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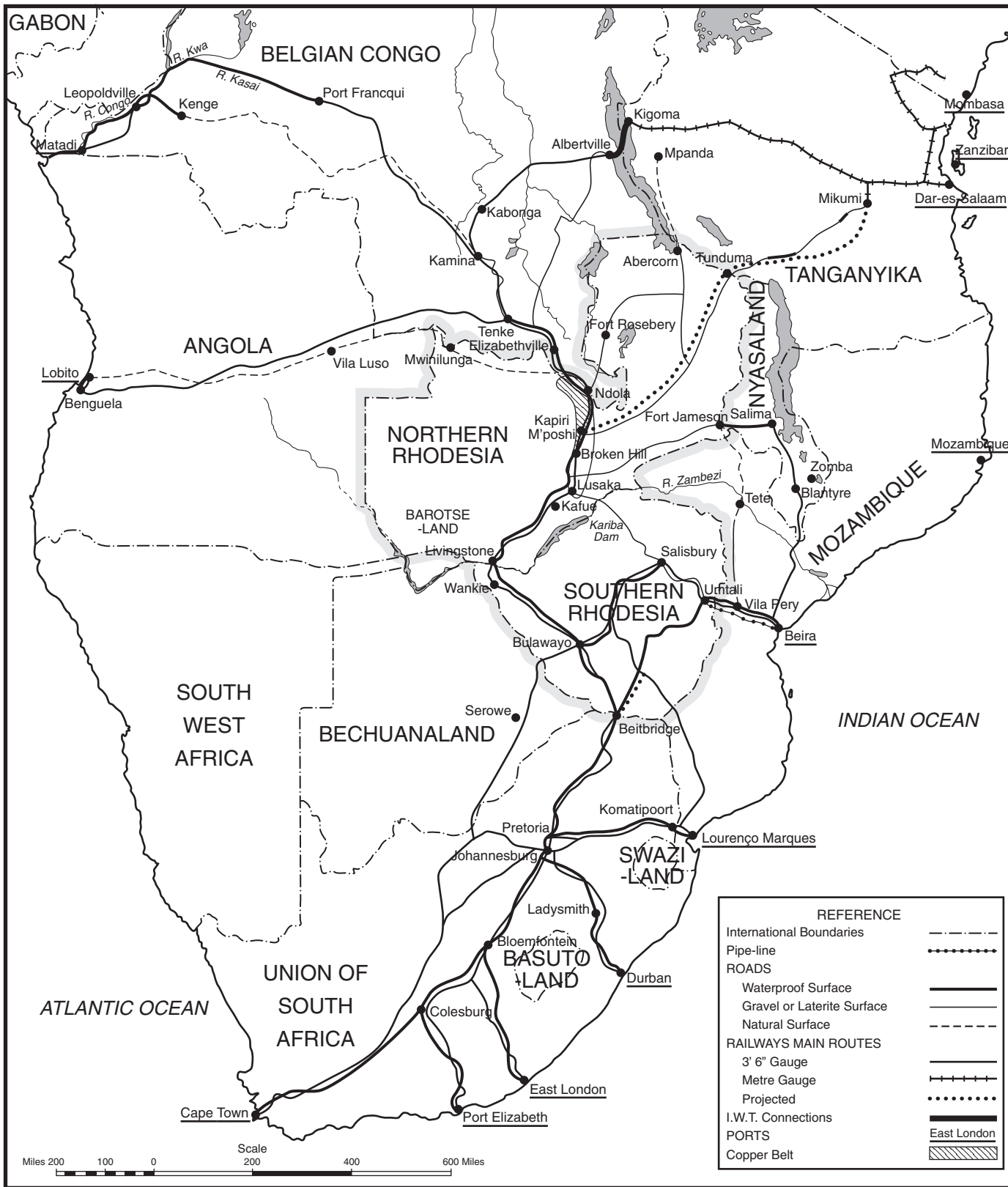
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- Vol 9 Central Africa (in two parts, 2005)

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The Volume Editor

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CENTRAL AND SOUTHERN AFRICA CIRCA 1959

Central Africa

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the End of Empire Project
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been undertaken
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of the British Academy.

To Christina, Alex and Nicholas

BRITISH DOCUMENTS ON THE END OF EMPIRE

General Editor S R Ashton
Project Chairman A N Porter

Series B Volume 9

Central Africa

Editor
PHILIP MURPHY

Part II
CRISIS AND DISSOLUTION
1959–1965

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Contents

Central Africa: Schedule of contents: parts I–II	<i>page</i> vii
Abbreviations: part II	ix
Principal holders of offices 1959-1965: part II	xiii
Chronological Table of principal events: parts I–II	xvii
Summary of documents: part II	xxi
Documents: part II	1
Biographical Notes: parts I–II	573
Bibliography I: Sources searched at The National Archives	581
Bibliography II: Official publications, unpublished private papers, published documents and secondary sources	585
Index: parts I–II	591
MAP Central and Southern Africa circa 1959	vi

Central Africa

Schedule of Contents: Parts I–II

	<i>Doc nos</i>
PART I 1945–1958	
Chapter 1 Post-war political and economic problems, 1945–1948	1–23
Chapter 2 The birth of the federal scheme, 1948–1951	24–65
Chapter 3 Federation as official British government policy, 1951–1953	66–95
Chapter 4 The early years of the Federation, 1953–1956	96–140
Chapter 5 Constitutional negotiations, 1957–1958	141–167
PART II 1959–1965	
Chapter 6 Emergency in Nyasaland and questions over the Federation's future, 1959	168–204
Chapter 7 The release of Hastings Banda and the Monckton Commission Report, 1959–1960	205–264
Chapter 8 Conflict over the Northern Rhodesian constitution, 1960–1962	265–319
Chapter 9 The demise of the Federation and the future of Southern Rhodesia, 1962–1964	320–401
Chapter 10 The Labour government and the future of Southern Rhodesia, 1964–1965	402–443

Abbreviations: part II

ANC	African National Congress
AOC	air officer commanding
BAOR	British Army of the Rhine
BBC	British Broadcasting Company
BIS	British Information Service
BNG	Barotse Native Government
BNs	battalions
BSAC	British South Africa Company
BSAP	British South Africa Police
CAA	Central Africa and Aden (Dept, CO)
CAB	Cabinet
CAO	Central Africa Office
CAS	chief of air staff
CBI	Confederation of British Industry
CC	Cabinet conclusions (minutes)
CDS	chief of defence staff
CD&W	Colonial Development and Welfare
CIGS	chief of the imperial general staff
CO	Colonial Office
COS	Chiefs of Staff
CPC	Colonial Policy Committee (UK Cabinet)
CRO	Commonwealth Relations Office
DPS	Defence Planning Staff
DTC	Department of Technical Co-operation
EEC	European Economic Community
FBC	Federal Broadcasting Company
FISB	Federal Intelligence and Security Bureau
FO	Foreign Office
GOC	general officer commanding
HMG	Her Majesty's Government
HQ	headquarters
IBRD	International Bank for Reconstruction and Development
ICA	International Co-operation Administration (USA)
IDA	International Development Association
IRD	Information Research Dept (FO)
ISD	Intelligence and Security (Dept, CO)
JIC	Joint Intelligence Committee
KAR	King's African Rifles
KCMG	Knight Commander of St Michael and St George
LRT	long-range transport

MBE	Member of the Order of the British Empire
MCP	Malawi Congress Party
MLC	member of legislative council
MoD	Ministry of Defence
MP	member of parliament
MRT	medium-range transport
NAC	Nyasaland African Congress
NATO	North Atlantic Treaty Organisation
NDP	National Democratic Party (SR)
NIC	Nyasaland Intelligence Committee
NPP	National Progressive Party (Northern Rhodesia/Zambia)
NR	Northern Rhodesia
NRR	Northern Rhodesia Rifles
NSC	Nyasaland Security Committee
OAU	Organisation for African Unity
OC	Officer Commanding
OPD	Oversea Policy and Defence (Cabinet Committee, UK)
OSAS	Overseas Service Aid Scheme
PAFMECA	Pan-African Freedom Movement for East and Central Africa
PCC	People's Caretaker Council (SR)
PMF	Police Military Force
PPS	parliamentary private secretary
PQ	parliamentary question
PSC	Public Service Commission
PUSD	Permanent Under-Secretary's Dept (FO)
RAF	Royal Air Force
RAR	Rhodesian African Rifles
RLI	Rhodesian Light Infantry
RNP	Rhodesia National Party (SR)
RP	Rhodesia Party (SR)
RRAF	Royal Rhodesian Air Force
RRR	Royal Rhodesia Regiment
RST	Rhodesian Selection Trust
SA	South Africa
SAS	Special Air Services
SB	Special Branch
SLO	security liaison officer
S of S	secretary of state
SR	Southern Rhodesia
SRT	short-range transport
UDI	unilateral declaration of independence
UFP	United Federal Party
UK	United Kingdom
UKSLS	United Kingdom Service Liaison Staff
UNIP	United National Independence Party (NR/Zambia)
UN(O)	United Nations (Organisation)
USSR	Union of Soviet Socialist Republics

VF	Victoria Falls
WP	Welensky papers
ZANC	Zambia African National Congress
ZANU	Zimbabwe African National Union
ZAPU	Zimbabwe African People's Union

Principal Holders of Offices 1959–1965

Part II

UNITED KINGDOM

1. *Ministers*

(a) *Conservative governments 1958–1964*

Prime minister	Mr M H Macmillan (10 Jan 1957) Sir Alec Douglas-Home (18 Oct 1963) (formerly Earl of Home)
Chancellor of Exchequer	Mr D Heathcoat Amory (6 Jan 1958) Mr J S B (Selwyn) Lloyd (27 July 1960) Mr R Maudling (13 July 1962)
S of S foreign affairs	Mr J S B (Selwyn) Lloyd (14 Jan 1957) Earl of Home (27 July 1960) M R A Butler (23 Oct 1963)
S of S colonies	Mr A T Lennox-Boyd (14 Jan 1957) Mr I Macleod (14 Oct 1959) Mr R Maudling (9 Oct 1961) Mr D E Sandys (13 July 1962) (office held jointly with S of S Commonwealth relations)
S of S Commonwealth relations	Earl of Home (14 Jan 1957) Mr D E Sandys (28 July 1960) (office held jointly with S of S colonies from 13 July 1962)
Minister in charge Central Africa Office	Mr R A Butler (Mar 1962–Oct 1963) (First S of S & deputy prime minister, July 1962–Oct 1963) Mr D E Sandys (Oct 1963–Apr 1964)
Minister of state, CO (junior minister)	Earl of Perth (17 Jan 1957) Marquis of Lansdowne (20 Apr 1962)*

* Office jointly held between CO and CRO from 21 Oct 1963.

