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Prime Minister.

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Are you content with the tactics described in the Foreign & Commonwealth Secretary's minute?

PM/79/74

PRIME MINISTER

Yes - but (see Annex 1)  
(i) provide for election under "unimpaired" representation only  
And say we "are prepared" to assume that

Rhodesia: Constitutional Conference

- In its discussion on 10 August the Cabinet endorsed the approach set out in my Memorandum of 9 August (C(79)33). *... duty: We are charged with that.*
- Formal invitations to a Constitutional Conference at Lancaster House on 10 September were issued to Bishop Muzorewa and to the Patriotic Front on 14 August. At the same time we put forward the outline of our proposals for the Rhodesian Independence Constitution (Annex A). *... duty: election should be held under British supervision*
- Bishop Muzorewa accepted our invitation "without pre-conditions". We made it clear that the composition of the Salisbury delegation was a matter for him to decide. The Bishop would have preferred to come without Mr Ian Smith, but Mr Smith insisted on attending. His presence offers the advantage that whatever is agreed should be acceptable to the white community - though this is more than offset by the propaganda advantage his involvement will give to the Patriotic Front. Sithole and Ndiweni have also been included: Chikerema has been excluded. The initial Rhodesian reactions in our private consultations with them about constitutional change show that there is some tough bargaining ahead. *(ii) makes no provision for a referendum should that be preferable*
- The Patriotic Front, after some initial prevarication, also agreed to attend. It would have put them in an impossible position vis-a-vis the Commonwealth African Presidents if they had refused to do so. They issued a statement rejecting our constitutional proposals, the idea of special representation for the white minority and our responsibility to ensure that new elections are fairly conducted. In other statements they have insisted on control over the administration and that the army should be based on the "liberation forces."
- This approach is incompatible with the Lusaka agreement. There has been a good response so far from the Commonwealth African governments to our outline constitutional proposals and

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to the speed with which we have acted to give effect to the Lusaka agreement. The Patriotic Front will be nervous of coming under further pressure from the Commonwealth African Presidents.

6. Our task at the Constitutional Conference must be to demonstrate clearly that we are making a determined effort to achieve a fair settlement. The chances that the Patriotic Front will be prepared to accept reasonable constitutional proposals and agree to participate in new elections are slight (though Nkomo is under some pressure from his own supporters to negotiate; Mugabe, who believes that he is gradually winning the guerrilla war, can be expected to stick to his extreme demands). It is more probable that we shall be able to wring sufficient concessions from Bishop Muzorewa to achieve constitutional arrangements comparable to those on which we had granted independence to other Commonwealth African countries and which we would be prepared to put into effect subject to their being demonstrated to be acceptable to the people of Rhodesia.

7. We must not however so proceed as to give rise to accusations that this was our objective from the outset. We should seek to ensure that, if there is a break-down at the Conference, the responsibility for this is clearly seen to rest with the Patriotic Front and their intransigence on the basic issues - their demands in relation to the Constitution and the arrangements for elections. We should proceed in such a way as to put maximum strain on Commonwealth African governments' support for the Patriotic Front; and on the relations between Nkomo and Mugabe.

8. There is widespread support for the line we have so far adopted that we must proceed step by step and that the first task should be to secure agreement on the constitutional proposals we have put forward. We have successfully resisted demands to display more detailed proposals in advance of the Conference, thereby giving the Patriotic Front - or the Front Line States - a chance to evade the main issues, and to seek to pre-negotiate the Constitution.

9. We should persist with this approach. We have made it clear that there are large sections of the existing Constitution which

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are acceptable so far as we are concerned and which we would regard as being comparable to provisions in other independence constitutions. But it would be prejudicial to the chances of agreement and give the Patriotic Front a major propaganda advantage if, from the outset, we put on the table the full text of the existing Rhodesian Constitution, with amendments to it. The Rhodesians will themselves put their constitution on the table.

