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RHODESIA IN TRANSITION

INTRODUCTION

On March 3, 1978, the Rhodesian government, represented by Prime Minister Ian Smith, reached an agreement with three nationalist leaders for a transition to constitutional majority rule. This agreement, which has since become known as the Internal Settlement, included Bishop Abel Muzorewa, the Reverend Ndabaningi Sithole, and Chief Jeremiah Chirau, representing respectively the United African National Council, the African National Council, and the Zimbabwe United Peoples Organization (ZUPO). The tribal blocs represented by these leaders, plus the white minority led by Smith, represent together about 80 percent of the population of Rhodesia. The leaders of the Patriotic Front (PF), Robert Mugabe and Joshua Nkomo, did not support the Internal Settlement on the grounds that it perpetuated white minority control. The Internal Settlement did not exclude the guerrillas of the Patriotic Front, but the signatories insisted that they lay down their arms before participating. On July 26, 1978, the Rhodesian government announced that elections would be held on December 4 through the 6th.

Nor did the governments of the United States and Great Britain accept the Internal Settlement, on the grounds that a settlement that did not include the forces of the PF could not work. Furthermore, as State Department spokesman John Trattner stated after the conclusion of the Internal Settlement,

The Salisbury regime is an illegal regime.
Therefore administrative arrangements it
makes of that kind we are talking about

are also illegal. (Quoted in Congressional Record, June 28, 1978, p. S9977)

The policy of the Carter Administration, vigorously defended by Assistant Secretary of State for African Affairs Richard Moose and by U.S. Ambassador to the United Nations Andrew Young, has become the center of controversy. The Administration continues to enforce economic sanctions against Rhodesia and does not recognize its government, but continues at the same time to give economic aid and external recognition to African states that are actively engaged in support of the guerrillas and terrorists operating against the Rhodesian government. At the same time, these states are themselves ruled by one-party, often pro-Marxist regimes and are far less motivated to establish democratic procedures or to protect human rights than the cosigners of the Internal Settlement appear to be, though the Carter Administration continues to assert the importance of human rights to its foreign policy. The apparently contradictory policies of the Administration have stimulated the controversy over Rhodesia, as have other factors. The economic and strategic importance of Rhodesia not only to the U.S., but also to the rest of Africa, the threat of intensified Soviet and Cuban involvement in Rhodesia (as in Angola, Mozambique, and Ethiopia in the recent past), the escalation of terrorist violence since the Internal Settlement, and the hope at last of a peaceful transition to majority rule with a consensus of both blacks and whites: all these have caused the policies of the Administration to come under serious scrutiny from those who seek a peaceful resolution of the Rhodesian crisis. A review of these policies, the prospects of the Internal Settlement itself, and of the alternatives now before Rhodesia and the United States are examined in the following pages.

WHAT IS AT STAKE IN RHODESIA?

The protracted controversy over the future government of Rhodesia derives from a growing awareness in the West of the importance of southern Africa in the future of mankind. Not only questions of human rights and the future of democracy are at stake, but also very material issues relating to international security and vital economic resources. A brief discussion of some of these issues and their relationship to US policies is appropriate.

(1) Human Rights and Democracy: The emergence of nationalist movements and of profound interest in combatting racialist policies underlie much of the concern for the future of Rhodesia in the US. It seems to be primarily the desire to see racial equality and majority rule in Rhodesia that animates the Carter Administration and the policies of British Foreign Secretary David Owen. Comparisons are frequently made between the struggles

for racial equality in Africa and the civil rights movement in the US, and Andrew Young has stated that he has applied lessons he learned in the civil rights movement to his diplomacy in Africa. Others, no less concerned to bring about a reduction of racial injustice and the promotion of democracy, argue that this analogy is not entirely valid: that whereas US blacks have tended to act as a bloc for progress in civil rights, African blacks are more split up into tribal, national, and ideological categories and do not always exhibit concern for civil liberties. To think of African movements as similar in aspirations or composition to American black movements is therefore misleading and potentially dangerous.

(2) International Complications - Africa: The neighbors of Rhodesia have long had an important stake in the outcome of its internal arrangements. The black-ruled states have an interest in seeing a black government come to power there, if only because their own nationalist ideologies and propaganda demand this. The five Front-Line states (Zambia, Angola, Mozambique, Botswana, and Tanzania), however, have more material interests in Rhodesia. The installation of a black government in Salisbury friendly to Zambia or Mozambique (the two principal African supporters of the Patriotic Front) could result in economic or territorial concessions to those states. The prospects of such rewards could lead to Rhodesia being turned into a war zone in which competing states support rival guerrilla factions in a violent scramble for Rhodesian resources. South Africa, on the other hand, as the only other white-ruled nation in southern Africa, has a clear interest in preventing this development and in assuring an orderly transition to majority rule. It is for this reason that Prime Minister Vorster has thus far tacitly supported the March Settlement and has refused to endorse the Anglo-American Plan previously put forward by Mr. Owen and Ambassador Young. Furthermore, the South African right-wing critics of Vorster, who oppose any compromise leading to a share of power with the blacks, can point to the Carter Administration's policy as a justification of their view that the US opposes a moderate settlement. There is thus an extremist element in South Africa that rejects the Internal Settlement and applauds the US policies as much as the black states on Rhodesia's borders. The failure to establish a moderate multi-racial government in Salisbury would discourage South Africa from moving further away from apartheid.

(3) International Complications - The Great Powers: Both the US and the USSR have interests in Rhodesia and in southern Africa in general. As former Secretary of State Henry Kissinger stated recently, the US undertook a role in Rhodesia precisely because of the concern over a great power confrontation. Dr. Kissinger told the Hearst Newspapers that, with the collapse of the Portuguese empire in Africa, "the entire strategic situation

in Southern Africa changed." Rhodesia became vulnerable to guerrilla attacks from neighboring Mozambique. When the US Congress failed to give arms for the pro-western factions in Angola, the Soviet Union found an open field for its own operations and the Cuban troops it sponsored.

