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LUSAKA: PERSONAL FOR HIGH COMMISSIONER AND SHIPSTER

MANDELA

## SUMMARY

1. MANDELA WANTS A NEGOTIATED OUTCOME. HE BELIEVES THAT, WITH DE KLERK, HE CAN GET IT. HE UNDER-ESTIMATES THE CONTINUING STRENGTH OF WHITE RESISTANCE, THE POLITICAL DIFFICULTIES DE KLERK IS GOING TO FACE AS HE GOES FURTHER DOWN THIS ROAD AND THE EXTENT OF THE COMPROMISES THAT ARE GOING TO BE NECESSARY TO PERSUADE THE WHITES TO RELINQUISH POWER VOLUNTARILY. THE MEETINGS IN LONDON ARE NOT GOING TO OVERCOME DIFFERENCES WITH THE ANC ON SANCTIONS. IF MANDELA WANTS TO HELP DE KLERK VIS A VIS THE RIGHT WING, THE MOST EFFECTIVE WAY OF DOING SO WILL BE TO STOP TALKING ABOUT THE ARMED STRUGGLE. IT ALREADY HAS BEEN SUSPENDED DE FACTO. MANDELA SHOULD BE WARNED AGAINST NAILING HIS COLOURS TO THE DEMAND FOR A CONSTITUENT ASSEMBLY BEFORE THE MAIN ELEMENTS OF A NEW CONSTITUTION ARE AGREED. THAT WILL NOT BE ATTAINABLE. MANDELA SAYS THAT HE ACCEPTS THAT, WHATEVER OUR DIFFERENCES OVER METHODS, WE ARE EQUALLY COMMITTED TO AN END TO APARTHEID AND A FULLY DEMOCRATIC NON-RACIAL CONSTITUTION. WE SHOULD AIM TO CONSOLIDATE THAT UNDERSTANDING WITH HIM.

## DETAIL

2. MANDELA ATTACHES A LOT OF IMPORTANCE TO HIS MEETING WITH THE PRIME MINISTER. HE IS ANXIOUS TO TRY TO ESTABLISH SOME KIND OF PERSONAL RAPPORT (WHICH SHOULD NOT BE DIFFICULT, GIVEN THE CHARACTER OF THE MAN) AND TO ACHIEVE A DEGREE OF SUPPORT AND UNDERSTANDING, NOTWITHSTANDING THE POLITICAL DIFFERENCES. HE REFERS CONSTANTLY TO THE PRIME MINISTER'S MEETINGS WITH GORBACHEV AND CLEARLY HOPES TO FIND HIMSELF BEING CAST, ON MORE DIRECT ACQUAINTANCE, AS ALSO THE KIND OF PERSON WE CAN DO BUSINESS WITH. A SHORT TETE A TETE CONVERSATION AT THE BEGINNING MIGHT BE A GOOD IDEA. BUT IT WOULD BE A MISTAKE TO EXCLUDE MBEKI FOR TOO LONG AS HE IS THE CROWN PRINCE AND THE OTHER MOST IMPORTANT ANC LEADER AND HE ALSO IS COMMITTED TO NEGOTIATIONS. MANDELA WILL VERY MUCH WANT TO HAVE THE CHANCE TO TELL HIS SIDE OF THE STORY.

3. IT WILL BE WORTH RECALLING WHAT WE HAVE TRIED TO ACHIEVE IN OUR EXCHANGES WITH DE KLERK - MANDELA'S OWN UNCONDITIONAL RELEASE AND THAT OF SISULU AND OTHERS, THE UNBANNING OF THE ANC AND PAC, NAMIBIAN INDEPENDENCE, AN END TO CROSS-BORDER RAIDS, THE REPEAL OF THE SEPARATE AMENITIES ACT AND, NEXT, OF THE GROUP AREAS AND LAND ACTS, THE LIFTING OF THE STATE OF EMERGENCY ETC. THE WHOLE PURPOSE HAS BEEN TO HELP CREATE THE CONDITIONS, FOR THE FIRST TIME IN SOUTH AFRICA'S HISTORY, FOR NEGOTIATIONS TO ACHIEVE A GENUINELY DEMOCRATIC CONSTITUTION.

