It was necessary to recognise the prevailing conditions; the parties in conflict should be on an equal footing during the interim period. They were not suggesting that the Patriotic Front should be predominant, nor should predominance be given to the other side. They wanted to see equality in administration and in the maintenance of law and order. The British proposals would have the effect of relegating his side to an inferior position and of promoting the other side, which had committed treason; their actions should not now be legalised. THE CHAIRMAN replied that what the British delegation was seeking to do was to provide conditions for all parties to achieve power on an equal basis. His delegation held very strongly to the view that this was only possible under British authority. If the other delegations could agree on some other basis, the British delegation would of course be prepared to consider it; but, in their view, that was not possible. Britain had the responsibility, and therefore had to have the authority and also the power. There was nothing dictatorial in seeking to provide the conditions for elections in which all parties could participate. If this could be accepted the Conference could then move on to the details of the Election.

MR MUGABE asked whether the Chairman really believed that, if the Patriotic Front took part in elections when the

/Rhodesian

PRESENT:

UK Delegation

Lord Carrington (in the Chair)

Sir I Gilmour Bt

Lord Harlech

Mr R Luce

Sir M Palliser

Mr D M Day

Mr R W Renwick

Mr P R N Fifoot

Mr N M Fenn

Mr G G H Walden

Mr C D Powell

Mr P J Barlow

Mr A M Layden

Mr R M J Lyne

Mr S J Gomersall

Mrs A J Phillips

Mr M C Wood



RESTRICTED

Rhodesian forces were functioning as the security forces and when the British were in control of the police force, those elections would be free and fair. THE CHAIRMAN said that the security arrangements would be for discussion later. What his delegation was currently proposing was that the elections should take place with a British Governor and under British Government authority. They would be on trial before world opinion, which would be watching to see that the elections were being conducted freely and fairly.

MR NKOMO said that both the British delegation and his delegation had tabled papers and had made comments on each other's contributions. Was the Conference now set to negotiate? THE CHAIRMAN said that there would of course be negotiation once agreement had been reached on the principle of British Government authority, which was fundamental to the Lusaka Agreement. All the papers which had been tabled would be relevant. He added that when he had had the comments of both delegations the meeting would be able to discuss the arrangements for elections in detail.

MR NKOMO said that his delegation wished to be certain of the procedure. They had come to the Conference to negotiate peace as well as a constitution; this was vital for his people. Zimbabwe was at war; what had happened in other colonies was not relevant. It was necessary to discuss conditions which would permit free and fair elections to take place. The structure for running the country in this period had to be discussed. The British had proposed the appointment of a Governor, who would have sweeping powers. He would have

RESTRICTED

British and local support staff and would use the existing security forces and police. More clarification of these proposals was necessary. The British proposals for the security forces had been clear, but the role of the Patriotic Front forces was not defined. Did "a return to legality" mean legalising those institutions which had existed at UDI, or did it include those created since that date? The Lusaka agreement had recognised Britain as the administering power in Rhodesia, but did not necessarily exclude other parties playing a rôle in the elections. Another force was needed because of the situation in Rhodesia. Well over 100,000 armed men were locked in battle; what would happen if a cease-fire was arranged and then broke down? His delegation wanted a peace which would make every citizen secure; this was not possible under the British proposals. His delegation had come to London to negotiate, and its views on the Lusaka Communiqué differed from those of the British delegation.

MR NKOMO also expressed concern at Mr Pieter Botha's statement that, if law and order broke down in Rhodesia or if the Patriotic Front came to power, South Africa would intervene. His delegation would like to feel that, if the cease-fire broke down, someone would ensure that the ordinary people of Zimbabwe would not suffer. It was the British Government who went to the UN in 1977 to seek their assistance. That body was still available to play a part. That is why his delegation wished to bring in the UN; it was the only international /organisation

RESTRICTED

organisation which could be of service to the people of Zimbabwe.

THE CHAIRMAN said that he did not think it appropriate for delegates to impugn each other's motives. The situation in Zimbabwe Rhodesia was grave and the British were seeking to remedy it. There was no doubt of the British desire to bring about peace.

BISHOP MUZOREWA said that he wished to state that the present Government of Zimbabwe Rhodesia had been elected by 64.8 per cent of the electorate. It had not committed treason. He then delivered a statement, subsequently circulated as Conference Paper CC(79)43.

THE CHAIRMAN thanked Bishop Muzorewa and said that he was grateful for his delegation's acceptance of the British proposals. It had been a difficult decision, and represented a considerable advance in the proceedings of the Conference. If the Patriotic Front was also able to accept the proposed arrangements for fair elections, a peaceful settlement was within their grasp.

REV SITHOLE said that he was deeply hurt by the accusation of treason. He asked that each side should be fair to the other, and recognise that a new situation now existed. Although the Rhodesian Front Government had been in a state of rebellion, the government formed by the March 3rd agreement had brought in universal suffrage, which the Rhodesian Front Government had opposed. The government which committed treason was now out of power.

/THE CHAIRMAN

RESTRICTED

THE CHAIRMAN said that he was sure that all would agree that it was not desirable to fight the battles of the past. MR SILUNDIKA said that, until legality was restored, rebellion continued to exist. It was therefore not insulting to refer to the rebellion, since it was a technical reality. The remarks by the Bishop merely reflected British policy. As Mr Mugabe had said, there was no difference between his delegation and the British on questions of principle such as the appointment of a Governor and the holding of elections. It was modalities that they wished to negotiate, and on which they needed further clarification.

THE CHAIRMAN said that the aim of the Conference was peace and a return to legality, not legalising the present situation. MR MUGABE said that he did not think it insulting to discuss a situation which still remained to be rectified. MR NYANDORO said that the Conference should not become bogged down on the question of illegality, but rather concern itself with the present problems of the country; otherwise the purpose for which the Conference was convened would be lost.

MR NKOMO asked if all papers tabled were for discussion, or only particular documents. THE CHAIRMAN replied that all documents were relevant but, as Lord Carrington and he had already made clear, British supervision was a matter of principle for his delegation, on which they stood quite firm. In their view it was the only way agreement could be reached.

At THE CHAIRMAN's suggestion, the meeting was adjourned at 12.15.

/The

RESTRICTED

The meeting reconvened at 12.37.

THE CHAIRMAN said that the Conference had been sitting for a long time, almost seven weeks, and there was a general wish to make progress; he therefore proposed that the Conference should reconvene at 14.30. MR NKOMO asked whether the Chairman's statement and that of Bishop Muzorewa would be circulated as he considered it important that other delegations should be able to consider both. THE CHAIRMAN agreed that this was important, but said that it did not prevent the meeting getting on immediately with more detailed discussion.

MR NKOMO asked for a ruling on the name to be used for Zimbabwe Rhodesia. THE CHAIRMAN said that he recalled having used three forms of name, but this was something which could be discussed later.

MR NKOMO said that his delegation could not effectively take part in discussions unless they were clear about the implications of the Chairman's and the Bishop's statements. After further discussion THE CHAIRMAN said that, in deference to the wishes of others, the British delegation would get in touch with other delegations the following morning to arrange the next meeting.

The meeting adjourned at 12.42.