Since 1975, the Soviets have increased their aid and relations enormously to a number of African states, most notably to Angola, Mozambique, Ethiopia and to SWAPO in Southwest Africa (Namibia). Cuba now has over 45,000 troops in 13 African countries and East Germans have also been reported to be present. The guerrillas of Nkomo's Zimbabwe African People's Union (ZAPU) and Mugabe's Zimbabwe African National Union (ZANU) are openly trained by Cubans in Zambia and Mozambique and receive Soviet weaponry and assistance. In an interview with Newsweek (March 13, 1978, p. 45), Joshua Nkomo stated that "We have been receiving all necessary help from the socialist countries, the Soviet Union as well as Cuba. It is arms, ammunition and things like that." When asked if there was a danger of war in Rhodesia similar to the "savage war in the Horn of Africa," Nkomo replied, "I am afraid so, yes. Things are taking a very dangerous turn."

It has been the direct aid of the Soviets and Cubans that has enabled the guerrillas to continue and escalate their warfare, but the United States and Great Britain give no aid, economic or military, to Rhodesia and continue to enforce the UN sanctions against trade with Rhodesia. At the same time, the US is actually providing assistance to the front-line states that sponsor the guerrillas and terrorists in Rhodesia.

A dilemma to which the policy of the Carter Administration leads is that, at the same time it is protesting Soviet and Cuban intervention in other parts of Africa, its policy toward Rhodesia is promoting conditions that encourage Soviet and Cuban intervention there also. The Administration is currently insisting on the position that the Patriotic Front must be involved in a settlement, but it is not insisting that the Front lay down its arms, support the Internal Settlement of March 3, or renounce the assistance of the Soviets and Cubans. If the Rhodesian government were to support the Administration position and admit the guerrillas to either a share of power or (as the Front itself demands) total power, it would find itself faced with an armed force supplied and supported by the Soviet Union and its surrogates.

(4) The Economic Resources of Rhodesia: Still another reason why the future of Rhodesia is of vital concern is its large supply of economic and natural resources. These resources can be grouped into three categories: (a) the economic base developed in Rhodesia, (b) the natural resources of Rhodesia, and

(c) the technical and managerial infrastructure of the economy. The following table gives some idea of the economic importance of Rhodesia's natural resources to Africa and the world:

Production of Selected Minerals in Rhodesia
As % of Free World Production - 1973

Copper	1.0%	Source: Walter F. Hahn and Alvin J. Cottrell, <u>Soviet Shadow over Africa</u> (Washington, DC: Center for Advanced International Studies, 1977), p. 36
Gold	1.5	
Chromite	10.0	
Nickel	2.5	
Asbestos	3.0	
Tungsten	1.0	
Antimony	.5	
Corundum	79.0	

It should also be pointed out that Rhodesia has 67.3 percent of the world supply of metallurgical grade chromite, essential to the production of high grade steel. One hundred percent of the chromite in the US, Western Europe, and Japan has been imported.

According to the World Bank, Rhodesia's gross domestic product increased from Rh\$682.9 million in 1965 to Rh\$2680.8 million in 1974. Its exports (principally tobacco, asbestos, copper, clothing, meat, chromite, sugar, pig iron, and coal) increased from Rh\$91.7 million in 1968 to Rh\$328.5 million in 1972. (The present official exchange rate values Rh\$.71 at US\$1).

It is clear that a protracted war (foreign or internal) or rigorously enforced sanctions could rapidly debilitate the Rhodesian economy. Although this would no doubt undermine the white minority, its direct effects would also be felt (and probably far more seriously) by the black majority. As employment fell, production ceased, and the services provided declined, it would be the lower income and less well educated sectors of society that would bear the burden. The whites could relocate (although at great cost) in Britain, Europe, America, or South Africa, but it is doubtful that the blacks could make such a transition as easily or as successfully. The indirect costs of economic regress would also be high, as these could involve political destabilization, inflation, and migration. Ian Smith has publicly stated that the economic threats to Rhodesia are of much greater concern to him than the military threats.

The importance of Rhodesia to the world economy is not limited to the interests of the Western developed nations, however. Because of its superior technical and managerial infrastructure, and because many states in Africa have been unsuccessful in dealing with their own economic development (e.g., Zaire, which owes Western banks \$3 billion), Rhodesia is crucial for the further development of southern Africa.

THE EVOLUTION OF THE INTERNAL SETTLEMENT

The agreement reached in Salisbury on March 3 reflects a 13 year process of conflict and negotiation among the Rhodesian government, the black nationalists, and the external powers of Africa and the West. Although Rhodesia declared its independence on November 11, 1965, the policies of Great Britain, the United States, and the United Nations have persistently refused to accept its white minority government as legitimate. UN sanctions have escalated from a selective ban on economic relations in 1966 to a total embargo in 1968, and an attempted resolution of the Security Council in 1970 to invoke the war-making powers of the UN against Rhodesia. (This resolution was vetoed by the United States, the first time in history it exercised the veto power in the Security Council). The United States has fluctuated in its support for the economic sanctions. President Johnson issued Executive Orders supporting the sanctions and prohibiting US imports of Rhodesian goods and products in 1967 and 1968, but in 1971 these were reversed by the Byrd Amendment to the United Nations Participation Act of 1945, which permitted the importation of Rhodesian chrome into the US. The Byrd Amendment was itself repealed by Congress in 1977, and the sanctions are now being enforced.

These sanctions did not, in the event, seriously retard Rhodesia's economic growth or threaten its political stability. A far more serious threat to it derived from the independence of Portuguese colonies in southern Africa in 1975. In Angola and Mozambique, Marxist one-party regimes came to power with the aid of Soviet and Cuban materials and personnel. The dominance of these factors was a direct threat to Rhodesia. Mozambique shares a border with Rhodesia and controls Rhodesia's closest access to the sea. It was in fact through Portuguese Mozambique that oil shipments had reached Rhodesia despite the UN sanctions.

Faced with these new hostile regimes, which now harbored and aided Rhodesian nationalist and revolutionary forces, the Smith government was obliged to seek compromises with the demands of its opponents within and the Western powers without its borders. Smith himself began talks with black nationalists, represented by Joshua Nkomo, in December, 1975, but in March, 1976, Nkomo withdrew from these negotiations. US Secretary of State Henry Kissinger then sought to bring pressure on Rhodesia to accept a plan for a gradual transition to majority rule. This effort succeeded in forging a plan called the Kissinger-Smith Plan, released on September 24, 1976.

In October, 1976, a Conference at Geneva between British UN Ambassador Ivor Richard, Ian Smith, and four Rhodesian nationalists, convened to work out nationalist acceptance of the transition period of two years. The nationalists (Nkomo, Mugabe, Muzorewa, and Sithole) rejected this concept and insisted on a transition period of twelve months. On this basis the talks at Geneva failed.