4. THE NEXT KEY ISSUES ARE AGREEMENT ON THE RETURN OF THE ANC EXILES AND THE RELEASE OF POLITICAL PRISONERS. THE ANC AND THE SOUTH AFRICAN GOVERNMENT REACHED AGREEMENT IN THE JOINT WORKING GROUP ON THE DEFINITION OF POLITICALLY MOTIVATED CRIMES AND THE RELEASE OF PRISONERS. THERE WERE, SUBSEQUENTLY, SUGGESTIONS FROM SOME ANC SPOKESMEN THAT THERE MIGHT STILL BE DIFFICULTIES. WE WERE GLAD TO SEE MANDELA'S STATEMENTS IN THE UNITED STATES THAT HE BELIEVES THAT THIS ISSUE CAN BE RESOLVED ON THE BASIS OF THE WORKING GROUP'S REPORT. WE WANT TO SEE MOVEMENT AS SOON AS POSSIBLE TO NEGOTIATIONS ON A NEW CONSTITUTION.

5. THE PRIME MINISTER WILL WANT TO EXPLORE WITH MANDELA HOW HE BELIEVES HE CAN REACH AGREEMENT WITH DE KLERK. WE AGREE THAT THE NEW CONSTITUTION MUST BE BASED ON ONE PERSON ONE VOTE, MUST BE APPROVED BY THE MAJORITY OF ALL SOUTH AFRICANS AND MUST MAKE PROVISION FOR GOVERNMENT BY THE MAJORITY. MANDELA HAS SPOKEN OF THE NEED ALSO TO WORK OUT "STRUCTURAL GUARANTEES" TO RE-ASSURE THE WHITE MINORITY. THAT IS GOING TO BE NECESSARY TO GIVE THE MINORITY WHO ARE IN POWER NOW THE INCENTIVE TO AGREE TO A PEACEFUL TRANSITION. IT ALSO IS DESIRABLE ON WIDER GROUNDS, IN TERMS OF GENUINE POLITICAL FREEDOM, PROVIDED MINORITY RIGHTS ARE SAFEGUARDED IN WAYS WHICH MODERATE AND DO NOT SIMPLY FRUSTRATE MAJORITY GOVERNMENT. THE FORM SUCH PROTECTION WILL TAKE WILL HAVE TO BE NEGOTIATED BETWEEN THE GOVERNMENT AND THE BLACK POLITICAL LEADERS. A BILL OF RIGHTS WILL BE AN ESSENTIAL ELEMENT IN THIS: SO WILL A GENUINELY INDEPENDENT JUDICIARY AND FREEDOM OF THE PRESS. THESE ARE ALL POINTS ON WHICH THE ANC AGREE AND EFFORTS COULD AND SHOULD BE MADE TO REACH AGREEMENT ON CONSTITUTIONAL PRINCIPLES EVEN BEFORE FORMAL NEGOTIATIONS BEGIN. THERE ARE ASPECTS OF THE US CONSTITUTION THAT COULD BE RELEVANT, INCLUDING THE SEPARATION OF POWERS AND BI-CAMERAL LEGISLATURE. THE IDEA OF DIVIDING THE OFFICES OF PRESIDENT AND PRIME MINISTER ALSO COULD BE HELPFUL. WE WILL NOT SUPPORT ANY BIASED SYSTEM BUT THERE ARE OTHER CONSTITUTIONS (EG IN BELGIUM, SWITZERLAND, INDIA AND NEW ZEALAND) WHICH MAKE PROVISION FOR MINORITY RIGHTS. ATTITUDES ARE GOING TO BE AFFECTED BY



THE EXPERIENCE IN THE REST OF AFRICA WHERE, IN MANY CASES, CONSTITUTIONS WHICH EMBODY ALL THESE PRINCIPLES HAVE SIMPLY BEEN SET ASIDE - AS WELL AS BY THE BLACK MAJORITY'S EXPERIENCE OF DECADES OF HAVING THEIR RIGHTS AND INTERESTS TRAMPLED UNDERFOOT. BUT MANDELA SHOULD BE ASSURED THAT WE WILL NOT SUPPORT ANY OUTCOME THAT DOES NOT GENUINELY PROVIDE FOR GOVERNMENT BY THE MAJORITY.

