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CABINET

DEFENCE AND OVERSEA POLICY COMMITTEE

RHODESIA
-----Memorandum by the Secretary of State
for Foreign and Commonwealth Affairs

RHODESIA

1. Our objective is to bring Rhodesia to legal independence by the Autumn with the widest possible international acceptance.
2. Lord Harlech's consultations showed that a solution stemming purely from the Internal Settlement would not attract the support even of Presidents Banda and Seretse Khama (I am arranging for his report to be circulated to the Committee). If we proceed simply to legalise the status quo, we are unlikely to be able to carry other Western countries - including the French, Germans and Americans - with us. This would be liable to lead to an intensification of the war, with increased Soviet and Cuban involvement.
3. Opposition to Bishop Muzorewa's Government focusses chiefly

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on defects in the Constitution. There is a general demand that HMG should make their own proposals for a solution, and that the eventual independence constitution should be seen to stem from us.

4. As the constitutionally responsible authority, we cannot in any event disclaim responsibility for the constitutional arrangements under which Rhodesia is brought to legal independence.

5. We could hope to arrive at a settlement which would command a wider measure of international acceptance (though not that of the more radical African states) by :

- (a) persuading Bishop Muzorewa's government to accept changes to the Constitution;
- (b) attempting to reach agreement on these changes and, in the likely event of Patriotic Front intransigence, demonstrating that it was the Patriotic Front who were the obstacles to a wider settlement.

6. Our aim would be a public announcement of policy after the Commonwealth conference in August. We would seek to agree this in advance with Muzorewa, through confidential consultation, or at least to persuade him not to dissent from it. Our announcement would be on the following lines.

- (a) the changes that had taken place in Rhodesia marked a major advance, but we recognised that there were controversial aspects to the Constitution;

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- (b) our objective was to reach a settlement which would be consistent with the Six Principles, and which could provide for the participation of all Rhodesians;
- (c) we had now consulted widely in the Commonwealth and Africa and were able to make our own firm proposals for a settlement;
- (d) as the responsible authority, we believed that the independence constitution for Rhodesia should be on the following lines. There would follow a broad outline of the main elements, which would be based on the present constitution, but would envisage a reduction in the number of white seats and of their power to block constitutional amendments without some African support, and provide for changes in the defence and public service commissions to allow for Africanisation. The kind of changes we would have in mind are set out at Annex A;
- (e) we were convening a conference in the first week of September to seek agreement on a constitution on these lines;
- (f) when agreement had been reached we would go on to discuss how to assure ourselves that these proposals were acceptable to the people of Rhodesia as a whole, and how the first elections under the independence constitution should be conducted;
- (g) after the conference, it would be for the British Parliament to approve the independence constitution and to grant independence on that basis;
- (h) we would call for an immediate cease-fire.

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7. The Patriotic Front might not come to such a conference, except on conditions which we would be able to describe as unreasonable. Alternatively, if they did come, it is likely that the conference would break up on Patriotic Front intransigence. We would then plan to go ahead with our constitutional proposals on the basis of acceptance by the internal parties.

8. If this is accepted as a basis for our policy and for progress towards granting legal independence to Rhodesia, a programme of preliminary steps has to be worked out :

- (a) a public statement, for which Lord Harlech's consultations have shown a need, to create confidence in our intentions. In my speech in the House of Lords' debate on Rhodesia on 10 July, I would propose to say that our consultations were continuing, and that when we had completed them we would be making firm proposals to achieve our objective of bringing Rhodesia to legal independence with wide international acceptance. Although we shall come under some political pressure at home, I hope that this statement and other elements in my programme will carry us through to the organisation of African Unity Summit Meeting from 16 - 19 July and the Commonwealth Heads of Government Meeting (CHGM) from 1 - 8 August;
- (b) further discussions with Bishop Muzorewa to begin to secure his acquiescence in the eventual policy statement;
- (c) at the CHGM to tell the Heads of Government something of what is in our minds - the purpose being to secure their
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acquiescence in our general approach, while not exposing our policy in such detail that they would have a chance to try to impose conditions or constraints.

A time-table is attached at Annex B

9. To secure international acceptance of the implementation of our constitutional proposals, we should be prepared to demonstrate the acceptability to the people of Rhodesia of what had been agreed, if possible in a manner designed to secure bipartisan support in Britain. We should also ensure that Mr Smith honours his promise to leave the government. We should then grant legal independence to Rhodesia, lift sanctions and call upon other countries to follow suit.