Parliamentary under-secretary of state, CO (junior minister)	Mr J D Profumo (18 Jan 1957) Mr J Amery (28 Nov 1958) Mr H Fraser (28 Oct 1960) Mr N Fisher (16 July 1962) * Mr R Hornby (24 Oct 1963) *
Minister of state, CRO (junior minister)	Mr C J M Alport (22 Oct 1959–1 Mar 1961) 11th Duke of Devonshire (6 Sept 1962) *
Parliamentary under-secretary of state, CRO (junior minister)	Mr C J M Alport (18 Jan 1957) Mr R H M Thompson (22 Oct 1959) 11th Duke of Devonshire (28 Oct 1960– 6 Sept 1962) Mr B Braine (9 Feb 1961–16 July 1962) Mr J D Tilney (16 July 1962) *

(b) *Labour government 1964–1965*

Prime minister	Mr J H Wilson (16 Oct 1964)
Chancellor of Exchequer	Mr L J Callaghan (16 Oct 1964)
S of S foreign affairs	Mr P C Gordon Walker (16 Oct 1964) Mr M M Stewart (22 Jan 1965)
S of S colonies	Mr A Greenwood (16 Oct 1964)
S of S Commonwealth relations	A G Bottomley (16 Oct 1964)
Parliamentary under-secretary of state, CO (junior minister)	Mrs Eirene White (20 Oct 1964– 11 Oct 1965) Lord Taylor (20 Oct 1964–11 Apr 1966) Lord Beswick (11 Oct 1965–1 Aug 1966)
Minister of state, CRO (junior minister)	Mr C Hughes (19 Oct 1964–6 Apr 1966)
Parliamentary under-secretary of state, CRO (junior minister)	Lord Taylor (20 Oct 1964–11 Apr 1966) Lord Beswick (11 Oct 1965–26 July 1967)

2. *Civil servants*

(a) <i>Secretary to the Cabinet</i>	Sir Norman Brook (1947–1962) Sir Burke Trend (1963–1972) (Deputy secretary, 1956–1959)
-------------------------------------	--

* These offices jointly held between CO and CRO from 21 Oct 1963.

(b) *Colonial Office*

- | | | |
|-------|---|--|
| (i) | Permanent under-secretary
of state | Sir John Macpherson (1956–1959)
Sir Hilton Poynton (1959–1966) |
| (ii) | Deputy under-secretary
of state | Sir Hilton Poynton (1948–1959)
Sir John Martin (1956–1965)
Sir William Gorell Barnes (1959–1963) |
| (iii) | Assistant under-secretary
of state, responsible
for Central Africa and
Aden | W L Gorell Barnes (1958–1959)
W B Monson (1959–1962) |
| (iv) | Assistant secretary, head of
Central African and Aden,
Central Africa from 1960 | J C Morgan (1955–1960)
N D Watson (1960–1962) |

(c) *Commonwealth Relations Office*

- | | | |
|-------|---|--|
| (i) | Permanent under-secretary
of state | Sir Gilbert Laithwaite (1955–1959)
Sir Alexander Clutterback (1959–1961)
Sir Saville Garner (1962–1968) |
| (ii) | Deputy under-secretary
of state (select) | Sir Henry Lintott (1956–1963)
Sir Algernon Rumbold (1958–1966)
Sir Neil Pritchard (1961, 1963–1967)
Sir Arthur Snelling (1962–1969) |
| (iii) | Assistant under-secretary
of state | A W Snelling ((1955–1959)
W A W Clark (1958–1960)
D W S Hunt (1959–1960)
G W StJ Chadwick (1960–1966) |

Central Africa Office

- | | | |
|-------|---------------------------------------|---|
| (i) | Secretary | M D Tennant (1962–1964) (KCMG 1964) |
| (ii) | Assistant under-secretary
of state | M R Metcalf (CRO) (1962–1964) |
| (iii) | Assistant secretary | W S Bates (CRO) (1962–1963)
N D Watson (CO) (1962–1963)
H G M Bass (CRO) (1963–1964)
S P Whitley (CO) (1963–1964)† |

† Principals at the CAO were, from the CRO, J Bourn, S F StC Duncan, NAI French; from the CO, G W Jamieson, K J Neale, J W Widdel.

THE ADMINISTRATIONS OF CENTRAL AFRICA*(a) Southern Rhodesia*

Governor	Sir Peveril William-Powlett (1954–1959) Sir Humphrey Gibbs (1959–1969)
UK high commissioner for Federation of Rhodesia and Nyasaland from 1953	M R Metcalf (1955–1961) Lord Alport (1961–1963) J B Johnston (1963–1965)
Prime minister	Sir Edgar Whitehead (1958–1962) Mr W Field (1962–1964) Mr I Smith (1964–1979)

(b) Northern Rhodesia (Zambia from 24 Oct 1964)

Governor	Sir Arthur Benson (1954–1959) Sir Evelyn Hone (1959–1964)
Chief secretary	Evelyn Hone (1957–1959) M O Wray (1959–1962) R E Luyt (1962–1963) F M Thomas (deputy governor, 1964)
Prime minister	Dr K D Kaunda (1964) (president, 1964–1991)

(c) Nyasaland (Malawi from 6 July 1964)

Governor	Sir Robert Armitage (1956–1961) Sir Glyn Jones (1961–1964) (governor-general, 1964–1966)
Chief secretary	G W F Footman (1951–1960) (Sir) Glyn Jones (1960–1961) (Sir) Robert Foster (1961–1963) (deputy governor, 1963–1964)
Prime Minister	Dr H K Banda (1963–1966) (president, 1966–1997)

(d) Federation of Rhodesia and Nyasaland

Governor-general	Earl of Dalhousie (1957–1963) Sir Humphrey Gibbs (1963, acting)
Prime minister	Sir Roy Welensky (1956–1963)

Chronological Table of Principal Events: Parts I–II

1939

Mar Bledisloe Commission finds against amalgamation for Northern and Southern Rhodesia

1944

Oct Announcement of plans for a Central African Council

1945

Apr Opening session of the Central African Council

Oct Strike by African railway workers in Northern and Southern Rhodesia

1946

Apr Sir Godfrey Huggins's United Party loses its overall majority in Southern Rhodesian general election

1947

June Southern Rhodesian government raises loan for the nationalisation of Rhodesia Railways

1948

May National Party victory in South African general election

July Talks in London on the Northern Rhodesian constitution

Sept Huggins regains overall majority in Southern Rhodesian general election

Sept–Oct Roy Welensky visits London and is told that amalgamation will not be implemented by either major British party

1949

Feb European settlers hold conference on federation at Victoria Falls

Aug Settlement of the issue of the British South Africa Company's mineral rights

1950

Apr Appointment of first UK high commissioner to Central Africa

1951

- Jan–Mar Patrick Gordon Walker visits Southern Africa
 Mar Conference of officials on federation ('Baxter Report')
 Sept Victoria Falls conference on federation
 Oct Conservatives win British general election
 Nov British government announces support in principle for federation

1952

- Mar Geoffrey Colby, the governor of Nyasaland requests that his colony be excluded from federal negotiations
 Apr–May London conference on federation

1953

- Jan Final London conference settles federal constitution
 Apr Southern Rhodesian referendum approves federation
 July Rhodesia and Nyasaland Federation Act receives Royal Assent
 Sept Federation formally inaugurated under interim government
 Dec Federal Party wins first federal election

1954

- Feb Opening of federal Parliament
 Mar Salisbury is selected as the location of the federal capital
 Nov Rhodesian Selection Trust gives six months notice of the termination of its agreement with the Northern Rhodesian Mine Workers' Union

1955

- Mar Federal government announces work will proceed on Kariba hydro-electric scheme
 Sept Rhodesian Selection Trust and Anglo–American reach a joint agreement with the European mine workers

1956

- Mar Lord Malvern (formerly Sir G Huggins) demands full self-government for the Federation
 June Sir Arthur Benson writes to London denouncing the policies of the federal government
 Major industrial action by African workers on the Copperbelt
 Sept State of emergency declared in Northern Rhodesia
 Nov Sir Roy Welensky succeeds Malvern as federal premier

1957

- Apr Joint Declaration on future of the Federation
 Sept United Rhodesia Party and Federal Party combine to form United Federal Party
 Nov Federal Constitutional Amendment Bill receives Royal Assent

1958

- Feb Sir Edgar Whitehead succeeds R S Garfield Todd as prime minister of Southern Rhodesia
 July Return of Hastings Banda to Nyasaland
 Sept White Paper on Northern Rhodesian Constitution published in London
 Nov United Federal Party wins federal general election

1959

- Feb Emergency declared in Southern Rhodesia
 Mar Emergency declared in Nyasaland
 July Announcement of Monckton Commission and publication of Devlin Report

1960

- Jan Harold Macmillan visits Federation
 Apr Release of Hastings Banda
 June Belgian Congo becomes independent
 Aug New constitution agreed for Nyasaland
 Oct Publication of Monckton Report

1961

- Jan–Feb Talks in London on Southern Rhodesian constitution
 Feb White paper on Northern Rhodesian constitution
 British military planners devise ‘Operation Kingfisher’ for intervention in Northern Rhodesia
 June Revised white paper on Northern Rhodesian constitution
 July New constitution for Southern Rhodesia approved in referendum
 Aug Banda’s Malawi Congress Party wins Nyasaland general election
 Sept UN forces in the Congo launch ‘Operation Morthor’ against Katanga
 Dag Hammarskjöld dies in plane crash in Northern Rhodesia
 British government announces its intention to reopen talks over the Northern Rhodesian constitution

1962

- Jan–Feb Revised constitutional proposals for Northern Rhodesia
 Mar Creation of Central Africa Office under R A Butler
 Oct–Dec Elections in Northern Rhodesia place Kenneth Kaunda’s UNIP in a position to form a government
 Dec Rhodesian Front defeats United Federal Party in Southern Rhodesian elections. Winston Field succeeds Sir Edgar Whitehead as prime minister. Butler announces Nyasaland’s right to secede

1963

- Feb Internal self-government in Nyasaland with Banda as prime minister
 Mar Butler announces right of all territories to secede
 June–July Winding-up conference at Victoria Falls
 Dec 31 Federation formally dissolved

1964

- Feb Internal self-government in Northern Rhodesia with Kaunda as prime minister
- Apr Ian Smith replaces Winston Field as Southern Rhodesian prime minister
- July Nyasaland becomes independent as Malawi
- Oct Labour wins British general election
Northern Rhodesia becomes independent as Zambia

1965

- Jan Ian Smith visits London for Sir Winston Churchill's funeral
- Feb–Mar Arthur Bottomley and Lord Gardiner visit Southern Rhodesia
- May Rhodesian Front wins Southern Rhodesian general election
- Oct Smith visits London for talks
Harold Wilson visits Southern Rhodesia
Wilson publicly rules out the use of force against Southern Rhodesia
- Nov 11 Ian Smith makes unilateral declaration of independence (UDI)