New efforts were made by the governments of the US and Great Britain to design a plan acceptable to the nationalists, and another plan was submitted in Salisbury on September 1, 1977, by British Foreign Secretary Owen and Ambassador Young. This, known as the "Anglo-American Plan," also called for a transitional government (of six months) and provided outlines of the proposed constitutional settlement. The reaction to this plan from the nationalists as well as from the white minority was at best subdued. Smith felt that the Anglo-American Plan (AAP) did not adequately protect the white minority. He objected to giving a UN force responsibility for Rhodesian security and to the immense power for the Commissioner. He submitted a memorandum to the British government discussing the plan, but received no reply.

But the death blow to the AAP was actually dealt by Nkomo and Mugabe of the Patriotic Front. Meeting with Lord Carver, the proposed British Resident Commissioner, in Dar es Salaam on October 31, 1977, the two guerrilla leaders insisted that substantial power be handed over to them directly. They rejected the ideas of giving sole authority to the British Commissioner and of allowing security to be in the hands of the Rhodesian police and a UN Security Force. They proposed the postponement of elections for three years, during which time the leaders of the Patriotic Front would try to bring other black leaders into the political structure. Originally intended to consist of two days of talks on reaching a ceasefire, Lord Carver's meeting with Nkomo and Mugabe lasted little more than an hour, and the ceasefire question never arose.¹

The Patriotic Front's demands were unacceptable to either Smith or black moderates who realized that Nkomo and Mugabe knew they lacked popular support among Rhodesian blacks and were therefore opposed to elections. Three weeks after the Dar es Salaam meeting, Smith finally rejected the Anglo-American Plan and promised, on November 24, that he would begin discussions with black leaders within Rhodesia in order to reach an agreement on "majority rule based on adult suffrage," with safeguards for the white minority. Representatives of all parties were invited to participate, but Nkomo and Mugabe refused to attend.²

After several months of discussion and bargaining, the negotiators announced their agreement on March 3, 1978, but despite the consensus which Smith, Muzorewa, Sithole, and Chirau reached, the reaction to the Internal Settlement was not favorable. Despite initial attempts of both the US and Great Britain to induce Mugabe and Nkomo to take part in further discussions, both leaders of the Front refused to do so. They denounced the signatories as traitors and described the Settlement as a perpetuation of apartheid. On March 9, President Carter urged another meeting of all factions to try to settle their differences, and on March 11, Secretary Vance sought

1. The Economist, November 5, 1977, p. 91.

2. Ibid., November 26, 1977, p. 75.

to bring these factions to a conference. Nkomo and Mugabe, who had earlier rejected the Anglo-American Plan, now stated that it was the only plan on which they were willing to hold discussions, and remained firm in their denunciation of the Internal Settlement.³ It is to be noted that the US did not try to persuade Nkomo and Mugabe to join the Internal Settlement. Assistant Secretary of State Moose stated:

They are concerned that we're trying to press them to join the internal settlement. We explained that we're simply trying to get all the parties together to find a formula involving all of them. (Washington Post, March 12, 1978, p. A19)

Bishop Muzorewa made a special trip to the United States to address the United Nations on the Internal Settlement, but was not allowed to speak before it. On March 14, the Security Council adopted a resolution that declared any settlement reached by the "illegal Rhodesian regime" to be itself "illegal and unacceptable" and urged all nations to reject the settlement.

The moderate black leaders in Rhodesia themselves refused an all-party conference. The Reverend Sithole and Bishop Muzorewa felt that such a meeting would be an act of weakness and would undermine confidence in the Internal Settlement. They pointed out that it would make little sense for them to ask the guerrillas of the Patriotic Front to lay down arms at the same time that they would be meeting with the leaders of the guerrillas. Following the refusal, Secretaries Vance and Owen told the signatories that there was no chance for recognition of the Internal Settlement until free elections were held with substantial black turnouts. This statement gave further incentive to the Patriotic Front to resist the Internal Settlement and to escalate the war in order to undermine the electoral process and to prevent black participation in the elections.

To counteract this incentive, and in keeping with the terms of the Internal Settlement, the Rhodesian government on May 2 offered unconditional amnesty to all guerrillas. The government declared:

We stress once again that nobody is barred or excluded from the process. Those outside the country are free to return and play their part under the amnesty, provided only that they come in peace. (Washington Post, May 3, 1978, p. A1)

3. Washington Post, March 12, 1978, p. A19.

Meeting again in Dar es Salaam in April, Secretaries Vance and Owen were unable to promote any compromise on the part of Nkomo and Mugabe. Although the leaders of the PF and the interim government tentatively agreed to further discussion, Nkomo and Mugabe insisted on a dominant role for themselves in a transition under the AAP, and the Rhodesian government refused to renegotiate the Internal Settlement. What did emerge from these talks was the absolutely intransigent position of Nkomo and Mugabe. They insisted that they have a majority in the transitional government, that their guerrillas take over police functions in Rhodesia, and that their forces should share military authority with any UN force.⁴ Interviewed in Newsweek (March 20, 1978, p. 52), Mugabe was asked if he considered himself a Marxist. He replied:

Yes, I do. And this is because we hold that the best way in which you can organize your socio-economic order is by taking the people and their interests into account - the people as a people, and not as individuals. The resources that are in a country do not belong to individuals, to profiteers and to other fortune-seeking individuals.

Asked if he would allow a multi-party system in Rhodesia after coming to power, Mugabe said:

If our people opt for a one-party state, fine, that will be it and I think that will be the order of the day.

In a further interview with a Swedish reporter on April 16, Mugabe said he rejected the AAP's plan for a Commissioner with "absolute power" and that the PF "proposed that it have eight representatives in the ruling council" and that "the Smith regime's forces must be disarmed and our forces take their place."⁵ Ambassador Young later stated that he believed the Patriotic Front, the inclusion of which he was still supporting, was aiming at "personal power."