10. There will still be repercussions in Africa and in the Commonwealth. There have already been strong reactions in Nigeria and elsewhere. But this course of action will give us the best basis to contain these; and a firm basis also on which to deal with other Commonwealth governments at Lusaka.

Foreign and Commonwealth Office

2 July 1979

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ANNEX A

CONTROVERSIAL FEATURES OF THE RHODESIAN CONSTITUTION

1. Changes should be made to the Rhodesian constitution in the following main areas :

- (a) the extent of white representation in Parliament and the power of the white representatives to block legislation acting on their own; and
- (b) the membership and terms of reference of the defence and public service commissions, which at present inhibit even gradual africanisation.

Our objective would be to achieve changes which would not go so far as to undermine the confidence of the white community, but which would go far enough to render the independence constitution defensible to international and democratic opinion and more comparable to those we have agreed in granting independence to certain other African countries.

WHITE REPRESENTATION IN PARLIAMENT

2. Special representation of white and other minorities in Parliament - at least for a limited period after independence - is acceptable in principle to much African opinion: and there are precedents elsewhere in the Commonwealth. Thus in Tanganyika out of the 71 seats in the existing National Assembly which was continued in office at independence 10 were reserved

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for Europeans on a "reserved roll". Thereafter, there was provision for up to five additional nominated members. In Kenya there was no express reservation of seats for racial minorities, but 12 out of 117 seats in the Lower House were specially elected by the Constituency members sitting as an electoral college. This was designed to achieve, and did achieve, the election of Europeans. There was no comparable provision in Nigeria, which had no permanent non-indigenous population of any size: minority interests (essentially tribal and regional) were supposed to be protected by the Federal Structure of the Constitution.

3. Under the present Rhodesia constitution, the whites have the power, acting on their own, to block a wide range of constitutional and a very wide variety of bills, not restricted to those involving constitutional amendment, require a positive vote of 78 members before they can become law. This situation is without parallel elsewhere.

4. Criticism of it could be met in several ways, alone or in combination, eg :

- (a) the majority required to pass the bills in question could be altered so that the Europeans no longer had a blocking power by themselves ;
- (b) the number of white seats could be reduced. (But to curtail the blocking power this would need to be accompanied by a reduction in the required majority,

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- as at (a), or by an increase in the black seats, at at (c);
- (c) the number of black seats could be increased to give them the required majority; or
- (d) the range of bills required to be passed by the required majority could be restricted.

5. We suggest that we might aim for 15 white seats in a Lower House of 100, with 75 votes to be required for major constitutional measures.

POWERS OVER THE PUBLIC SERVICES AND DEFENCE FORCES

6. Under the present arrangements there are independence commissions and similar boards controlling appointments to, and removals from the Public Service, the Police Force, and Defence Forces and the Judiciary. These provisions are not objectionable in themselves, but the qualifications for membership of the commissions and boards are such that almost all members in each case will for many years be Europeans. This, coupled with the terms of reference of the Commissions, will inhibit even gradual africanisation of the senior ranks of the Defence and Public Services and of the Judiciary. There is a need for simple amendments to attenuate the European dominance of the various commissions, to open up the way for progressive africanisation and to give the Prime Minister a greater voice in the selection and retention of his senior officials and service commanders.

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7. Changes in other areas are less essential. In addition, however, the present constitution makes a coalition government obligatory for the lift of the first Parliament and entitles every group with more than five MPs to automatic representation in the Cabinet. The Prime Minister has to accept the parties' nominees for the Cabinet seats : He has no power to dismiss a Minister. Bishop Muzorewa is already finding these requirements irksome and in practice almost unworkable. There may well be a need for changes in the constitutional requirements in this area, without prejudice to the political desirability of a coalition government on more normal terms.

8. There are other areas of the constitution where improvements though not essential, may be desirable - eg to make it easier to acquire land (with adequate compensation for existing owners) for settlement by Africans.

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ANNEX B

TIMETABLE

- 10 July - Lord Carrington's Speech in the House of Lords
- 13 July - The Prime Minister and Lord Carrington hold discussions with Bishop Muzorewa in London
- 1-8 August - Commonwealth Conference in Lusaka
- 15 August - Policy statement by HMG. We announce our intention to hold a constitutional conference, with a statement of the principles on which the Independence Constitution would be based
- 3-7 September - Constitutional Conference at Lancaster House. We table more specific proposals, the general lines of which should be agreed in advance with Muzorewa
- October - There is a demonstration within Rhodesia (by an election, a referendum or other test) of the acceptability of the Independence Constitution
- 5-15 November - Rhodesia Independence Bill passed by Parliament.

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