Summary of Documents: Part II

Chapter 6

Emergency in Nyasaland and questions over the Federation's future, Jan–July 1959

NUMBER		SUBJECT	PAGE
<i>1959</i>			
168	J C Morgan, W L Gorell Barnes, and Mr Lennox-Boyd (CO)	2–5 Jan Minutes on Nyasaland & the Federation	1
169	CRO	Jan Draft briefing note for Sir W Oliver, 'Measures against hostile broadcasts: monitoring and jamming'	3
170	Mr Lennox-Boyd & W L Gorell Barnes	19 & 21 Jan Minutes on governorship of Northern Rhodesia & question of uniting posts of governor-general of Federation and governor of Southern Rhodesia	5
171	D J Kirkness (CO)	27 Jan Minute on constitutional development in the Federation	7
172	J C Morgan (CO)	13 Feb Minute on Nyasaland & the Federation	9
173	F H G Bridgeman (Salisbury)	18 Feb Memo on unrest in Nyasaland, + <i>Enclosure</i> : intelligence report on emergency conference of Nyasaland African Congress, Blantyre, 24–25 Jan	10
174	Sir R Armitage (Zomba) to Sir R Welensky (Salisbury)	18 Feb Letter on Nyasaland unrest	15
175	Sir R Armitage (Zomba) to J C Morgan (CO)	19 Feb Tel on Nyasaland unrest	17
176	Sir A Benson (Lusaka) to W L Gorell Barnes (CO)	2 Mar Letter on unrest in the Federation	17
177	N D Watson & Sir J Macpherson (CO)	5–9 Mar Minutes on Nyasaland emergency	25
178	Mr Lennox-Boyd (CO) to Mr Macmillan	6 Mar Minute on Nyasaland emergency & use of aircraft	27

NUMBER		SUBJECT	PAGE
<i>1959</i>			
179	Mr Macmillan to Mr Lennox-Boyd	7 Mar Minute on Nyasaland emergency & use of aircraft	28
180	Sir R Armitage (Zomba) to J C Morgan (CO)	10 Mar Letter on Nyasaland emergency, + <i>Enclosure</i> : Operation Instruction No 2/59 from Nyasaland Operations Committee	29
181	Mr Amery (CO) to Mr Lennox-Boyd (CO)	11 Mar Minute on inquiry into Nyasaland emergency	34
182	Lord Home (CRO) to Lord Perth (Lusaka)	18 Mar Draft telegram on federal review commission	35
183	Mr Amery (CO) to Mr Lennox-Boyd (CO)	20 Mar Minute on inquiry into Nyasaland emergency	36
184	Mr Lennox-Boyd to Sir R Armitage (Zomba) & Sir A Benson (Lusaka)	6 Apr Tel on federal review	37
185	Sir A Benson (Lusaka) to Mr Lennox-Boyd (CO)	8 Apr Tel on federal review, + <i>Minute</i> by W L Gorell Barnes (CO)	38
186	J C Morgan (CO) to Mr Lennox-Boyd	17 Apr Minute on Nyasaland constitution	42
187	W L Gorell Barnes to Sir E Hone (Lusaka)	27 Apr Draft letter on federal review	43
188	CRO	c 20 May Briefing paper on location of federal capital	45
189	W L Gorell Barnes (CO) to Lord Perth (CO)	29 May Minute on federal review	47
190	Sir N Brook (Cabinet Office) to Mr Macmillan	29 May Minute on Africa committee	48
191	Lord Home (CRO) to Mr Macmillan	29 May Minute on Africa committee to consider problems of the Federation and question of declaration of colonial policy	48
192	T J Bligh (private secretary to PM) to Mr Macmillan	3 June Minute on line to take at meeting with Opposition leaders on federal review commission	50

NUMBER		SUBJECT	PAGE
<i>1959</i>			
193	T J Bligh (private secretary to PM)	4 June Minute on meeting between Mr Macmillan & Opposition leaders on federal review commission	52
194	J C Morgan (CO)	16 June Minute on federal review commission & Nyasaland secession	54
195	Mr Lennox-Boyd (CO) to Lord Home (CRO)	17 June Letter on Nyasaland constitution	55
196	J C Morgan, W L Gorell Barnes & Lord Perth (CO)	19–22 June Minutes on Nyasaland & the Federation	57
197	W L Gorell Barnes (CO) to Mr Lennox-Boyd (CO)	24 June Minute on federal review commission & Nyasaland secession	59
198	Lord Home (CRO) to Mr Macmillan	6 July Minute on federal review commission, + <i>Annex I</i>	60
199	J C Morgan, R N Posnett, O H Morris, Sir J Macpherson & Mr Amery (CO)	9–20 July Minutes on Ridley Report on unrest in Northern Rhodesia	62
200	T J Bligh (private secretary to PM)	13 July Note of ministerial meeting on Devlin Report	68
201	Mr Lennox-Boyd (CO) to Sir R Armitage (Zomba)	13 July Tel on Devlin Report	69
202	T J Bligh (private secretary to PM)	14 July Note of ministerial meeting on Devlin Report	70
203	J O Moreton (CO)	14 July Minute on Devlin Report	71
204	Sir N Brook (Cabinet Office) to Mr Macmillan	c 14 July Minute on Devlin Report, on the declaration of the emergency & action taken after	72

Chapter 7

The release of Hastings Banda and the Monckton Commission Report, Aug 1959–Nov 1960

1959

205	Lord Perth, J C Morgan, W B L Monson & Mr Amery (CO)	4–18 Aug Minutes on future of Hastings Banda	73
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NUMBER		SUBJECT	PAGE
<i>1959</i>			
206	M R Metcalf (Salisbury) to Lord Home (CRO)	29 Aug Letter on Sir R Prain's views about contribution business might make to solving problems of the Federation	78
207	W B L Monson & J C Morgan (CO)	12 & 28 Minutes on future of Hastings Banda Oct	79
208	B StJ Trend to Sir N Brook (Cabinet Office)	13 Oct Minute on a visit by a commission of officials to the Federation, + <i>Annex</i> : note on the visit	82
209	CRO	10 Nov Note of conversation between Lord Home & Sir E Whitehead on Southern Rhodesian constitution	90
210	Mr Amery (CO) to Mr Macmillan	3 Dec Letter on prime minister's African tour	93
211	Mr Macleod (CO) to Mr Macmillan	3 Dec Minute on release of Nyasaland detainees	93
212	Lord Home (CRO) to Mr Macmillan	7 Dec Minute on release of Nyasaland detainees	95
213	D J Kirkness & Mr Alport (CRO)	14–16 Minutes on release of Nyasaland Dec detainees	96
214	Lord Home to Mr Macmillan	21 Dec Minute on release of Nyasaland detainees	98
215	Mr Macleod (CO)	24 Dec Draft Cabinet memo on Nyasaland Emergency	100
<i>1960</i>			
216	Lord Home (CRO) to Mr Macmillan (Enugu)	15 Jan Tel on comments made by prime minister in Lagos on Nyasaland & the Federation	101
217	D W S Hunt (Enugu) for Mr Macmillan (Enugu)	16 Jan Minute on 216	101
218	Lord Home (CRO) to Mr Macmillan (Kaduna)	17 Jan Tel on Monckton Commission	102
219	Federal Intelligence and Security Bureau	23–24 Summary of conversations between Jan Dingle Foot & Hastings Banda	103
220	Mr Macmillan (Pretoria) to Mr Macleod (CO)	27 Jan Tel on future of Hastings Banda	106
221	Mr Macleod (CO) & Lord Home (CRO) to Mr Macmillan (Pretoria)	28 Jan Tel on future of Hastings Banda	107

NUMBER		SUBJECT	PAGE
		<i>1960</i>	
222	Mr Macmillan (Pretoria) to Mr Macleod (CO)	29 Jan Tel on future of Hastings Banda	108
223	Sir R Armitage (Zomba) to Mr Macleod (CO)	9 Feb Letter on what might happen if federal govt attempts by force to take control of govts of Northern Rhodesia & Nyasaland	109
224	Lord Home (CRO) to Mr Macmillan	c 10 Feb Draft tel on future of Hastings Banda	111
225	Mr Macleod (CO) to Sir R Armitage (Zomba), repeated to Sir E Hone (Lusaka)	15 Feb Tel on Nyasaland constitution	112
226	Cabinet meeting CC 10(60)3	18 Feb Conclusions on future of Hastings Banda	114
227	Lord Home (Salisbury) to Mr Macmillan	21 Feb Tel on future of Hastings Banda	116
228	Mr Macmillan to Lord Home (Salisbury)	23 Feb Draft tel on release of Hastings Banda	118
229	Africa Dept, FO	4 Mar Note on Belgian Congo	119
230	Lord Home (CRO) to Mr Macleod (CO)	8 Mar Minute on release of Hastings Banda	120
231	Mr Macleod (CO) to Mr Macmillan	8 Mar Minute on Labour Party party political broadcast	121
232	Sir E Hone (Lusaka) to W B L Monson (CO)	11 Mar Letter on activities of Monckton Commission	121
233	Lord Home (CRO) to Mr Macmillan	22 Mar Minute on Southern Rhodesian constitution	128
234	Mr Macleod (Zomba) to Mr Macmillan	31 Mar Letter on his impressions in Salisbury, Northern Rhodesia & Nyasaland	129
235	Mr Macleod (Zomba) to Mr Macmillan	3 Apr Letter on meeting with Hastings Banda	131
236	Sir E Hone (Lusaka) to Mr Macleod	16 Apr Savingram on Northern Rhodesian constitution	132
237	Cabinet meeting CC 28(60)5	28 Apr Conclusion on UK's reserve powers in Southern Rhodesian constitution	134
238	D R J Stephen (Cabinet Office) to T J Bligh (private secretary to PM)	2 May Minute on security in Nyasaland, + <i>Annex</i> : CO brief for discussions with Sir R Welensky	136

NUMBER		SUBJECT	PAGE
		<i>1960</i>	
239	A M Webster (CO)	4 May Minute on Northern Rhodesian constitution	138
240	Mr Macleod (CO)	20 May Minute on meeting with Kenneth Kaunda	141
241	N D Watson (CO)	23 May Minute on Northern Rhodesian constitution	142
242	Sir E Hone (Lusaka) to N D Watson (CO)	12 June Letter on Northern Rhodesian constitution	143
243	Sir R Prain (Salisbury) to Mr Macleod (CO)	15 June Letter on Northern Rhodesian politics	145
244	Sir R Armitage (Zomba)	7 July Record of interview with Hastings Banda	146
245	Mr Macleod (CO) to Mr Macmillan	13 July Minute on reinforcement of Nyasaland	148
246	P de Zulueta (private Secretary to PM) to Mr Macmillan	13 July Memo on Belgian Congo	150
247	CRO	14 July Tel transmitting message from Mr Macmillan to Sir R Welensky on Belgian Congo & Nyasaland	151
248	Mr Macleod (CO) to Mr Selwyn Lloyd (FO)	19 July Minute on Belgian Congo	153
249	E B Boothby (FO)	20 July Minute on Belgian Congo & UK business interests	154
250	Cabinet Colonial Policy Committee meeting	20 July Minutes on Nyasaland constitutional conference	156
251	Mr Macleod (CO) to Mr Macmillan	3 Aug Minute on Nyasaland constitutional conference	157
252	Mr Amery (CO) to Mr Macmillan	5 Sept Minute on Belgian Congo	158
253	B StJ Trend (Cabinet Office) to Mr Macmillan	15 Sept Minute on publication of Monckton Commission Report & timing of review conference	159
254	Mr Macleod (CO) to Mr Macmillan	15 Sept Minute on Northern Rhodesian constitution	161
255	UK High Commission, Salisbury	22 Sept Tel transmitting a letter from Sir R Welensky to Mr Macmillan on Monckton Commission	162

