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CHGM Bilaterals

NOTE OF A MEETING HELD BETWEEN THE PRIME MINISTER AND THE PRESIDENT OF
BOTSWANA IN MULUNGUSHI VILLAGE, LUSAKA, AT 1816 ON FRIDAY 3 AUGUST 1979

Present

The Prime Minister

HE Sir Seretse Khama

Foreign and Commonwealth Secretary

The Hon. A.M. Mogwe

Mr. C.A. Whitmore

HE Mr. A.W. Kgarebe

The Prime Minister said that she would welcome Sir Seretse Khama's assessment of how the Commonwealth Heads of Government discussion on Rhodesia that morning had gone. She was very worried about how the Rhodesian problem was going to develop: it had now existed for fourteen years and there was still no solution to it. Some of their colleagues that morning had said that recent changes in Salisbury, such as the April elections, were unimportant and could be ignored. They had made it plain that they saw Bishop Muzorewa as Mr. Smith's puppet. She accepted that there were aspects of the constitution such as the blocking mechanism in favour of the whites which were defective, as she had said in her statement to the Conference that morning. But there was no gain-saying that there had been an election based on one man, one vote, which had enabled the people of Rhodesia to choose their own Prime Minister who had a black majority in his Cabinet, and to elect a Parliament with a majority of black members. This was something on which we could and must build. If we did not, the opportunity would slip by and might be lost forever: this was something which we simply could not afford to let happen. She had been encouraged by the similarities between her speech and that of President Nyerere that morning. But she had been discouraged by the later speakers. She hoped that they were doing no more than letting off steam. During the recent debate in the House of Commons she had declined to put forward detailed proposals for a solution of the Rhodesia problem, taking the line that there were further consultations to be undertaken at the CHGM and that it would be wrong to pre-empt these. She had said much the same thing that morning, though she had gone a little further. None the less, a number of Heads of Government had pressed her to go into details. But it was impossible for her to put

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forward proposals of this kind in Lusaka when she had not yet consulted the British Cabinet. What she now had to do was to return to London at the end of the Conference, to review all the consultations which had been held in recent weeks and then to formulate proposals which, when she had the approval of her Cabinet, could be put to all the parties. As she had said that morning, the British Government would move very quickly. Perhaps the most important reason for speed was the weekly toll of killings in Rhodesia about which she felt both bitterly and deeply. Although the present British Government had been in power for only three months, they had already moved rapidly and resolutely on Rhodesia. She had set out in her speech that morning what the British Government saw as wrong in the present situation in Rhodesia, and they were determined to put it right. This seemed to her to be a reasonable approach, although she recognised that politics were not based on reason. Although the constitutional responsibility remained Britain's, the British Government wanted help.

Sir Seretse Khama agreed that the position of the British Government was a reasonable one. He felt that this was an occasion for talking openly. All that the various parties to the Rhodesia problem were seeking was power for themselves. When they talked of democratic constitutions they were speaking a different language from Britain and Botswana. Botswana believed in free elections and thought that such elections should be held in Rhodesia. They did not agree with the recent OAU resolution describing the Patriotic Front as the sole legitimate representatives of the people of Rhodesia, and he believed that the resolution should be ignored. Similarly, he did not believe that the United Nations had much to offer. He felt the way ahead should rest on what the Commonwealth had to say about the issue. What was needed was a Commonwealth resolution on Rhodesia which put the emphasis on human rights and democracy. As for that morning's discussion, he thought that the Prime Minister's statement had been well received, as had President Nyerere's.

The Prime Minister said that there were marked similarities between what she and President Nyerere had said, and she and he knew each other's mind well.