Meanwhile the guerilla war in Rhodesia escalated. Prior to the March 3 Settlement the war cost an average of 8 lives per day; afterwards, it escalated to 15 per day. The Rhodesian government was spending Rh\$1 million per day on the war, but reported 5 or 6 guerrillas killed for every Rhodesian soldier. By the beginning of April, 1,100 persons had been killed in the war since January 1; 600 of them were guerrillas and 114 were guerrilla collaborators. The security forces had lost 83 men. There had been 24 white civilian casualties. As of July 1, soon

4. The Economist, April 22, 1978, p. 80.

5. Foreign Broadcast Information Service: Sub-Saharan Africa, Daily Report Annex, April 21, 1978, pp. E4 and E5.

after the massacre of 13 missionaries near Umtali by Mugabe's forces, the total number of whites killed throughout the war was 172 and the total number of black civilians killed was over 3,500; and 31 missionaries had been killed.

These statistics, of course, do not reflect the brutality of the guerrilla tactics. As Rhodesian Defense Minister Roger Hawkins has stated, "nice people merely kill by shooting." Reliable reports, including photographic evidence, show that conventional tactics of the guerrillas include beating to death, mutilation of the face and sexual organs, forcible rape, burning alive, and forced cannibalism. Mugabe, however, denies that his forces are responsible for these atrocities, and blames them on the Rhodesian security forces, an accusation which recently had some tentative support from Andrew Young. However, the evidence that anti-government forces are responsible is overwhelming and includes not only ballistic evidence but also the eye witness reports of the survivors in innumerable incidents. Furthermore, it is difficult to see what possible motive the Rhodesian Government would have to murder its own missionaries and supporters. The government has thus far closed down schools for 200,000 black children (15 of 62 primary schools and 12 of its secondary schools), three of its 40 hospitals, six of its 149 missions, and one of its two teacher-training colleges. The closings affect the ability of the government to control the countryside, and the costs involved far outweigh whatever putative advantages the government might gain by the slaughter of its own supporters and missionaries.⁶

ANALYSIS OF THE THREE PLANS

The three plans thus far proposed for majority rule in Rhodesia are complicated and bear close scrutiny. A common feature of all three is that each one provides for a transitional government to usher in the era of majority rule, a plan for the post-transition constitution, and some measure of safeguards, either internal or international, for the protection of the white minority and the security of the constitutional regime. It will be useful to view these plans in terms of these categories.

A. The Kissinger - Smith Plan (KSP) (September 24, 1976)

1. Transition: The KSP proposes a transition period of two years, as opposed to the Anglo-American Plan's (AAP) six months and the Internal Settlement's (IS) nine months (from March 3 to December 31, 1978). The KSP proposes that during these years

6. For the statistics on the war, see the following: To the Point International, July 14, 1978, p. 8ff; Intelligence Digest, April 26, 1978; The Economist, April 1 and July 1, 1978, p. 54 and p. 58; Newsweek, July 3, 1978, p. 43. For a report on the terrorist atrocities with photographic evidence, see Robin Moore, "Tactics of Terrorism," Conservative Digest, May, 1978, p. 16ff.

Rhodesia would be governed by a two-tier apparatus consisting of a Council of State and a Council of Ministers. The former would consist of half black and half white members with a white chairman who would not have a special vote. Its function would be to initiate legislation and to supervise the government and the drafting of the constitution. The Council of Ministers would consist of a majority of blacks and a black first minister and a white minority. The ministers of Law and Defense (who control the police and security forces) would be white. The Council of Ministers would have delegated legislative authority and executive responsibility and would make decisions by a 2/3 majority.

The transition would be facilitated by enabling legislation passed by the Rhodesian and British Parliaments. Once the interim government was established, sanctions would be lifted and all acts of war would cease, including guerrilla war. The Salisbury government's acceptance of the plan was contingent upon these two conditions.

2. Safeguards: The KSP proposed as safeguards an international trust fund established outside Rhodesia and intended to promote economic development and security in the country. This fund would insure that international contributors would have a vested interest in maintaining Rhodesian stability, and the fund would also underwrite pension rights, home and farm investments, and overseas remittances of individual resources.

3. Constitution: The KSP, unlike the AAP and the IS, made no detailed proposals for a constitution other than to state that there would be one and that it would be based on majority rule.

B. The Anglo-American Plan (AAP) (September 1, 1977)

1. Transition: The AAP proposed a much simpler transition than the other two plans. Quite simply, all power was to be vested in a Resident Commissioner appointed by and responsible to the British Government. The Commissioner, in whom "will be vested responsibility for all executive and legislative functions of the Government of Southern Rhodesia," "will himself be the legislature," will be commander in chief of all armed forces and the police forces, and will "exercise supervision and control over all Ministries and departments of government." The Smith Government, as an illegal and rebellious regime, would have no legal existence or standing, though the Resident Commissioner would provide for the continuity of most members of the civil service and judiciary. A justiciable Bill of Rights, modelled on similar American, British and UN documents, would be proclaimed by the interim government and a Bill of Rights "on the lines" of this one would be retained in the constitution. However, the Resident Commissioner would have the authority to suspend the Bill of Rights during the transition by declaring a public emergency, begun and terminated sole on his own discretion. In short, the AAP proposed to establish a dictatorship as a transition government.

2. Safeguards: The AAP proposed safeguards as consisting of (a) a justiciable Bill of Rights and the constitutional structure with some reserved seats in the National Assembly; (b) a "Zimbabwe Development Fund" to insure Rhodesian economic development and security, to be managed by the World Bank and underwritten by international contributors; (c) a UN security force during the transition which would supervise the ceasefire, support the government, and conduct liaison with existing Rhodesian and guerrilla forces, and (d) a UN special representative, appointed by the Secretary General of the UN, to observe the transitional administration of the Resident Commissioner and to certify the fairness of the elections.

3. Constitution: Unlike the KSP, the AAP proposes a detailed constitution to be adopted by Rhodesia. Precisely who is to draft it or vote on it is not made clear, and the Plan notes that "It is impossible at this stage to lay down an exact timetable." The AAP's constitution calls for a president as head of state and a presidentially appointed cabinet. The president will be elected by the endorsement of at least half the successful candidates as Elected Members of the National Assembly. The ministers of the cabinet will be drawn from the National Assembly and will be responsible to it. The president will be elected at the same time as the National Assembly.

The National Assembly will be the legislature of Rhodesia; it will be unicameral and elected by one-man, one vote (adult suffrage over 21) from single member constituencies. It will be able to override presidential veto by simple majority vote and to force the resignation of the president by a vote of no confidence. The president, however, may dissolve the National Assembly at any time and must do so if he refuses his assent to a bill twice submitted to him by Parliament. There must be a general election at least once every five years and a session of the Assembly at least every year, and no more than six months between sessions.