NUMBER		SUBJECT	PAGE
<i>1960</i>			
256	Sir E Hone (Lusaka) to Mr Macleod (CO)	24 Sept Tel expressing reservations about the Monckton Commission recommendations [Extract]	164
257	H F T Smith, A D M Ross & Sir R Stevens (FO)	28 & 29 Sept Minutes on proposal to remove Patrice Lumumba from Belgian Congo	167
258	N D Watson (CO)	3 Oct Minute expressing concern at Sir E Hone's rigid approach over Northern Rhodesian constitution	170
259	D J Kirkness (CO) to J A Harrison (CO)	5 Oct Minute on Monckton Commission, on references to secession in previous policy statements	171
260	M R Metcalf (Salisbury) to Mr Sandys (CRO)	20 Oct Savingram on Monckton Report & riots in Southern Rhodesia	173
261	Lord Dalhousie (Salisbury) to Mr Sandys (CRO)	11 Nov Letter on European concerns over federal review	176
262	Mr Macleod (CO) to Mr Sandys (CRO)	15 Nov Letter on 261	177
263	B STJ Trend (Cabinet Office) to T J Bligh (private secretary to PM)	24 Nov Note on tactics & procedure at federal review, + <i>Enclosure</i>	178
264	Mr Macleod (CO) to Mr Macmillan	29 Nov Minute on Dr Banda's views on federal review	182

Chapter 8

Conflict over the Northern Rhodesian constitution, Dec 1960–Jan 1962

1960

265	Mr Macleod (CO) to Mr Macmillan	12 Dec Minute on views & behaviour of Sir R Welensky over Northern Rhodesian constitution	183
-----	------------------------------------	---	-----

1961

266	B STJ Trend (Cabinet Office) to Mr Macmillan	4 Jan Minute on revision of Northern Rhodesian constitution	184
-----	--	---	-----

NUMBER		SUBJECT	PAGE
		<i>1961</i>	
267	Mr Macleod (CO) to Mr Macmillan	6 Jan Minute on revision of Northern Rhodesian constitution, + <i>Enclosure</i>	185
268	COS Committee meeting	17 Jan Minutes on reinforcement of Rhodesia & Nyasaland	187
269	UK High Commission, Salisbury	31 Jan Tel transmitting message from Mr Sandys to Mr Macmillan & Mr Macleod on danger of 'a complete bust up' over Northern Rhodesian constitution	189
270	Mr Macleod (CO) to Mr Macmillan	1 Feb Minute on 269	190
271	T J Bligh (private secretary to PM)	8 Feb Note of discussion between Mr Macmillan, Mr Macleod & Mr Sandys on Northern Rhodesian constitution	190
272	Mr Watkinson (MoD) to Mr Macmillan	9 Feb Minute on reinforcement of Northern Rhodesia, + <i>Annex</i>	192
273	T J Bligh (private secretary to PM)	10 Feb Note of meeting on reinforcement of Northern Rhodesia	196
274	CRO	11 Feb Tel transmitting message from Mr Macmillan to Sir R Welensky on Northern Rhodesian constitution	197
275	CRO	11 Feb Tel transmitting message from Mr Macmillan to Sir R Welensky on detailed proposals for Northern Rhodesian constitution	198
276	Cabinet meeting CC 6(61)2	13 Feb Meeting on proposals to put to Northern Rhodesian constitutional conference	200
277	T J Bligh (private secretary to PM)	17 Feb Note of meeting between Mr Macmillan & Mr Macleod on the latter's intention to resign	202
278	T J Bligh (private secretary to PM)	18 Feb Note of meeting on white paper proposals for Northern Rhodesian constitution	202
279	T J Bligh (private secretary to PM)	18 Feb Note of meeting on options & risks facing UK over Northern Rhodesian constitution	203
280	Sir E Hone (Lusaka) to Mr Macleod (CO)	23 Feb Tel on what action might follow attempt by federal govt to overthrow govt of Northern Rhodesia	206
281	Mr Macleod (CO) to Mr Macmillan	23 Feb Minute on 280	208

NUMBER		SUBJECT	PAGE
<i>1961</i>			
282	M R Metcalf (Salisbury) to Mr Sandys (CRO)	24 Feb Despatch on Commonwealth's secretary's visit & Southern Rhodesian constitutional conference	209
283	COS Committee meeting	28 Feb Minutes on military intervention in Northern Rhodesia	213
284	Rhodesia & Nyasaland (Constitutional Review) Committee meeting	1 Mar Minutes on Northern Rhodesian constitution	217
285	Cabinet meeting CC 14(61)	20 Mar Conclusions on discussions with Sir R Welensky on Northern Rhodesian constitution	219
286	N D Watson (CO) to Sir E Hone (Lusaka)	31 Mar Tel on consultation with paramount chief over Barotseland	221
287	G B Shannon (CRO) to D A Scott (Salisbury)	7 Apr Letter on revised draft of white paper on Southern Rhodesian constitution	222
288	D A Scott (Salisbury) to G B Shannon (CRO)	17 Apr Letter (reply to 287)	224
289	D J Kirkness (CO)	18 Apr Minute on UK obligations towards Barotseland	225
290	Mr Macleod (CO) to Mr Macmillan	27 Apr Minute on UK options over Northern Rhodesian constitution	226
291	Sir G Jones (Zomba) to W B L Monson (CO)	9 May Letter on nominations to Nyasaland legislative council	228
292	N D Watson & W B L Monson (CO)	12–24 Minutes on possible secession of May Southern Rhodesia from Federation	229
293	Mr Macleod (CO) to Mr Sandys (CRO)	26 May Letter on Southern Rhodesian electoral rolls	232
294	Joint Planning Staff for COS Committee	14 June Note on military intervention in Northern Rhodesia, + <i>Annex</i> : draft memo for minister of defence	236
295	Cabinet Office	23 June Note of meeting on Northern Rhodesian electoral rolls	238
296	B StJ Trend (Cabinet Office)	25 June Minute on proposals over Northern Rhodesian constitution to put to Sir R Welensky	240

NUMBER		SUBJECT	PAGE
<i>1961</i>			
297	Lord Alport (Salisbury) to Mr Sandys	24 July Despatch on developments in the Federation, Mar–June 1961, on military tension & constitutional negotiations	242
298	Mr Macleod (CO) to Mr Macmillan	25 July Letter on activities of Lord Lambton	249
299	Mr Redmayne (chief whip) to Mr Macmillan (CO)	25 July Minute on activities of Lord Lambton	250
300	T J Bligh (private secretary to PM)	2 Aug Note of meeting between Mr Macmillan & Lord Lambton	251
301	Lord Perth (CO) to Mr Macmillan	25 Aug Minute on security situation in Northern Rhodesia [Extract]	252
302	Lord Perth (CO)	28 Aug Memo on advantages & disadvantages of change in Northern Rhodesian constitution	253
303	B StJ Trend (Cabinet Office) for Mr Macmillan	31 Aug Memo, 'The Federation', on timing of federal review	255
304	Cabinet Office	6 Sept Note of ministerial meeting on Sir J Moffat's proposals on Northern Rhodesian constitution	258
305	Sir R Welensky (Salisbury) to Mr Macmillan	6 Sept Tel on threat to regional security in Katanga	261
306	Mr Macmillan to Sir R Welensky (Salisbury)	8 Sept Tel (reply to 305)	263
307	Lord Dalhousie (Salisbury) to Mr Sandys (CRO)	23 Sept Letter on Hastings Banda & Nyasaland's position in the Federation	264
308	Lord Lansdowne (FO)	26 Sept Report on visit to Congo & the Federation, + <i>Appendices A-D</i>	266
309	Sir E Hone (Lusaka) to Mr Macleod (CO)	7 Oct Tel on discussions between paramount chief of Barotseland & Mr Greenfield, federal law minister	272
310	M R Metcalf (Salisbury)	19 Oct Memo on ministerial responsibility in Whitehall for Northern Rhodesia & Nyasaland	274
311	J D Hennings (Washington) to K J Neale (CO)	20 Oct Letter on Nyasaland & USA	275

NUMBER		SUBJECT	PAGE
<i>1961</i>			
312	T J Bligh (private secretary to PM)	25 Oct Note of ministerial meeting on federal review conference	279
313	J Bourn (CRO)	30 Oct Minute on Nyasaland & the Federation	281
314	J D B Shaw (Washington) to E G Le Tocq (CRO)	16 Nov Letter on the Federation & USA	284
315	Mr Sandys (CRO) to Lord Alport (Salisbury)	26 Dec Tel on Katanga	287
<i>1962</i>			
316	Cabinet Colonial Policy Committee meeting	4 Jan Minutes on Mr Maudling's new proposals for Northern Rhodesian constitution	288
317	Mr Macmillan to Mr Macleod (CO)	7 Jan Letter on views of former secretary of state on Northern Rhodesian constitution	292
318	W L Dale, F Mills & Sir S Garner (CRO)	11 Jan –12 Feb Minutes on Nyasaland & future of federation	292
319	Mr Maudling (CO) to Mr Macmillan	12 Jan Minute on new proposals for Northern Rhodesian constitution	296

Chapter 9

The demise of the Federation and the future of Southern Rhodesia, Jan 1962–Oct 1964

<i>1962</i>			
320	W B L Monson (CO) to M R Metclalf (Salisbury)	25 Jan Letter, 'The federal problem in Central Africa', + <i>Enclosure</i>	298
321	Mr Sandys (Zomba) to Cabinet	12 Feb Tel on Dr Banda's position on Nyasaland & future of federation	303
322	Sir N Brook (Cabinet Office) to Mr Macmillan	13 Feb Minute on 321	305
323	Lord Alport (Salisbury) to Mr Sandys (CRO)	13 Feb Minute on future of federation	305
324	N D Watson (CO)	20 Feb Minute on a plan for a white dominion of the two Rhodesias	306
325	T J Bligh (private secretary to PM)	1 Mar Note of meeting between Mr Macmillan & Sir R Welensky on future of federation	309

NUMBER		SUBJECT	PAGE
		<i>1962</i>	
326	Sir S Garner (CRO) to Mr Sandys (CRO)	1 Mar Minute, 'Rhodesia Federation', + <i>Annex</i> : memo, 'Possible action in the event of the federal government forcibly taking over the Northern Rhodesia line of rail and Copperbelt'	313
327	Mr Butler (CAO) to Mr Macmillan	16 Apr Minute on Nyasaland & future of federation	318
328	CO	16 May Record of meeting at Govt House, Zomba, between Dr Banda, Mr Butler & Sir G Jones on Nyasaland & future of federation	319
329	Sir R Welensky (Salisbury) to Mr Butler (CAO)	1 June Letter on position of federal govt over future of federation	321
330	Mr Butler (CAO) to Mr Macmillan	22 Aug Minute on suitable alternative to federation	324
331	A J Kellar (Security Service) to W S Bates (CAO)	5 Sept Letter on intelligence in Central Africa	325
332	W S Bates (CAO) to A J Kellar (Security Service)	10 Sept Letter (reply to 331), + <i>Minute</i> by N D Watson (CAO)	326
333	N D Watson (CAO) to Sir G Jones (Zomba)	10 Sept Letter on need to retain transitional controls in Nyasaland	328
334	Sir I Stourton (colonial police) to K J Neale (CAO)	18 Sept Minute on police in Nyasaland	333
335	Sir R Hollis (Security Service)	21 Sept Note of meeting with Sir R Welensky about communism in Africa	334
336	Sir G Jones (Zomba) to N D Watson (CAO)	27 Sept Letter (reply to 333)	336
337	Lord Alport (Salisbury) to Mr Butler (CAO)	12 Nov Letter on future of federation	341
338	Mr Butler (CAO) to Lord Alport (Salisbury)	20 Nov Letter (reply to 337)	342
339	Mr Butler (CAO) to Mr Macmillan	23 Nov Minute on Nyasaland constitution	344