Mr. Mogwe said that the Prime Minister's statement had had both positive and negative aspects. One of the latter was the argument that Bishop Muzorewa was not Mr. Smith. More importantly, there was uncertainty about British intentions with regard to the constitution. Although the constitution had been described as defective, it was not clear whether Britain was thinking of simply amending the existing one, which was the constitution that had brought Bishop Muzorewa to power, or of coming forward with a totally new one. If it was proposed to proceed by amending the present constitution, this would lead to trouble. Botswana had not found it necessary to provide for minorities in her constitution. Her minorities were part and parcel of Botswana society. None the less, it was clear from the morning's discussion that many of the participants at the CHGM were ready to accept that the Rhodesian constitution should make provision for minorities but that what was not acceptable was entrenchment. In approaching the problem of the constitution, Britain should remember that many members of the Commonwealth were also members of the OAU. He was sure that it was not the Prime Minister's intention to rock the Commonwealth boat unnecessarily.

The Prime Minister said that there was bound to be considerable similarity between any constitution proposed by Britain and the existing Rhodesian constitution. Most constitutions enshrined certain general principles, though there were often differences of detail to take account of the particular circumstances of the countries concerned. The present Rhodesian constitution contained some clauses taken from the 1961 constitution, some based on the Anglo-American proposals and some which reflected the constitutional position in the United Kingdom. The question was whether it really mattered if, in appropriate cases, clauses from the existing constitution were precisely carried over into any new constitution put forward by Britain or whether it was essential to use different language. The reality surely was that what counted was what the constitution actually said. It would not be a constitution for those seeking power. Rather, it would be a reasonable and democratic constitution intended to enable the people of Rhodesia to choose their own leaders. She doubted whether it would ever be possible to produce a

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constitution which satisfied every member of the Commonwealth. But it was of paramount importance to devise a constitution which would be acceptable to the British Parliament.

Sir Seretse Khama said that it was essential that Britain devised a constitution and remained in charge of the exercise. It would be a big mistake if the British Government allowed Muzorewa to take over the production of the new constitution.

The Foreign and Commonwealth Secretary said that there would be absolutely no doubt that what would be put forward would be Britain's proposals for the constitution. We would have to be able to assure the British Parliament that the proposals were just and reasonable and were comparable to the terms of earlier independence constitutions which we had given to other countries. It would then be for the parties to the Rhodesia problem to accept or reject what we offered. The difficulty was that while Sir Seretse Khama was talking rightly about democracy, many of the players in the cast were not interested in democracy.

The Prime Minister re-emphasised that there was no question of the constitution being anything other than a British proposal and that it would have to be one which could be got through the British Parliament.

Mr. Mogwe repeated that Britain could not just take the "Smith-Muzorewa constitution" and amend it. Everybody was expecting the United Kingdom to come forward with what would seem to be a new constitution of its own for Rhodesia, even if much of the language in it was the same as that of the existing constitution.

The Foreign and Commonwealth Secretary said that this was precisely what we were going to do, but there was no escaping the fact that some of our language would be the same as the present language, if only because Britain had prepared the 1961 constitution, some of which had been carried over into the present constitution.

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In reply to a further question by Mr. Mogwe about what had been meant by the remark that Bishop Muzorewa was not Mr. Smith, the Prime Minister said that Bishop Muzorewa was the Prime Minister of Rhodesia, enjoying a black majority in his Cabinet and a black majority in Parliament. He was running the daily business of the Government. He was the head of the security forces. There was nothing in the constitution that made it necessary for him to defer to Mr. Smith or made it inevitable that he would be a weak Prime Minister. If the reality was otherwise, this was not the fault of the constitution. But it was true that his power was fettered in two respects. First, he could not change the constitution without the support of at least six white members of the Rhodesian Parliament. In her own view she would not have thought it difficult for the Bishop to win that support, if he wished. But she recognised that others took a different view, and she accepted that these provisions in the present constitution would have to be changed. Second, there was the problem of the Public Service Commissions. It was, of course, quite normal to have commissions of this kind to restrict the powers of the executive in making certain senior appointments. But it was ridiculous that Bishop Muzorewa could not decide who should be the secretary of his own Cabinet. Changes would plainly be needed in this area as well. There was, of course, a lot of pressure on Bishop Muzorewa to show that he was bringing about substantial change in Rhodesian society, but this was difficult for him. The fact was that much of the racially discriminatory legislation which had caused so much offence in the past in Rhodesia had been abolished before the Bishop came to power, and there was now very little more that he could do in this field.