6. ON THE DEMAND FOR A CONSTITUENT ASSEMBLY, THE ANC'S ARGUMENT IS THAT THEY NEED TO LEGITIMISE THE PROCESS AND SHOW WHO HAS REAL POPULAR SUPPORT. OBVIOUSLY, HOWEVER, THE GOVERNMENT ARE NOT GOING TO AGREE TO A CONSTITUENT ASSEMBLY BEFORE NEGOTIATIONS TAKE PLACE. THE ANC HAVE REJECTED ELECTIONS IN WHICH BLACK SOUTH AFRICANS ONLY WOULD VOTE TO DECIDE WHO SHOULD REPRESENT THEM. THE GOVERNMENT WILL NOT AGREE TO A NEW ROUND OF VOTING BY THE WHITE COMMUNITY UNTIL DE KLERK HAS SOME BASIS ON WHICH HE CAN GO BACK TO HIS OWN CONSTITUENCY. THE ONLY WAY THROUGH IS TO REACH AGREEMENT ON THE MAIN ELEMENTS OF THE CONSTITUTION AT LEAST BEFORE A GENERAL REFERENDUM IS HELD AND A NEW LEGISLATURE ELECTED (AT LANCASTER HOUSE AGREEMENT WAS REACHED FIRST ON THE CONSTITUTION BEFORE ONE PERSON ONE VOTE ELECTIONS WERE HELD: IN NAMIBIA AGREEMENT WAS REACHED FIRST ON CONSTITUTIONAL PRINCIPLES).

7. ON THE "ARMED STRUGGLE", THE PRIME MINISTER MAY WISH TO REFER TO MANDELA'S STATEMENT TO HER THAT HE WAS READY TO REACH AGREEMENT WITH DE KLERK ON THIS. TO A LARGE EXTENT IT ALREADY HAS BEEN SUSPENDED DE FACTO. THE ANC DELEGATION AGREED WITH DE KLERK ON 4 MAY THE GROOTE SCHUUR MINUTE IN WHICH THEY STATED: "THE GOVERNMENT AND THE ANC AGREE ON A COMMON COMMITMENT TOWARDS THE RESOLUTION OF THE EXISTING CLIMATE OF VIOLENCE AND INTIMIDATION FROM WHATEVER QUARTER AS WELL AS A COMMITMENT TO STABILITY AND TO A PEACEFUL PROCESS OF NEGOTIATIONS" AS THE OBSTACLES TO NEGOTIATIONS ARE REMOVED, THE ANC LEADERS MUST STOP TALKING ABOUT CONTINUANCE OF THE ARMED STRUGGLE.

8. DE KLERK, HAVING TRIED TO UNDO A GREAT MANY OF THE MISTAKES OF THE PAST, DOES NOT HAVE A GREAT DEAL TO SHOW FOR HIS EFFORTS. THE RESPONSE FROM THE INTERNATIONAL COMMUNITY HAS BEEN WEAK. SINCE DE KLERK HAS ABANDONED TRADITIONAL NATIONAL PARTY POLICIES THE GOVERNMENT HAS BEEN LOSING SUPPORT TO THE RIGHT WING. WE TAKE THE RIGHT WING THREAT SERIOUSLY AND BELIEVE THAT DE KLERK DESERVES AND NEEDS HELP IN DEALING WITH IT. MANDELA WILL SAY THAT HE HAS CALLED ON WHITE SOUTH AFRICANS TO SUPPORT DE KLERK AND IS TRYING TO TALK TO THE RIGHT WING. BUT SO LONG AS HE CONTINUES TO TALK ABOUT "ORGANISED VIOLENCE" THAT WILL NOT HELP IN THE LEAST. WHEN THE ANC LEADERS STOP TALKING ABOUT THE ARMED STRUGGLE OR ANNOUNCE ITS SUSPENSION WHILE NEGOTIATIONS TAKE PLACE, THAT WILL BE THE MOST EFFECTIVE SINGLE

STEP IN HELPING TO CONTAIN THE RIGHT WING.

9. ON NATAL, MANDELA BLAMES THE VIOLENCE ON THE SOUTH AFRICAN GOVERNMENT, INKATHA AND THE KWAZULU POLICE. THERE HAS BEEN VIOLENCE BY INKATHA AND KWAZULU POLICE. THERE HAS BEEN VIOLENCE ALSO FROM THE ANC 'COMRADES' AND IT IS ABSURD TO SUGGEST THAT DE KLERK WANTS THE VIOLENCE TO CONTINUE. WE DO NOT SEE HOW CONDITIONS OF GREATER PEACE WILL BE ACHIEVED WITHOUT A CONCERTED EFFORT BY THE POLITICAL LEADERS ON BOTH SIDES: AND WE ARE TAKING THIS UP ALSO WITH BUTHELEZI. HE REFUSED TO NEGOTIATE UNTIL MANDELA WAS RELEASED AND THE ANC WERE UNBANNED AND HE TOO WILL HAVE A ROLE IN NEGOTIATIONS.