NUMBER		SUBJECT	PAGE
<i>1962</i>			
340	Lord Alport (Salisbury) to Mr Butler (CAO)	15 Dec Letter on future of Southern Rhodesia	344
341	Sir R Stevens (FO) to Mr Butler (CAO)	18 Dec Letter on FO view of future of federation	345
342	Mr Butler (CAO)	24 Dec Note on future of federation & pledges	347
343	Sir A Robinson (Rhodesia House, London) to Mr Butler (CAO)	27 Dec Letter on pledges & future of federation, appealing for a change in UK policy	348
<i>1963</i>			
344	CAO for Mr Butler	Jan Brief on Nyasaland, economic & financial situation	352
345	Lord Alport (Salisbury) to Mr Butler (CAO)	20 Feb Letter on future of federal govt	357
346	R W H du Boulay (Washington) to N D Watson (CAO)	6 Mar Letter on US view of federation	359
347	Mr Butler (CAO)	6 Mar Minute on nature of Central African problem	361
348	Mr Butler (CAO) to Mr Macmillan	c 8 Mar Minute on Central Africa talks	362
349	Mr Butler (CAO)	21 Mar Notes on Central Africa talks, on attitude of UK Cabinet & talks with Mr Nkomo	363
350	Mr Butler (CAO)	23 Mar Notes on talks with Mr Field about future of Southern Rhodesia	363
351	Cabinet meeting CC 23(63)2	4 Apr Conclusions on issue of Southern Rhodesian independence	364
352	CAO to Canberra	28 Apr Tel transmitting message from Mr Macmillan to Sir R Menzies on future of Southern Rhodesia	366
353	Lord Alport (Salisbury) to Mr Butler (CAO)	6 May Despatch on first months of Mr Field's govt	368
354	Mr Butler (CAO)	14 May Note on issue of Southern Rhodesian independence	373
355	Cabinet meeting CC 36(63)2	30 May Conclusions on terms upon which UK might be prepared to grant independence to Southern Rhodesia	374

NUMBER		SUBJECT	PAGE
<i>1963</i>			
356	G W Jamieson & S P Whitley (CAO)	30 May –13 June	Minutes on Barotseland 375
357	CAO	17 June	Paper on defence issues at Victoria Falls conference 379
358	K J Neale (CAO)	22 July	Minute on unrest in Nyasaland 384
359	N D Watson (CAO) to Sir E Hone (Lusaka)	28 Aug	Letter on Northern Rhodesian constitution 385
360	CRO for Mr Sandys	28 Aug	Briefing paper on republican status for Nyasaland 386
361	Mr Butler (CAO)	17 Sept	Cabinet memo on Nyasaland & Northern Rhodesia constitutional questions 387
362	Mr Butler (CAO)	17 Sept	Cabinet memo on dissolution of Federation 389
363	Mr Butler (CAO)	17 Sept	Cabinet memo on future relations with Southern Rhodesia in defence field 391
364	MoD for Mr Thorneycroft	18 Sept	Brief for S of S defence on 363 394
365	G StJ Chadwick (CRO) to Sir S Garner (CRO)	14 Nov	Minute on governor-generalship of Nyasaland 395
366	Cabinet meeting CM 10(63)1	9 Dec	Conclusions on dissolution of the Federation 396
<i>1964</i>			
367	S P Whitley (CAO)	24 Jan	Minute on British South Africa Company mineral rights 398
368	T J Bligh (private secretary to PM)	27 Jan	Note of meeting on Southern Rhodesia between Sir A Douglas-Home & Mr Field 399
369	Sir B Trend (Cabinet Office) to Sir A Douglas-Home	18 Feb	Minute on consequences of UDI 401
370	T J Bligh (private secretary to PM)	25 Feb	Note of meeting on future of Southern Rhodesia between Sir A Douglas-Home, Mr Butler & Mr Sandys 402
371	Cabinet Office	27 Feb	Report by officials on financial & economic aspects of UDI, + <i>Amex</i> 403

NUMBER		SUBJECT	PAGE
<i>1964</i>			
372	T J Bligh (private secretary to PM)	28 Feb Note of meeting on future of Southern Rhodesia between Sir A Douglas-Home, Mr Sandys & Mr Campbell	409
373	Sir M Tennant (CAO) to Duke of Devonshire (CRO)	3 Mar Minute on Barotseland	411
374	T J Bligh (private secretary to PM)	19 Mar Note of meeting on Southern Rhodesia between Sir A Douglas-Home & Sir A Tafawa Balewa (PM, Nigeria)	414
375	Sir B Trend (Cabinet Office) to Sir A Douglas-Home	23 Mar Minute on Southern Rhodesia & Commonwealth	417
376	T J Bligh (private secretary to PM)	26 Mar Note of meeting with Harold Wilson on position of Labour Party on Southern Rhodesia	418
377	Sir G Jones (Zomba) to Mr Sandys (CRO)	21 Apr Despatch on violence in Nyasaland during registration of voters	419
378	Sir A Snelling (CRO) to Sir E Hone (Lusaka)	24 Apr Tel on difficulties over draft Northern Rhodesian constitution	423
379	Sir E Hone (Lusaka) to Sir A Snelling (CRO)	25 Apr Tel (reply to 378)	424
380	Sir B Trend (Cabinet Office) to Sir A Douglas-Home	1 June Minute on Southern Rhodesia	426
381	Sir H Gibbs (Salisbury) to Sir A Douglas-Home	2 June Letter on action to be taken in event of UDI	428
382	J B Johnston (Salisbury) to Mr Sandys (CRO)	6 June Letter, Southern Rhodesia situation report	429
383	Sir A Douglas-Home to Sir H Gibbs (Salisbury)	8 June Letter (reply to 381)	437
384	Defence Planning Staff of COS Committee	19 June Report on introduction of UK forces into Southern Rhodesia	439
385	J B Johnston (Salisbury) to Sir A Snelling (CRO)	29 July Tel on issue of independence for Southern Rhodesia	446

NUMBER		SUBJECT	PAGE
<i>1964</i>			
386	J A Molyneux (Lusaka) to N D Watson (CRO)	30 July Letter on whether Northern Rhodesia is ready for independence	447
387	J B Johnston (Salisbury) to N D Watson (CRO)	12 Aug Letter on Mr Smith's visit to London	453
388	Sir B Trend (Cabinet Office) to Sir S Garner (CRO)	14 Aug Letter on Mr Smith's visit to London, on Sir A Douglas-Home's strategy	455
389	Sir S Garner (CRO) to Sir B Tend (Cabinet Office)	17 Aug Letter (reply to 388)	457
390	J E Killick (Washington) to G E Millard (FO)	28 Aug Letter on Southern Rhodesia and USA	458
391	D L Cole (Zomba) to Sir A Snelling (CRO)	3 Sept Tel on Cabinet crisis in Malawi	459
392	Mr Boyd-Carpenter (Treasury) to Sir A Douglas-Home	4 Sept Minute on Northern Rhodesia and Chartered, on nationalisation	460
393	Mr Sandys (CRO) to Sir A Douglas-Home	4 Sept Minute on tactics during Mr Smith's London visit	462
394	J B Johnston (Salisbury) to Mr Sandys (CRO)	5 Sept Despatch on African nationalism in Southern Rhodesia	463
395	Cabinet Office	7 Sept Record of discussion on Southern Rhodesia between Sir A Douglas-Home & Mr Smith	468
396	R J M Wilson & J B Ure (FO)	8–18 Sept Minutes on issue of Chinese subversion in Malawi Cabinet crisis	472
397	Sir B Trend (Cabinet Office) to Sir A Douglas-Home	15 Sept Minute on Northern Rhodesia and Chartered, on nationalisation	473
398	Sir G Jones (Zomba) to Mr Sandys (CRO)	16 Sept Savingram on Dr Banda's new Cabinet in Malawi	475
399	G W Jamieson (CRO)	29 Sept Minute on Northern Rhodesia and Chartered, on nationalisation	477
400	J B Johnston (Salisbury) to Mr Sandys (CRO)	6 Oct Letter on a new phase in Southern Rhodesia	479

NUMBER		SUBJECT	PAGE
--------	--	---------	------

1964

401	G W Jamieson (CRO) to J A Molyneux (Lusaka)	15 Oct Letter (reply to 386)	485
-----	---	------------------------------	-----

Chapter 10

The Labour government and the future of Southern Rhodesia,
Oct 1964–Nov 1965*1964*

402	Cabinet meeting CC 1(64)3	19 Oct Conclusions on Southern Rhodesia at first meeting of Labour Cabinet	487
403	Sir H Stephenson (Pretoria) to Mr Gordon Walker (FO)	21 Oct Despatch on South African-Southern Rhodesian relations	488
404	J B Johnston (Salisbury) to Sir S Garner/Sir A Snelling (CRO)	23 Oct Tel on consequences of UDI	490
405	C M Le Quesne (FO)	27 Oct Minute on Southern Rhodesia, South Africa & Portugal	492
406	W B L Monson (Lusaka) to Mr Bottomley (CRO)	30 Oct Despatch, 'Zambia: The British South Africa Company'	493
407	D J Mitchell (private secretary, PM)	13 Nov Note of meeting on Southern Rhodesia & Congo between Mr Wilson & Dr Kaunda	496
408	Lord Walston (FO)	20 Nov Minute on Southern Rhodesia & Zambia	497
409	Sir B Trend (Cabinet Office) to Mr Wilson	24 Nov Minute on Southern Rhodesia, policy & tactics	497
410	Sir B Trend (Cabinet Office) to Mr Wilson	24 Nov Minute on action in event of UDI	499
411	Sir S Garner (CRO) to Sir M Adeane (Buckingham Palace)	24 Dec Letter on dismissal of Southern Rhodesian govt	502

1965

412	E R Campbell (Rhodesia House, London) to Mr Wilson	13 Jan Letter forwarding a message from Mr Smith on future of Southern Rhodesia	504
-----	--	---	-----