The National Assembly will consist of two kinds of members: Elected Members and Specially Elected Members. Elected Members will be elected by the method described above and they will themselves elect 1/5 of their number as Specially Elected Members. The purpose of these extra members is to represent "minority communities". How they will represent them is specifically left to further discussion, but whatever method is decided upon, it may not be altered until at least eight years after the adoption of the constitution.

Even though the Specially Elected Members are to represent minority communities, there is no requirement that they be members of the minority groups themselves.

Under the AAP the constitution may be amended by different methods: some clauses by simple majority vote of the National Assembly; most provisions by a 2/3 majority vote of all members; some, pertaining to citizenship and the Bill of Rights, by a 2/3 majority in two successive Parliaments; and some, pertaining to the Specially Elected Members, may not be amended at all until after the specified period.

C. The Internal Settlement (IS) (March 3, 1978)

1. Transition: The IS proposes a transition period of nine months, and the interim government, which was established soon after the Agreement, consists of an Executive Council (EC) of all party leaders (Smith, Muzurewa, Sithole, and Chirau) with a rotating chairmanship, and a Ministerial Council (MC) of equal numbers of white and black ministers nominated by the heads of the negotiating parties. The EC, making decisions by consensus, will supervise the government and the process of drafting the constitution. The chairmanship of the MC will also be rotating between black and white ministers, and black and white ministers will have coequal authority over their departments. The MC will make decisions by majority vote and will initiate legislation. The Rhodesian Parliament will continue to exist but will meet only when summoned by the EC and only for specified purposes necessary to basic government functions and to ratify the constitution.

2. Safeguards: Unlike the KSP and the AAP the safeguards of the IS are purely internal. These consist of the entrenched clauses of the constitution, the justiciable Bill of Rights, and the independent judiciary and civil service.

3. Constitution: The proposed constitution calls for "majority rule on the basis of universal adult over 18 suffrage." It establishes a Legislative Assembly of 100 members, with 72 black members and 28 reserved seats for white members. A declaration of rights, an independent judiciary and civil service, and continuity of pension rights and dual citizenship are all guaranteed. These provisions can be amended only by a vote of 78 members, though on all other matters the legislative assembly will vote by simple majority rule.

An important and controversial part of the IS constitution is the arrangement for election of the members of the Assembly. There will be, for the specified period, two voting rolls, the common roll and the preferential roll. All black and white voters will be on the common roll and only whites will be on the preferential roll. The common roll will elect the 72 black members of the assembly and the preferential roll will elect 20 of the 28 white members. The common roll will also elect the other 8 white members from a list of 16 candidates nominated (for

the first election) by the white members of the existing Parliament and, for later elections, by the 28 white members of the existing Legislative Assembly.

At the end of a specified period of ten years or two parliaments, whichever is longer, a specially appointed commission will review these arrangements and, on its recommendations, they will be altered. An amendment altering these arrangements may be passed by only 51 percent of the Legislative Assembly, but if such an alteration is enacted, the 72 seats formerly reserved for blacks will be open to all, regardless of color, and the 28 white members will be prohibited from forming a coalition government with another minority party.

COMPARISON OF THE PLANS

The Internal Settlement may be described in some ways as a compromise between the Kissinger-Smith Plan and the Anglo-American Plan. The IS and the KSP have similar provisions for the transitional government, but the constitution proposed by the IS resembles that of the AAP much more than the vague provisions of the KSP. Unlike either plan, however, the IS contains no assurances of an international fund as an additional safeguard. The KSP is now virtually defunct, since it has been replaced by the AAP, with the support of the US and the UK, and by the IS, with the support of the Salisbury government and the chief leaders of the moderate nationalists of Rhodesia.

DISCUSSION OF THE ANGLO-AMERICAN PLAN

The primary benefit of the AAP is that it offers a fairly precise structure of the government and of the constitution. However, it has been criticized by both black and white leaders in Rhodesia. First, it gives dictatorial power to the Resident Commissioner during the transition. There is no assurance that the Commissioner would allow any significant input of any particular group into either the administration or the constitution. The fact that the British government demands the surrender of the "illegal" Smith government indicates that the latter would not have an official voice during the transition. Dr. Chester A. Crocker, Director of African Studies at the Georgetown Center for Strategic and International Studies, has written in a recent study of the AAP that it is "doomed to fail" because it tries to do too much.

The presumed goal of the current Anglo-American plan is not just to stop the fighting but also to pre-empt an eventual victory by revolutionary guerillas that would overturn completely the existing political, administrative, economic, and security apparatus.⁷

7. Quoted in Intelligence Digest, April 1, 1978.

Despite the precision of the AAP on the powers of the Commissioner and the nature of the constitution, it is vague on the process of drafting the constitution and the ratification process. The constitution itself, which differs radically from previous Rhodesian constitutions, has already been drafted in large part and is apparently simply to be imposed on Rhodesia by the British government. Only the most routine matters are left to further negotiation among the Rhodesian parties. The Smith government also objected to the inadequacy of the safeguards for the white minority in the AAP. The whites have no assured representation in Parliament at all, and, except for the verbal assurances of a Bill of Rights and the dubious goodwill of a foreign UN representative, have no safeguards at all. Except for the indirect role all white voters will have in electing the regularly elected members of the Assembly, they will have no role at all in the election of the president under the AAP. Nor does the AAP constitution give any details as to how the Specially Elected Members will be chosen (except that again the whites will have only an indirect role) or how they will represent the minorities when they themselves need not be members of the minorities. There are no "blocking mechanisms" whereby the minority can diffuse the will of the majority. The radical majoritarianism and authoritarianism of the proposed constitution and the transition contrast sharply with three hundred years of Anglo-American political tradition.