10. We should allow the Conference to open with our existing proposals (Annex A) and seek to oblige parties to declare their position in relation to them. The Salisbury parties are likely to do so in much more constructive terms than the Patriotic Front. We should then be prepared, if we are asked to put forward proposals to give effect to those principles, to table a fuller outline Constitution on the lines of the draft at Annex B attached. This draft is based on the existing Rhodesian Constitution, but in such a way as to emphasise the elements of that Constitution which may be regarded as common form and to focus attention on the main questions at issue. The tabling of this draft will be seen as a further serious attempt to promote agreement at the Conference. The draft is fully compatible with the existing Rhodesian Constitution, subject only to those areas on which we have already indicated we will insist on amendment. It will be easier for the Commonwealth African Presidents and others to support this approach in the initial stages of the Conference than for them to support an amended version of the full text of the existing Constitution. Mr Vance has assured us that it will have his full support.

11. We should not however allow the Patriotic Front to engage in a protracted filibuster or to evade the main issues. In order to focus attention on these and to make clear our view on what would be acceptable on the central issues we should at the appropriate moment be prepared to make a statement on the question of white representation and the blocking mechanism and the public service commissions on the lines set out at Annex C. The proposal that 20% of the parliamentary seats should be reserved to the white electorate will be criticised in Africa, but is

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indispensable to retain the confidence of the white community. These proposals are likely to be rejected by the Patriotic Front (if they have not already broken off the negotiations on other issues).

12. We shall also be pressed at the beginning of the Conference to make clear how we would proceed to give effect to the commitment in the Lusaka agreement to hold new elections if agreement could be reached. The way in which we should deal with this problem is set out at Annex D. We should take the line that the purpose of the Conference is to reach agreement on the destination - the future independence Constitution. Once this has been achieved discussion should then take place of the means of implementing that agreement.

13. In order to emphasise at each stage that we are genuinely seeking agreement and to maximise the chance of weakening Commonwealth African support for the Patriotic Front, we should be prepared if the Conference appears to be reaching deadlock to urge the Commonwealth African Presidents to intervene with the Patriotic Front to persuade them to moderate their attitude. You will have an opportunity to do this with President Nyerere on 14 September. It may be necessary to arrange an adjournment of the Conference for this purpose. We should in any event seek to avoid bringing matters to a point at which we proceed with Muzorewa alone until the civilian government has been established in Lagos on 1 October.

14. We should in the meantime proceed with our bilateral negotiations with the Salisbury parties to establish the kind of Constitution we could in the end accept. We must continue to make clear, as we have done from the outset to Bishop Muzorewa, that in order to be able to proceed with the internal parties alone, we must be able to demonstrate the acceptability to the people of Rhodesia as a whole of what has been agreed. This means that there will need to be a referendum or new elections on the basis of the independence Constitution and that this test of acceptability must be supervised or at least observed by HMG.

15. I believe that this approach is the best way to build on the success achieved at Lusaka and in particular the recognition

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that it is our responsibility to make the proposals for legal independence. By this approach we should be able to carry the United States government with us and to retain as long as possible the support of the Commonwealth African Presidents (though it remains to be seen if they will be prepared to put effective pressure on the Patriotic Front). If, as is to be expected, the Patriotic Front reject these proposals, we shall then be best placed to proceed with the internal parties with a chance of securing a measure of international support at any rate from our principal friends and allies.

16. We should not however suppose that, if we are left to negotiate with the Salisbury parties alone, all will be plain sailing. Their instinct at that stage will be to hold out for a settlement that will look as nearly as possible identical with their present arrangements. They will not easily comprehend the need to make changes for the sake of gaining international respectability. Specifically, they will wish to proceed by way of minimum amendment to their own constitution - rather than accepting a similar document enacted by the British Parliament; and they will refuse any form of test of acceptability. We shall have to persuade them that to obtain their legal independence, the lifting of sanctions, and recognition by a respectable number of governments, they must accept as a minimum that:

- a) whatever procedures they may go through in their own (illegal) Parliament, their independence constitution must be enacted as a whole by the British Parliament (though many of the provisions will be based on the existing Constitution);
  - b) there must be some form of test of acceptability.
- The prize will be within their reach; but they will have to be persuaded to grasp it.

(CARRINGTON)

Foreign and Commonwealth Office