NUMBER		SUBJECT	PAGE
<i>1965</i>			
413	Sir B Trend (Cabinet Office) to Mr Wilson	20 Jan Letter on re-establishing contact with Mr Smith	506
414	Sir B Trend (Cabinet Office) to Mr Wilson	28 Jan Memo on implications of UDI & proposal that Mr Bottomley might visit Rhodesia	507
415	D J Mitchell (private secretary, PM)	30 Jan Record of meeting between Mr Wilson & Mr Smith	509
416	Sir B Trend (Cabinet Office) to Mr Wilson	16 Feb Minute on economic pressure against Rhodesia, on implications for Zambia & UK	513
417	J B Johnston (Salisbury) to Mr Bottomley (CRO)	12 Mar Despatch on visit to Rhodesia by Mr Bottomley & Lord Gardiner (lord chancellor) [Extract]	514
418	Mr Bottomley (CRO) for Cabinet Defence & Oversea Policy Committee	18 Mar Memo, 'Possible alternatives to coal and power supplies to Zambia'	521
419	Cabinet Committee on Southern Rhodesia meeting	25 Mar Minutes on negotiations with Mr Smith	523
420	Sir B Trend (Cabinet Office) to Mr Wilson	4 May Minute on implications for UK of disruption to Zambia's copper industry	525
421	Sir B Trend (Cabinet Office) to Mr Wilson	18 May Minute on discussions with Mr Smith & preparations for UDI	527
422	P Rogers (Cabinet Office) to Sir B Trend	27 Aug Minute on negotiations with Mr Smith	530
423	Sir B Trend (Cabinet Office) to Mr Wilson	21 Sept Minute on contingency planning for UDI	531
424	J W Nicholas (Zomba) to N D Watson (CRO) & J B Johnston (Salisbury)	22 Sept Tel on defence talks between Malawi & Southern Rhodesia	533
425	J B Johnston (Salisbury) to N D Watson (CRO)	23 Sept Tel on Southern Rhodesian preparations for UDI	534
426	CRO to Zomba	24 Sept Tel on defence talks between Malawi & Southern Rhodesia	535

NUMBER		SUBJECT	PAGE
		<i>1965</i>	
427	Sir B Trend (Cabinet Office) to Mr Wilson	1 Oct Minute on issues & UK strategy in talks with Mr Smith	537
428	C M Le Quesne (FO)	2 Oct Minute on discussions with US embassy official about UDI	539
429	Cabinet Defence & Oversea Policy Committee meeting	2 Oct Minutes on talks with Mr Smith & action in event of UDI	540
430	D J Mitchell (private secretary, PM)	4 Oct Minute, 'Rhodesia: an appeal by the Queen'	546
431	Sir B Trend (Cabinet Office) to Mr Wilson	6 Oct Minute, 'Action regarding the white population of Rhodesia'	547
432	Cabinet Defence & Oversea Policy Committee meeting	7 Oct Minutes on talks with Mr Smith & exchange controls	548
433	C C W Adams (CRO) to J O Wright (private secretary to PM)	7 Oct Minute on defence of Malawi & Dr Banda's personal security	550
434	J O Wright (private secretary, PM)	11 Oct Note of telephone conversation between Mr Wilson & Sir R Menzies on position at UN on use of force over Rhodesia	551
435	Cabinet Office	19 Oct Record of meeting on Southern Rhodesia between Mr Wilson & delegation from Confederation of British Industry	553
436	FO/CRO	19 Oct Joint tel to UK missions on use of force against Southern Rhodesia	555
437	Mr Wilson to Sir R Menzies & Mr Pearson	20 Oct Message to Australian & Canadian prime ministers on Mr Wilson's planned visit to Salisbury	555
438	Cabinet Office	27 Oct Record of meeting at Salisbury between Mr Wilson & ZAPU delegation	556
439	Dept for Economic Affairs	4 Nov Note on action in event of UDI	561
440	J B Johnston (Salisbury) to Mr Bottomley (CRO)	6 Nov Tel on Royal Commission on Southern Rhodesia	565
441	Mr Hughes (CRO) to Mr Wilson	10 Nov Minute on cypher equipment for Southern Rhodesia	567

NUMBER	SUBJECT		PAGE
	<i>1965</i>		
442	Prime Minister's Office	11 Nov Transcript of telephone conversation between Mr Wilson & Mr Smith just before UDI	568

168 CO 1015/1604

2–5 Jan 1959

[Nyasaland and the Federation]: minutes by J C Morgan, W L Gorell Barnes and Mr Lennox-Boyd

At our meeting yesterday with the Secretary of State about 1960 I ventured to tell him that I thought that the issues of policy may well be forced on us even earlier than we thought by the fundamental issues raised through Dr. Banda's activities in Nyasaland, and the necessity to determine on a new Constitution there; and I mentioned that I had attempted a draft study of this problem, based on my recent discussions in the area. It had been my wish to try to revise this draft further, but the Secretary of State said that he would like to see it before the week-end even in draft form: and I therefore submit it herewith.

2. I must make it clear that I have not yet entirely made up my own mind as to what attitude should be adopted towards Nyasaland's Constitutional proposals: but I am clear that if the Nyasaland Government come back again with something on the lines of their 'tentative proposal' and a plea that Nyasaland should be regarded as an 'exceptional case' viz. to have in due course an African Government inside the Federation, I shall be extremely disposed to recommend the acceptance by H.M.G. of that viewpoint as the best compromise possible in the whole situation, and the best political means of pricking the bubble of Dr. Banda's reputation. I know both from our discussions and from a study of the Papers on the Constitution file that this does not accord with your own views or that of the office but I nevertheless feel it my duty to continue to state the arguments, difficult though they are, which tend to the conclusion that this view may well be the right one. I do not conceal however that, on the one hand, adoption of this view will to an extent be a prejudicing of the outcome of the 1960 Conference; nor, on the other hand, that (although I do not mention this in the paper) the price which the Federal Government may well attempt to extort for their acceptance of the view may be the handing over of law and order to the Federal Government, at any rate so far as concerns Nyasaland.

3. I also attach file CAA 99/3/06 on which we have now at No. 4 the reply to our request to the Governor of Nyasaland for an assessment of Banda's attitude on his return from Accra. You will see from para. 6 of this that the Governor links the problem of what to do about Banda as closely as I do to the problem of the right solution of the Territorial Constitution. It therefore appears that we can only make further progress on this when we have the Governor's retort to our representations on the Constitution.

4. Since drafting my note, I have also seen two newspaper cuttings which are significant, attached. That marked A is some indication of a rift between Nkumbula¹ and Banda and also between Chirwa² and Banda; whether this is merely tactical or not it is hard to say. The cutting marked B, from the 'Economist' is of particular interest with regard to what I say in the paper about the under-representation of the Africans in any constitution based on the Welensky 'theory of standards': I refer to the passage marked P. This is not written by a long-haired left-winger, but by

¹ See 176, note 4.

² O E Chirwa, legal adviser to Nyasaland African Congress, 1958; established Malawi Congress Party in 1959; served as Attorney General from 1961 until his dismissal from office in Sept 1964.

someone with a reasonable view on the 'Economist' staff. It clearly indicates that it is not only members of the Labour Party in this country who would think that the Africans had been entirely sold out if we went there for a Federal type of Constitution.

J.C.M.
2.1.59

Secretary of State

With the attached minute Mr. Morgan has submitted his draft note on the Nyasaland problem, which you said you would like to read over the weekend.

2. I do not think that we ought to crystallise our views about the Nyasaland Constitution until we have seen and studied Sir R. Armitage's revised proposals which he has said he will be in a position to put forward by the middle of this month. But, on the understanding that none of us are committed to any views we put forward before Sir R. Armitage's revised proposals arrive, I should like to make one comment on what Mr. Morgan has written about the Nyasaland Constitution.

3. Although I do not have enough detailed local knowledge to be certain, I feel fairly certain that Mr. Morgan is right in saying that the Nyasaland population figures make it impossible to adopt the fundamental principle lying behind the new Northern Rhodesian Constitution, which is that, whilst the Africans should for the first time have some real influence in electing members to those seats—the majority of Unofficial seats—which have hitherto been more or less purely European, the votes of special voters in elections to those seats should be sufficiently devalued to ensure that in fact African voters will not on their own be able to determine the results of elections for those seats for another 20 years or so.

4. I am, however, far from convinced that this means that we must adopt something like the present Tanganyika system which is, of course, that members of all races are elected by a common roll which is pitched at a level at which Africans predominate in virtually all constituencies. My feeling is that the Federal qualifications or something like them should be used, that the seats intended for Africans should be filled by elections on a common roll comprising both those who have the higher qualifications and those who have the special qualifications, but that a minority of seats should be filled by elections on a common roll of those possessing the higher qualifications only. There could be variations of this: thus it would be possible to have one or two seats reserved for Africans which were filled by elections on a common roll of those with the higher qualifications only, or it would be possible to have one or two seats reserved for Europeans which would be filled by elections on the combined roll. But, broadly speaking, what I would like to see would be a scheme which would preserve the Federal qualifications, which would produce a majority of Africans amongst the Unofficials but which would ensure that there would be some non-Africans who would owe their election mainly, though not entirely, to non-African votes.

5. Actually, the qualifications on the lower Federal roll are lower than the qualifications proposed by Sir R. Armitage for his single common roll; and, if the Labour Party are prepared to support qualifications like the Tanganyika qualifications and the nomination of non-Africans, as in Uganda, I do not see why they should not be willing to support a scheme of the kind I have in mind.

However, as I said at the beginning, we must wait and see what Sir R. Armitage now recommends.

W.L.G.B.
2.1.59

Mr. Gorell Barnes

Mr. Morgan

I have read all these papers carefully. I am particularly grateful to Mr. Morgan for his admirable study. I should like to discuss it as soon as I return—will we have the governor's constitutional thoughts by then? As to warning my colleagues of the increasingly serious situation in Nyasaland, I do not want to wait until the constitutional proposals are ready—and would like as soon as I get back to have a word with the P.M. & the M. of Defence & the Commonwealth Secretary. Pl speak to me on Jan 16th.

A.L-B.
5.1.59

169 CO 968/698, no 104

Jan 1959

'Measures against hostile broadcasts: monitoring and jamming': draft briefing note by CRO for Sir W Oliver

[Lt-Gen Sir William Oliver, principal staff officer to the Commonwealth relations secretary, was about to visit the Federation and South Africa for discussions on security matters. Moscow Radio had apparently begun beaming English and French-language broadcasts to Africa on 19 Apr 1958 (FO 371/131226, no 1, minute by F R MacGinnis, 9 May 1958). In Sept, the federal government told the British high commission that it would be monitoring Soviet Broadcasts and would make regular reports (FO 371/131226, no 6, Towsey to Sykes, 5 Sept 1958). The draft below was forwarded to N D Watson by the CRO, having been cleared with the FO and the BBC. Amendments to the draft were made within the CO by O H Morris and C Y Carstairs, both of whom agreed on the need to delete paragraph 5.]

The Federal and the Union Government are both concerned about Soviet broadcasting. The Russians have recently started to beam transmissions in English to Africa on six frequencies for two consecutive periods of half an hour daily. The impact of these broadcasts is likely to be very small but the threat has been sufficient to produce enquiries from both the Rhodesians and South Africans about the possibility of jamming them. We are in touch through our High Commissioners with both Governments on the subject of these broadcasts, and their effect. The position on the discussion of physical counter-measures—i.e. monitoring and jamming—is more complicated and is explained below.

United Kingdom Experience

2. Our experience has been gained mainly against three sources of hostile broadcasts:

- (a) The Soviet bloc.
- (b) Cairo radio.
- (c) Athens radio (on Cyprus).

In considering the practicability of measures against these broadcasts, the distinction between these three sources, representing very different degrees of sophistication and physical resource, is essential.