DISCUSSION OF THE INTERNAL SETTLEMENT: FOREIGN RELATIONS COMMITTEE REPORT

The Internal Settlement itself has come under fire from critics, including not only the Patriotic Front, but also the British and US governments. The primary objection to it within the US comes from a staff report of the Senate Foreign Relations Committee. This report, cited by congressional proponents of continuing enforcement of sanctions, argues that the IS does not really allow for majority rule but only continues white minority control. The report ("A Rhodesian Settlement?" June, 1978) states that the IS

offers a formula for at least 10 years of qualified multi-racial rule in which there would exist a black majority in parliament, but a central white power block with the ability to prevent fundamental change altering the political and economic structure of the Rhodesian society. (Quoted by Sen. McGovern, Congressional Record, June 28, 1978, p. S9983; Report, p. 8)

The objection, then, to the Internal Settlement seems not to be that it does not provide for black majority rule but that it gives the white minority too much power. What many critics of the IS seem to want is not simply a representative government in Rhodesia

that would reflect the needs of all citizens, but a government able to effect "fundamental change," a transformation of Rhodesian society.

The Senate Report also raises objections to the entrenched safeguards in the IS on the grounds that these effectively prevent majority rule. It points to the structure of the transitional government as ambiguous and potentially unstable. However, the Report fails to point out that similar, but weaker safeguards were present in the AAP as well as in the constitution of Kenya, Tanzania, and Zambia when those states became independent. It mistakenly states that the Executive Council has a one-man veto, when in fact the IS specifically states that the Executive Council operates by consensus. It is also mistaken in stating that the Rhodesian Parliament as it now exists will be able to "enact any legislation or deal with any other matter brought forward by the transitional government," when it is specifically stated in the IS that the existing Parliament "will meet...as and when the executive council considers it should be summoned" and has no initiative in legislation other than what the four-man executive council allows it.

Throughout the Report there is an underlying assumption that the white and black signatories of the IS are really at daggers drawn and are both eager to weasel out of the agreement or to betray their colleagues. The Report seems to be at pains to discover hypothetical difficulties that might face the transitional government. Although published in June--three months after the signing of the IS--it makes no attempt to show that the "what if" situations described are either likely in practice or that they have in fact occurred. Such critical passages of the transitional government as the dismissal of Minister Hove or the shooting incidents involving the curfew breakers might have been discussed to observe how the transitional government actually works, what its real problems have been, and how they have been resolved, but there is no mention of these affairs. Although the signatories of the IS have had their difficulties and problems, they have thus far been able to surmount them peacefully and legally, and there is simply no evidence to show that they are the victims of insurmountable problems or tensions.

DISCUSSION OF THE INTERNAL SETTLEMENT: IS IT MAJORITY RULE?

The "entrenched safeguards" proposed in the Internal Settlement for the new Rhodesian constitution--which are intended to protect the rights and achievements of the white minority against the encroachments of the majority--are by no means new or unique in the constitutional development of modern Africa. Other African states--specifically Kenya, Tanzania (Tanganyika), and Zambia--had similar arrangements when they achieved independence.

In the Kenyan Constitution of 1963, Chapter III, Part I, section 28, provided for "Specially Elected Members" of the House of Representatives. By section 30(1) and (2), it was provided that

The number of Specially Elected Members of the House of Representatives shall be the number which results from dividing the number of seats of Elected Members of that House by ten or, if that result is not a whole number, the whole number next greater than that result.

and

The Specially Elected Members...shall be elected by the Elected Members of that House in accordance with the provisions of Schedule 3 of this Constitution.

In the Constitution of Tanganyika (Tanzania) of 1961, Chapter III, Part I, section 15, establishes "elected members" and, "until Parliament otherwise provides, nominated members." Section 16 states

The nominated members of the National Assembly shall consist of such members (whose number shall not exceed ten) as may be appointed by the Governor-General, acting in accordance with the advice of the Prime Minister, from among persons who are qualified for elections as members of the National Assembly.

In the Zambian Independence Order of 1964, as in the proposed constitution of Rhodesia, separate voting rolls were established for the interim government. The separate rolls were called the "main rolls" and the "reserved rolls," and by section 9, paragraph (e), a person registering to vote shall,

if he is an African, be registered as a main roll voter;
if he is a European, be registered as a reserved roll voter....

In the Zambian Constitution of 1964, Chapter V, Part I, section 60, states that

The President may appoint as nominated members of the National Assembly such persons, not exceeding five in number, as he considers desirable in the public interest in order to enhance the representative character of the Assembly or to obtain the service as a member of the Assembly of any person who, by reason of his special qualifications, would be of special value as such a member.

Thus, three of the leading African states at the beginning of their national history had constitutional arrangements designed to protect the rights of minorities, give them special protection against the will of the majority, and avail themselves of the special skills and achievements of these minorities. It should also be noted that in the Kenyan and Tanganyikan (Tanzanian) Constitutions, literacy requirements in English were specified as necessary qualifications for membership in the legislative bodies (Kenyan Constitution, Chapter III, Part I, section 31(b); Tanganyikan Constitution, Chapter III, Part I, section 18(c)). The language of these provisions in the two constitutions was virtually identical: only those were to be elected to membership in the legislative bodies who were

able to speak and, unless incapacitated by blindness or other physical cause, to read the English language well enough to take an active part in the proceedings of the National Assembly. (Kenyan Constitution, loc. cit.)

Thus, while there were no specifically racial reservations in these Constitutions, reservations on the basis of English literacy restricted to a large extent the number of blacks who could stand for election but did not apply to the much better educated white minority. It is to be noted that such literacy tests are not present in the proposed constitution of the Internal Settlement or in the transitional government.

While the safeguards for minorities in these earlier constitutions were weaker than those of the Internal Settlement, they were perhaps not strong enough to ensure a transition to independent democracy. As The Statesman's Year-Book, 1977/1978, notes:

- * "On 10 Nov. 1964 [Less than one year after independence on Dec. 12, 1963] Kenya became a one-party state...." (p. 409)
- * "The country [Tanzania] is a one-party state." (p. 504)
- * "On 13 Dec. 1972 President Kaunda [of Zambia] signed a new Constitution based on one-party rule." (p. 531)

In any case, it is evident that the IS does provide for majority rule in that (a) Article A of the Settlement states that "a constitution will be drafted and enacted which will provide for majority rule on the basis of universal adult suffrage"; (b) the franchise, previously restricted to about 2 percent of the population, will be extended to all adults over the age of 18; (c) the Legislative Assembly, a unicameral body of 100 with full legislative authority, will have a majority of blacks (72 percent) for at least ten years and will conduct almost all legislative business by majority vote; (d) the only restrictions on majority rule are

within the Legislative Assembly and pertain to the procedures for amending the constitution and to the entrenched safeguards. These restrictions consist of (1) the reservation of 28 percent of the seats to the whites for at least ten years and (2) the stipulation that amendments to the constitution be approved by at least 78 percent of the members. The amendment process proposed here may be compared to that of the US Constitution, in which a two-thirds majority of both chambers must approve an amendment and three-fourths of the state legislatures must ratify it. Given that the legislature of Rhodesia is to be unicameral and that there are no states whose assent is necessary, the proposed amendment process in the IS may well be more democratic than that of the US Constitution. If a situation developed in the future in which a proposed amendment obtained the support of 72 black members, only 6 of the 28 white members would be necessary to ratify it. Black representatives of the transition government have stated that they do not anticipate unanimous or intransigent voting by the white members and that they expect at least one-third of the white members to vote with the black members.