10. ON NATIONALISATION, WE UNDERSTAND THE ANC'S CONCERN WITH THE DISTRIBUTION OF WEALTH AND MECHANISMS WILL INDEED HAVE TO BE FOUND TO HELP BLACK SOUTH AFRICANS GAIN MUCH GREATER ACCESS TO AGRICULTURAL LAND AND ECONOMIC OPPORTUNITIES GENERALLY. NEARLY ALL THE PUBLIC UTILITIES IN SOUTH AFRICA ALREADY ARE IN PUBLIC OWNERSHIP (WATER, ELECTRICITY, GAS, AIR AND RAIL TRANSPORT, POSTS AND TELECOMMUNICATIONS AND THROUGH SASOL A LARGE PART OF THE OIL BUSINESS: THE STATE ALSO HAS LARGE HOLDINGS THROUGH THE INDUSTRIAL DEVELOPMENT CORPORATION IN MANY OTHER COMPANIES). THE IDEA THAT NATIONALISING THE BANKS, MINES AND 'MONOPOLY INDUSTRY' CAN HELP TO RE-DISTRIBUTE WEALTH HAS PROVED A SHORT CUT TO DISASTER WHEREVER IT HAS BEEN TRIED.

11. ON INVESTMENT THE PRIME MINISTER MAY WISH TO POINT OUT THAT WE SAY WHAT WE ARE DOING WHILE OTHERS LET THEIR COMPANIES DO AS THEY WISH WHILE STILL PRETENDING THAT THEY ARE 'DISCOURAGING' INVESTMENT (MERCEDES AND BMW ARE EXPANDING THEIR OPERATIONS AND TOTAL HAS JUST STARTED UP A NEW RAND 500 MILLION VENTURE WITH JCI IN COAL-MINING WHILE THE FRENCH STILL PURPORT TO BE OPERATING A BAN ON SOUTH AFRICAN COAL). MANDELA MUST BE AWARE OF THE ECONOMIC CRISIS IN MUCH OF THE REST OF AFRICA, WHICH GENERAL OBASANJO HAS DESCRIBED AS A CONTINENT IN DECLINE. THIS CANNOT BE BLAMED, THIRTY YEARS LATER, ON THE FORMER COLONIAL POWERS (AS MANDELA TRIED TO DO IN A RECENT INTERVIEW).

12. SOUTH AFRICA UNDER A TRULY DEMOCRATIC GOVERNMENT CAN AVOID THAT FATE - PROVIDED A GENUINE MULTI-PARTY SYSTEM IS MAINTAINED AND A FREE ECONOMY IS PERMITTED TO FUNCTION WHILE THE DISTRIBUTION OF WEALTH IS ALTERED THROUGH TAXATION AND THE DIRECTION OF GOVERNMENT EXPENDITURE. WITH THE POPULATION INCREASING BY NEARLY ONE MILLION PER ANNUM, THE URBAN POPULATION BY OVER 750,000 PER ANNUM AND THE SCHOOL POPULATION BY 3-4,000 PER ANNUM, THERE ARE A QUARTER OF A MILLION EXTRA PEOPLE SEEKING JOBS EVERY YEAR. THE ANC BELIEVE THAT INVESTMENT CAN BE



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SWITCHED OFF NOW BUT SWITCHED ON LATER. THAT IS NOT OUR EXPERIENCE IN THE REST OF AFRICA. MANDELA WANTS PRESSURE ON THE SOUTH AFRICAN GOVERNMENT MAINTAINED TO GET RID OF ALL REMAINING APARTHEID LEGISLATION AND TO MOVE TO A FULLY DEMOCRATIC CONSTITUTION. OUR PRESSURE HAS NOT BEEN THE LEAST EFFECTIVE AND WE WILL MAINTAIN IT. BUT EXTERNAL SUPPORT IS NEEDED IN HELPING TO TACKLE THE PROBLEMS OF BLACK EDUCATION AND HOUSING. OTHERWISE THE PROBLEMS RISK OVERWHELMING ANY FUTURE GOVERNMENT. THE PRIME MINISTER WILL FIND MANDELA APPRECIATIVE OF OUR EFFORTS IN EDUCATION. MBEKI, HAVING LIVED FOR MANY YEARS IN ZAMBIA, SHOULD BE WELL PLACED TO UNDERSTAND THE IMPORTANCE OF AVOIDING ANOTHER ECONOMIC CATASTROPHE HERE.

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