Monitoring

3. The B.B.C. runs a considerable, and very costly, system of monitoring, and does so in collaboration with the Americans and others: the various programmes are phased so as not to overlap, and the products of the monitoring services are jointly shared. Even so, we and the Americans have found it impossible to cover all hostile broadcasts in all languages, and we have recently been reviewing the position to see whether any improvements could be made in the distribution of our effort. In particular, a team has recently visited the East African territories and Salisbury to enquire into the possibility of increasing our coverage in those areas. It discussed monitoring with the Federal authorities, and sought to stimulate their interest. The High Commissioner's office have the details.

4. If the opportunity arises, General Oliver might express in general terms the hope that if present plans for an increased United Kingdom effort in the area bore fruit the general interest might benefit by the Federal authorities collaborating in ways which have already been suggested to them.

5. The question of monitoring has not been discussed with the South Africans. If however the moment seemed propitious, and the High Commissioner has no objection, General Oliver could say that the United Kingdom authorities were considering increasing their monitoring effort in Africa, particularly by establishing a unit in East Africa, and would be glad to discuss with the Union authorities arrangements whereby the Union could receive the results of it, and perhaps contribute towards the costs.

Jamming

6. In the United Kingdom Government's view, jamming is a regrettable weapon of very doubtful efficacy, and we continuously condemn the Russians for using it indiscriminately. Our policy is currently under review, but it can safely be said that we would use it only as a measure of last resort, and on a strictly limited basis against broadcasts aimed at inciting violence. Only in this case could it be justified in such bodies as the International Union.

7. The United Kingdom is currently considering the establishment of an organisation capable of running small but quickly mounted operations in various places which would be effective only temporarily and locally, and might delay the effects of the hostile propaganda for a few days to enable more effective counter-measures to be put in hand.

8. Whatever is decided about our future activity, it can be said categorically that the jamming of *all* Soviet broadcasting to Africa is impracticable. We have fairly successfully jammed Greek broadcasts to Cyprus for specific periods, but that was an operation against a relatively unsophisticated technical opposition in respect of a small area where we had large military resources capable of being diverted for short periods. To operate in respect of a continental area against an enemy capable if he wishes of switching frequencies almost at will, and careless of the money devoted to his objective, is very different. A rough estimate of the cost of an operation against the present broadcasts of the Voice of the Arabs alone in the area of the Persian Gulf

and Aden is about £800,000 in capital expenditure and £250,000 a year in running costs—and this makes no allowance for any expansion of the Egyptian effort. Any attempt to jam Soviet broadcasts to Africa would be vastly more expensive and almost certainly ineffective. Ineffective jamming is worse than useless, since it encourages the hostile broadcaster to extend his efforts. In the United Kingdom view, money devoted to jamming on this scale would be better employed in counter propaganda of other policy measures designed to nullify the effect of the broadcasts.¹

9. When a decision has been taken about future jamming policy, we shall be getting in touch with the Union and Federal authorities. In the meantime, if General Oliver is pressed, he may speak on the above lines (there have already been informal exchanges on the subject with officials of both governments).

¹ The recommended amendment of this sentence by the CO read: 'In the United Kingdom view, money devoted to jamming on this scale would be better employed in the development of local broadcasting and on other projects of social and economic development.'

170 CO 1015/1599 19 & 21 Jan 1959
**[Future of the Federation]: minutes by Mr Lennox-Boyd and W L
 Gorell Barnes on governorships**

I had a long talk this morning with Lord Home and Lord Dalhousie.

(1) We did not discuss the 'future of the Federation', save that Lord Home said that he had been giving more thought to the question of our preliminary studies and he now agreed that there was something to be said for a neutral chairman. He would be very glad, therefore, to agree that Trend should take the chair at the officials' meetings. Is this all right by you?

(2) On the Governorship of Northern Rhodesia Lord Dalhousie said that he thought there would be a good deal to be said for making Hone Governor of Nyasaland and switching Armitage to Northern Rhodesia. I said I thought that on balance it would be better to appoint Hone to Northern Rhodesia and that I had very nearly decided to do this. I would give some consideration to the suggestion, but I thought that the impending difficulties in Nyasaland could best be met if Armitage remained Governor. Will you have a word with me about this?

(3) On the question of uniting the two jobs of Governor-General and Governor of Southern Rhodesia Lord Dalhousie made the following points.

He said, as we all know, that the Governor and the Governor-General were far too close together—geographically that is! It was very embarrassing putting the local people to considerable expense entertaining both of them, frequently very close together. The Queen's representation was undoubtedly suffering as a result. He did not think it would be possible to bring another Governor to Southern Rhodesia from the United Kingdom. It would be very greatly resented as a quite unnecessary expense. Wholly different considerations applied in the case of the two Northern territories and he was not suggesting merging the two jobs as a prelude to pressing for the disappearance of the two Northern Governors. He believed that this was at the back of the minds of those who felt that the Africans would be very suspicious of the proposed merger. We ought not, however, to give way to this nonsense; we should attack the nonsense at its source and make it quite clear that we were not working

towards amalgamation. One possible solution might be to have a Lieutenant-Governor in Southern Rhodesia. This would go some way, but not the whole way, to meeting his difficulties.

William-Powlett is leaving in June on six months' terminal leave. Lord Dalhousie is going on leave in August for three months. He would like Tredgold to act as Governor of Southern Rhodesia from June till August and as Governor-General and Governor from August till November. Then on his (Dalhousie's) return in November he would like to continue to double the jobs until the conference in 1960. If, however, it proved too difficult to do this, then at least he would like Tredgold to double the jobs until he returns in November 1960. He is going back to Southern Rhodesia at the end of next week and he would like to discuss the matter fully with Benson and with Armitage. I said I was very much in favour of his having such a discussion, but I relied on him to make it clear to the two Governors that I had not given way on the principle; I merely wanted them to have a chance of discussing their difficulties with him and hearing of his.

(4) We then had a word on the next chairman of the African Affairs Board. Armitage is apparently very keen that Pretorius should be appointed. You will know all about him. He has lived a long time in Nyasaland and this, I should have thought, coupled with Armitage's support, would offset any disadvantages that his Afrikaans origin might bring.

(5) We then had a brief word about Paramount Chief Chitimukulu.¹ Lord Dalhousie said that he hoped we would do everything we could to prevent him being tried—a view which I strongly share. He said that if in fact he had murdered his Cabinet Chief (!) the latter had tried to murder him some little time ago. Anyhow he was always very drunk and it could be argued was not responsible for his actions. The best solution would be to put him in a nursing home and give him all he could to drink, in which case he ought to pass out pretty rapidly. Before we took any such action, and above all before we had a trial, we ought to be quite clear who we had in mind to succeed him.

A.L-B.
19.1.59

Secretary of State

I have had extracts of the attached minute made for our files and will as necessary be submitting those files. Meanwhile you may like to have my immediate comments on the various points raised in the minute as follows:—

(1) Although I do not think it will in the end be possible to keep Central Africa out of the deliberations of the Official Africa Committee, it would be quite satisfactory from our point of view if Mr. Trend were asked to take the chair at discussions between C.R.O. and C.O. officials on 1960 and all that.

(2) Both I and Sir J. Macpherson, with whom I have spoken, think it would be much better to keep Sir R. Armitage in Nyasaland and to promote Mr. Hone in Northern Rhodesia.

(3) It is an excellent arrangement that Lord Dalhousie should discuss with the two Northern Governors. If the outcome of such a discussion were agreement that Sir R. Tredgold should act both as Governor of Southern Rhodesia and as Governor-

¹ Paramount chief of the Bemba.

General from August until November, but that when Lord Dalhousie returns, Lord Dalhousie should not act in both capacities, I personally would be quite satisfied with that. It is, I think, a very different thing for the Governor or Acting Governor of Southern Rhodesia to act for a brief period as Governor-General from the Governor-General acting even for a brief period, much less for a long period, as Governor of one of the territories.

(4) Mr. Pretorius is a member of the Dutch Reform Church and I understand that the Nyasaland African Congress are apt to say unpleasant things about him. We believe, however, that he is a good man and have no reason to think that he would not make a good chairman of the African Affairs Board. On the other hand, we shall want to enquire about the position of his Northern Rhodesian counterpart, of which we are not at the moment aware, before advising whether Mr. Pretorius is the right choice.

(5) As you will have seen from the telegrams, the Northern Rhodesian Government have discontinued, for the time being at any rate, their enquiry into the Chitimukulu case. Before doing so they had already said that they would consult us before charging him, if they decided that it was right to charge him. In the light of this I doubt whether any action on our part is necessary, but we will look up the papers.

W.L.G.B.

21.1.59

171 DO 35/7513

27 Jan 1959

[Constitutional development in the Federation]: minute by D J Kirkness.¹

Since Mr. Morgan's letter at (322) was received, I have heard from him that the Colonial Secretary has decided that, subject to the approval of the Prime Minister and his colleagues, and of Sir Roy Welensky, he will go to Zomba at the end of his forthcoming trip to Aden and Somaliland. He will meet the Governors of Nyasaland and Northern Rhodesia in Zomba, arrive at decisions with them, and then go on to Salisbury to try to clear them with the Federal ministers. He would probably be accompanied to Salisbury by Sir Robert Armitage. A draft telegram about this is coming across for concurrence.

2. We may hope that this procedure would meet Sir Roy Welensky's view that there should be fuller consultation with him over Nyasaland than there was over Northern Rhodesia, and in particular consultation round a table and not merely by correspondence. It would also save our Secretary of State from becoming directly involved in the discussions, unless he wished to raise points of his own.

3. The Constitutional proposals in (322) do not represent any dramatic advance to self-government, such as we at one time considered to be a necessary part of the plan for 1960.² Instead, Nyasaland would be left with the least advanced Colonial

¹ Principal, CO, on secondment to CRO, 1957–1961, returning to CO as assistant secretary, 1962.

² Armitage's constitutional proposals envisaged a legislative council in which only 14 of the 29 members would be elected. The operation of a dual-roll voting system would mean that of the 14 elected seats, eight would be likely to won by Africans and six by Europeans (C Baker, *Retreat from empire: Sir Robert Armitage in Africa and Cyprus*, London, 1998, p 221).

territories [sic]. Apart from three small island territories which have no legislature, only Fiji, Hong Kong, North Borneo, Seychelles and (up to the present) Somaliland have Legislative Councils with official majorities, and Executive Councils which give no real power to unofficials.

4. European unofficials in Southern and Northern Rhodesia may be expected to criticise the proposals as leaving power in the hands of the Colonial Office. Europeans in Nyasaland, and also Sir Roy Welensky, seem more conscious of the dangers of too rapid a pace in an advance which must eventually lead to African predominance in the government of Nyasaland. Both the United Federal Party Local Branch and their European unofficials propose constitutional measures which would leave effective power to the Colonial Secretary, and one group says there should be 'no ministerial system before 1965'. There is something of a dilemma from our point of view: should we press for more sweeping advances, knowing the effect would be to hand over Nyasaland to Dr. Banda and the African National Congress; or should we recognise that it is dangerous to go much further than the present proposals, while realising that this means that one of the conditions we have thought necessary to full self-government status for the Federation cannot be obtained by 1960? For myself, I am in no doubt that we could not hand over to Africans for a long time to come, both because of the internal upheaval which would result in Nyasaland and because secession of Nyasaland from the Federation would become almost inevitable.