In regard to the charge that the Internal Settlement does not allow for "fundamental change," as the Staff Report states, it can be said that it is not appropriate for Rhodesia at the present time to consider this kind of fundamental change. Changes that would affect what the Report calls "the essential institutions"--the ownership of land, and control of the judiciary, civil service, police, and military--would go far beyond the scope of institutionalizing majority rule in any conventional sense.

The white minority of Rhodesia, comprising the bulk of middle-class technical and managerial workers, is concerned already over the prospect of black majority rule. In 1977, prior to the Internal Settlement, there was an exodus of 900 whites per month. In the early months of 1978, however, as the prospects for a peaceful transition to majority rule with adequate safeguards opened through the Internal Settlement, white emigration fell to only 500 per month, despite the escalation of the war. The agreement of Smith, in other words, reassured the whites and has played an important role in preventing a mass exodus of professionally skilled Rhodesians.

It is of the highest importance that a post-transition Rhodesia retain a strong white minority committed to the government. Sen. Dick Clark (D-Iowa) has called attention to the fact that

of all of Britain's former colonies in Africa, Southern Rhodesia probably could have sustained parliamentary democracy better than most African countries because it had a burgeoning middle class, a good infrastructure,

a large educated population, good economic resources, and a multiracial society. (Congressional Record, March 15, 1977, p. S4210)

Both Ambassador Young and Joshua Nkomo have denied that they want the white population to leave or suffer. However, the exodus of the whites would resume, with disastrous consequences for the political and economic future of Rhodesia, if they feel that there are inadequate safeguards for their own future. In 1975, Rhodesian whites paid 98.9 percent of the income taxes of the Rhodesian government and were responsible for 75.6 percent of Rhodesian agricultural production in 1974. Dr. Chester A. Crocker, whose study of the AAP was cited above, has written that the whites in Rhodesia

are not only a privileged minority--they are also pivotal to the nation's economy. Wages and salaries paid to whites account for nearly 60% of the total earnings of the Rhodesian labour force: individual earnings of whites, when combined with corporate profits of largely white-owned firms, account for about 70% of gross national income. Roughly 50% of African wage earners are employed on white farms or in white households. If Africans are understandably ambivalent about the future of the whites, they have reasons of their own for wishing them to remain.⁸

A mass exodus of the whites would literally destroy Rhodesia, and the black moderates know this. That is why they agreed to the safeguards; they do not want to see Rhodesia become another Mozambique, Angola, or Zaire.

US POLICY TOWARD RHODESIA: RATIONALE AND ALTERNATIVES

The policy of the Carter Administration, in concert with the Callaghan government of Great Britain, toward Rhodesia is to enforce the UN sanctions, to continue to regard the Salisbury government as illegal, and to insist on the Anglo-American Plan as the only basis for further discussion. The support for the AAP is based on two beliefs. First, the Administration argues that because the Patriotic Front will not support the Internal Settlement, that Settlement does not represent all the forces and parties of Rhodesia and hence cannot be an adequate basis for a peaceful transition to majority rule. Secondly, the Administration argues

8. Quoted in Intelligence Digest, April 1, 1978.

that US support for the Internal Settlement would push the Patriotic Front further into the hands of the Communists and thus escalate the possibility of direct intervention by the Soviets and Cubans in Rhodesia. The Administration also notes that no other African government has thus far supported the Internal Settlement and that US support of it would alienate these other African states.

Nevertheless, the Administration's policy has provoked serious controversy and criticism. The critics have been dismayed to find the US government in effect on the same side as the terrorists and one-party states of Africa and aligned against an agreement arrived at peacefully by moderate nationalists within Rhodesia. The critics argue that the PF cannot conceivably claim to represent even a significant minority, let alone a majority, of Rhodesians, black or white, and that the PF has repeatedly disavowed a commitment to peace or majority rule anyway. They also argue that the US and British enforcement of sanctions against Rhodesia and their de facto support of the guerrillas only give assistance to the Patriotic Front and discourage and hamper the transitional government in its war against the guerrillas. Finally, they point out that the Patriotic Front is already deeply involved with the Communist powers and that if it came to power in Rhodesia in the future, these external powers would already have allies within the country and the government, that the inclusion of the Patriotic Front in the Rhodesian government would open the door to further war and terrorist atrocities and to eventual domination by anti-democratic forces, whether Communist or not.

As an alternative to present policy, the critics have proposed to lift sanctions on Rhodesia in order to give the transitional government an opportunity to implement its commitments. This policy would encourage the transition by (1) giving moral support to the Internal Settlement, (2) promote the pacification of the countryside by allowing the moderate nationalists to point to a measure of international support and to persuade guerrillas in the bush to take advantage of the amnesty, (3) encourage the recognition and support of the Internal Settlement by other African states, and (4) give needed resources to Rhodesia through trade.

On June 28, 1978, the Senate voted on the Helms Amendment to the Foreign Assistance Act, which would have prevented the enforcement of the sanctions on Rhodesia until December 31, 1978. A motion to table the amendment prevailed by a narrow six vote margin (48-42). This led to adoption one month later of an amendment to the International Security Assistance Act offered by Senator Clifford Case, which proposed a compromise between the policies of Senator Jesse Helms and the Administration. The Case Amendment, which was passed in the Senate on July 26, 1978, by a vote of 57-39, proposed that authority be given to the President to lift sanctions if the Rhodesian government makes a "good faith" commitment

to negotiate with all parties at a conference under international auspices and if a freely elected government comes to power in Rhodesia through free elections observed by internationally recognized observers.