Sir Seretse Khama said that, legalistically speaking, Bishop Muzorewa was not the Prime Minister, since he had come to power under an arrangement which had not been approved by the United Kingdom as the constitutional authority.

Mr. Mogwe said that since the British Government had not given its approval for the April elections he did not see how Bishop Muzorewa could be different from Mr. Smith. So long as Africa did not accept the present arrangements in Rhodesia, the war would go on. This was not

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what Botswana wanted: she wanted to see an end to the problem. But Botswana's great fear was that at the forthcoming Conference of the Non-Aligned at Havana, just as at the recent OAU Conference, the Patriotic Front would be confirmed as the sole legitimate representatives of the Rhodesian people, and this could only encourage and strengthen them. This was why it was important for Britain to do something now, but nobody knew what the United Kingdom's proposals were.

The Foreign and Commonwealth Secretary said that there was a contradiction in the line which many countries were taking. They all said that it was the United Kingdom alone who had constitutional responsibility for Rhodesia; and Britain accepted that responsibility. Indeed, the Prime Minister had gone further in her statement that morning when she had said that we not only accepted our responsibility, but that we would try to achieve a constitution which was comparable with earlier independence constitutions granted by the United Kingdom and which got rid of the two difficulties in the existing Rhodesian constitution. But if attempts were made to tie Britain down and to force her to go beyond what the Prime Minister had said - which was what the Nigerians were attempting to do - it would put us in an impossible position and would be bound to lead to the failure of the present attempts to find a solution. The British Government was on a tightrope over Rhodesia. We had to think not only of the African parties - both inside and outside Rhodesia - to the problem, but we also had to have in mind public opinion in the United Kingdom, which was very largely behind Bishop Muzorewa. If Britain did anything which appeared in Salisbury to be a sell-out to the Patriotic Front, there would be no question of getting the whites to agree to change the constitution. Britain was surrounded by different pressures, and we needed all the help we could get if we were not to fall off the tightrope.

Sir Seretse Khama said that he understood the metaphor of the tightrope. There had undoubtedly been a disposition in Salisbury when the Conservative Government had been elected ^{to believe} that everything would be rosy. In the event the actions of the British Government had made the Salisbury regime change its view. At the same time the Prime Minister's various speeches and statements had made the Patriot Front realise that the United Kingdom was prepared to talk. His fear was that the British Government would

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recognise Bishop Muzorewa while the OAU recognised only the Patriotic Front. This was why he argued for a Commonwealth position which avoided both of these extremes. He wanted to keep Britain on the tightrope. He was sure that there was no intention on the part of African people to push the United Kingdom into doing anything which the United Kingdom did not think was right. But it was not only Britain which faced a problem. Some of the Front Line Presidents had come to realise that they had made a mistake by encouraging the leaders of the Patriotic Front to think that they were going to be the "top dogs" and they were trying to undo their error. It was, however, a difficult process.

Mr. Mogwe said that similarly Britain should not give precedence to Bishop Muzorewa, whatever view they took of him privately. It was vital that Britain convened an all-party meeting. If Bishop Muzorewa was allowed to convene it, it would be impossible to bring all of the parties along. The Prime Minister said that President Nyerere in his speech that day had gone a long way to put distance between the Front Line Presidents and the Patriotic Front in the way Sir Seretse Khama had described. He clearly wanted Britain, and nobody else, to put the new system in Rhodesia into place. There was no question of a process in which Bishop Muzorewa was in the lead. Britain would chair an all-party Conference involving both the Patriotic Front and the internal parties. Bishop Muzorewa would be neither in front of nor behind the other participants. She was very grateful to Sir Seretse Khama for what had been a most helpful meeting.

JWS.

4 August 1979