Critics of the Case Amendment argued that the President already has authority to lift sanctions under section 2 of the law repealing the Byrd Amendment in 1977 and, further, that the conditions it established were not meaningful. The Amendment does not make clear how the President is to determine or evaluate the actions of the transitional government. It does not seem to recognize that the transitional government desires a peaceful settlement and free elections, that it has repeatedly sought to negotiate with the Patriotic Front, and that it would be in its interest to negotiate further if negotiations did not mean the reversal of the progress toward majority rule that has already been made.

Proponents of the Case Amendment argued that its passage would correct the present policy of the Administration while still preserving the even-handedness of the United States. As Senator Jacob Javits, a cosponsor of the Case Amendment, stated:

From the declarations of the various officials of our Government including Andrew Young...I felt a "tilt" toward the guerrillas. I would not sponsor this amendment unless I were confident--and I am--that this tilt is corrected by the amendment and that the United States is truly put in the position to be the honest mediator, the honest broker.... (Congressional Record, July 26, 1978, p. S11792).

On August 2, 1978, the House of Representatives debated amendments to the International Security Assistance Authorization Bill which would have further modified the Administration policy. While Congressman Zablocki introduced an amendment identical to the Case Amendment, and Congressmen Bauman and Findley sponsored even stronger amendments, Congressman Ichord proposed a compromise amendment. The Ichord Amendment, passed by a substantial 229 to 180 margin, authorized the lifting of sanctions after December 31, 1978, "unless the President shall determine that a government has not been installed, chosen by free elections in which all political groups have been allowed to participate freely." Though similar to the Case Amendment, the Ichord Amendment differs from it in important details. While Case's measure places the burden of proof on the Rhodesians by requiring them to show that free elections have occurred, the Ichord measure places the burden on the President by requiring him to determine that they have not occurred. Furthermore, unlike the Case Amendment, the Ichord Amendment contains no insistence on further "good faith" efforts to negotiate with the Patriotic Front, but instead only that "all political groups have been allowed to participate freely" in the elections. The final language of these amendments will have to be worked out by the House and Senate conferees.

The House debate on the sanctions reveals several key assumptions among those who opposed lifting them. First, the advocates of sanctions tend to assume that the enforcement of sanctions was responsible for the progress towards majority rule thus far. Thus, Mrs. Burke of California stated:

...the U.N. observed sanctions...were probably the greatest force for change from minority rule. (p. H7727)

However, sanctions from 1967 to 1971 did little to promote compromise on the part of Smith, and he agreed to negotiate with Secretary Kissinger while the U.S. was not enforcing sanctions. Ironically, other advocates of sanctions argue that, while they have been responsible for the progress toward majority rule to date, there has not really been any such progress. Thus, Mr. Steers of Maryland argued:

Presently under the internal settlement, there has been no change in the white-dominated police, army, or judiciary as well as no major change in discriminatory statutes. (p. H7719)

And a similar statement was made by Mr. Solarz of New York. (p.H7724)

This argument however is similar to that of the Senate Report cited and discussed above, which advocates fundamental transformations of Rhodesian society rather than conventional majority rule. It also ignores the fact that continuity of the judiciary and civil service is guaranteed in the AAP, the currently approved alternative to the IS, that 68 percent of the Rhodesian army and the predominance of the police forces are black, and that, unlike the KSP, the coministers of the Interior and Defense are black.

Finally, other advocates of sanctions seem to assume (again, like the Senate Report) that only the international pressure of sanctions from the US keeps the Smith government from renegeing on the IS. Thus, Mr. Bonker of Washington stated:

...The sanctions have forced the Smith regime to recognize the hard realities of establishing a minority government in a majority society. If we were to lift those sanctions now, we would certainly disrupt that process. (p. H7725)

Again, this argument assumes that the Smith government (or regime, if that term is preferred) is not sincere in its commitments and that it has been the sanctions that have forced it to compromise. This ignores the history of the negotiations, the role of the black moderates, the importance of the "liberation movements" in formerly Portuguese Africa, and the clear self-interest of the Smith government in achieving a workable settlement of majority rule.

While the UN sanctions have not had a critical impact upon the Rhodesian economy--indeed they have even helped Rhodesia to become self-sufficient agriculturally--their long-term effect has been to undermine certain key sectors of the economy. They have been particularly harmful in regard to black employment and to the importation of consumer goods. However, the principal argument for repealing the sanctions at the present time is not economic or related to the military needs of the government. It is proposed to repeal the sanctions only until December 31, 1978, and that short time-range would probably not affect the performance of the economy. The principal argument (one that is espoused by Bishop Muzorewa himself, who has previously been a strong advocate of sanctions against the Smith government) is that repeal by the US would give the black leaders of the Internal Settlement much greater credibility with the guerrilla forces. Muzorewa and his colleagues point out that in many cases Mugabe and Nkomo have only token control of the guerrilla forces, that these forces are often acting independently, and could be persuaded to lay down their arms if they believed that foreign powers would assist the leaders to make the transition, and would stop giving their support to the guerrilla forces and leaders. Furthermore, US repeal of the sanctions would encourage other African states to endorse the Internal Settlement. The Organization of African Unity, for example, though it has not supported the IS, has rebuffed the Patriotic Front at its meeting in Khartoum in July, 1978, where it passed a resolution that the people of Rhodesia have "the right to choose their own leaders" and refused to accept the Front's demands that it receive recognition as "the sole representative of the people of Zimbabwe."

CONCLUSION

The transition of Rhodesia from a government by a racial minority with dubious legality to one by a majority with full status in the international community is a delicate and complicated one. Democracy has not enjoyed appreciable success in Africa since the decolonization movement in the 1960's, and its failures have ranged from the regimes of terror in Uganda and Ethiopia to simple one-party dictatorships in most other states. Although Rhodesia has not had a democratic government in the Western sense, it has had at least a stable, regular, and prosperous government that has been more respectful of human rights than its neighbors. Rhodesia now has the opportunity to create a democratic system that could serve as a model for other African states, whether they are the black one-party states or the white oligarchy in South Africa, and it has indeed come far in designing arrangements acceptable to the most influential parties of the country. Rhodesia has come this

far without the help of outside states or the compulsion of external force or internal revolution and often with the opposition of external powers. Whether its experiment can be successful in the future will now depend less on its own efforts than on the good will and cooperation of its neighbors and its friends in the world.

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