5. If it is accepted that the general pattern of the Constitution cannot be much more liberal than is now proposed, it remains to consider whether we should seek any amendments of detail. Points which strike me are as follows:—

(a) There are three differences between the franchise proposed and those agreed for the Federation and Northern Rhodesia:—

- (i) the B Roll has a lower income qualification;
- (ii) there is no provision for A and B rolls to vote together for any of the candidates;
- (iii) there will be no fading out of the B Roll.

(b) It is proposed that two members of Executive Council should be specified as Africans; this was the provision to which Sir Roy Welensky objected to strenuously in the case of Northern Rhodesia. However, there is some difference in that these will not have ministerial functions—& he evidently 'did not react' in this case.

6. I see no reason why these various features should not be tried on Federal ministers, with the argument that circumstances alter cases and that there is no need for uniformity throughout the Federation. I do not think that, if the general principle of the proposals is accepted, there are any points of detail to which the C.R.O. need take exception, though we should naturally wish to reserve our position as to supporting any criticism that Federal Ministers may make.

7. There will be little or no time for Lord Home himself to consider these proposals before decisions are taken in Zomba and Salisbury, and it may be thought advisable to let him know both of the proposals and of the suggested procedure for Mr. Lennox-Boyd's visit.

172 CO 1015/1494

13 Feb 1959

[Nyasaland and the Federation]: minute by J C Morgan

If he can, Lord Perth should see as soon as possible the attached telegram from Sir Robert Armitage, together with the white paper copy of the brief reply which I have sent.

2. From the conversations which I have already had with Lord Perth, I know that he is fully seized of the desire of the present Federal Government to obtain control of law and order in the Northern Territories, either as a consequence of the 1960 Conference, or even before that. He will remember that Sir R. Welensky told Sir R. Armitage that he would only agree to a public statement to the effect that there was to be an African Government in future in Nyasaland, in exchange for a definite promise that control of law and order in Nyasaland would be ceded to the Federal Government.

3. Lord Perth will also have seen mention of this subject in my full report on opinion in the Northern Territories regarding the 1960 Conference and 'Dominion status'. In my view, there is no doubt that the Federal Government will include in their 'demands' for that Conference the making of law and order a Federal subject; indeed, I believe that for them this will be the real object of the Conference, and that they will come to the table with demands for 'Dominion status', but privily briefed to appear to 'fall back on' control of law and order as a *pis aller*.

4. The arguments, which are held strongly by the officers in the Northern Territorial Governments, against such cession of law and order are:—

- (1) For law and order to be Federal would make complete nonsense of the Protectorate status of the Northern Territories.
- (2) Further, law and order and the police are so bound up with the Provincial Administration that the cession of the one would lead inevitably to the cession of the other.
- (3) That process would in turn tend to obliterate the separate status of the constituent parts of the Federation, and lead on to amalgamation.

5. I feel absolutely certain that the Governors of the Northern Territories, whoever they may be in 1960, will resist to the very last the cession of law and order to the Federal Government, and that therefore nothing should be done between now and 1960 to assist the Federal Government in their argument. Lord Perth and I discussed this point recently in connection with his report to the Prime Minister on Dr. Banda. The essential point is that means must be found either of avoiding a 'show-down' with Dr. Banda, or alternatively of dealing with him without involving the intervention of Federal military forces. At a certain stage it would be extremely difficult to prevent the intervention of Federal forces, or to try to substitute British forces for them. The inference from this is that the situation must be prevented from arising. In this connection CAA Department and ISD¹ are now collaborating with Legal Advisers to find the best advice which could be offered to Sir R. Armitage as to means of neutralising Dr. Banda and his associates; and papers on this subject will be submitted early next week.

¹ CO Central Africa and Aden Dept, and Intelligence and Security Dept.

6. I have kept no copy of this minute. When Lord Perth has seen it, I shall be grateful if it could recirculate to Mr. N. D. Watson to see, and to have registered on Top Secret papers.

7. Mr. Gorell Barnes should see the attached and this minute on his return.

173 WP 240/1, ff 1–7

18 Feb 1959

[Nyasaland unrest]: memorandum by F H G Bridgeman.¹ *Enclosure:*
FISB report 'Emergency conference of the Nyasaland African
Congress held at Blantyre on the 24–25 January 1959'

[Reports of an attempt to organise a campaign of violence at a secret meeting of the Nyasaland African Congress on 25 Jan seem to have been discussed by Armitage and his officials as early as 7 Feb. Some details of the meeting appear in the Nyasaland Intelligence Report for Jan 1959 (CO 1015/1749). An FISB report of 10 Feb made reference to the planned assassination of Federal MP, WM Chirwa, the 'quislings' and government officials, and it appears to have been the subject of a discussion held between Welensky and senior federal intelligence and military personnel on 10 Feb (Welensky Papers, 239/9, ff 47–51, minutes of meeting held in prime minister's office; R Welensky, *Welensky's 4000 Days*, London, 1964, p 117). It was not until 13 Feb, however that the Nyasaland Special Branch was able to present Armitage with a proper collation of the various intelligence. The abridged version of a Nyasaland Special Branch report (presumably that of 13 Feb) reproduced below, which was circulated by the FISB on 18 Feb, provides the fullest account currently available of the intelligence obtained by the Nyasaland authorities. It is taken from the papers of Sir Roy Welensky, Rhodes House Library, Oxford. The accuracy of that intelligence was subsequently disputed by the report of the Devlin commission published in July.]

1. Attached is an abridged version of a report just received from the Nyasaland Special Branch. That portion of it relating to Congress plans for violence has subsequently been confirmed from two independent sources in the Northern Province and one in the Southern Province, and it must therefore be taken as firm information. It has been accepted as such by the Nyasaland Government.

2. We have endeavoured to ascertain what action the Nyasaland Government proposes to take on this report and have been informed by our Liaison Officer in Zomba that so far the only decision made is to avoid the arrest of Dr. Hastings BANDA at all costs. Our link also states that the Nyasaland Government do not consider that they are yet ready for a clash with Congress and tend to attribute the present situation to hostility to Federation rather than to extreme African nationalism.

3. It seems clear therefore that the Nyasaland Government has allowed itself to be placed in a position where it is compelled to abrogate its powers in respect of law and order for fear of a violent reaction which it is unable to meet. Some preparations for an emergency are indeed being made but one wonders whether time is in fact on the side of Government, rather than of Congress. The introduction of the Federation 'red herring' is not new. If this were the sole target for Congress violence, it seems odd that officials of the Nyasaland Government have been singled out for assassination.

4. The danger of the present situation lies in the fact that Congress plans for violent action could be sparked off by a rumour of BANDA's arrest or by some trivial incident which might be taken that 'R' day had arrived. There would then inevitably

¹ F H G Bridgeman, Assistant Director of the FISB.

be considerable loss of life and damage to property before reinforcements could reach outlying areas.

5. The authors of the Congress plan have clearly been encouraged by the results of violence in other dependent territories and are counting on some form of assistance from the other Congresses in the Federation. This has already been discussed at secret meetings and there is no doubt that plans for concerted action will be taken further during and before the P.A.F.M.E.C.A. meeting in Zanzibar next month.

6. Dr. BANDA, himself, is unlikely to initiate trouble before the 8th March as he is arranging a large public meeting for John STONEHOUSE, M.P.,² on that date.

7. In normal circumstances the information in this report would be considered as sufficient justification for declaring Congress an unlawful association and for arresting its leaders down to district level. It is difficult to see how such action can be long delayed if a terrorist outbreak is to be avoided, although the nature of the threat requires that certain precautionary measures such as the deployment of troops and police reinforcements and the introduction of normal Internal Security plans to safeguard threatened lives and property should be taken beforehand. Adequate prison accommodation would also have to be ready.

8. If this report is true and it must be accepted as such, the present inactivity of the Nyasaland Government can only have one end and it is therefore strongly recommended that pressure be brought to bear on the Government to accept a definite plan for positive counter-action against Congress on the above lines.

9. With regard to the claim that 75% of the Police and K.A.R. would go over to Congress, the Head of the Special Branch in Nyasaland comments that this was obviously made to encourage those present. He is unable to give an opinion on the loyalty of the Zomba Prison staff although he mentions that the Senior Goaler is one Alfred Kenneth CHIRWA, the brother of the Congress barrister, O. E. CHIRWA, and a well-known Congressman who has recently been the subject of a Special Branch investigation.

Enclosure to 173

1. The Conference was called at comparatively short notice and was attended by about 150 delegates from all parts of Nyasaland and from Northern and Southern Rhodesia.

2. On the first day the Conference took the form of a public meeting with unimportant speeches by Dr. BANDA and various delegates.

3. Early on the morning of the 25th January, the delegates assembled outside the Congress office at Soche. They then broke up into sub-committees, delegates proceeding in groups to three or four private houses in the Soche area to continue discussions under conditions of the greatest secrecy. These precautions were taken to avoid any possibility of police eavesdropping in any form. The idea of these sub-committees was to ratify and adopt Conference resolutions which had been passed at discussions of the Congress Central Executive Committee some days previously. D. K. CHISIZA, Secretary General of Congress, was the Chairman of these sub-

² John Stonehouse, Labour MP for Wednesbury, 1957–1974 & Walsall N, 1974–1976.

committees and visited the various houses to inform delegates of the resolutions they were expected to discuss. No one was allowed to take notes.

4. Decisions taken at the above meetings:—

a. In the event of Dr. BANDA being arrested, deported or restricted to any particular area, a general strike was to be called to include civil servants, and Railway and Road Transport workers. Trade Unions would be approached to support Congress. The strike was not to include workers in Public Services, such as Water and Electricity.

b. In the event of Dr. BANDA's arrest a committee comprising H. B. CHIPEMBERE, M.L.C.,³ D. K. CHISIZA, M. W. K. CHIUME, M.L.C.,⁴ and Mrs. Rose CHIBAMBO,⁵ would be formed and would be responsible for conducting the affairs of Congress.

c. If Government rejected the Congress demands for an African majority in the Legislative and Executive Councils, strike action would be initiated as in (a.) above. Also, if the proposals were made public in the near future and were not satisfactory, Dr. BANDA would fly to the United Kingdom to interview the Secretary of State for the Colonies and Territorial Elections should be boycotted.

d. Congress should encourage those Africans who were qualified to do so to register themselves as voters in the next Territorial Elections provided there was no boycott.

e. As a security measure a courier service should be formed for the transmission of documents from the Central Body to replace the present system of sending letters through the post.

f. Any member of a Congress committee found speaking to a Special Branch officer, or representative of any political body, should be suspended or dismissed from Congress.

g. African members of the Legislative Council should raise the subject of the Police being the authority to give permission for the holding of public meetings at the next meeting of the Legislative Council.

h. If the announcement about the Constitutional proposals was not made in the near future and Dr. BANDA did not fly to England, he should tour the Protectorate from February to August.

i. Dr. BANDA has been informed that W. M. CHIRWA and other 'quislings' were plotting to kill him. The meeting accordingly decided to appoint E. K. CHISIZA, ex-Sub-Inspector of the Tanganyika Police, as his personal bodyguard.

j. It was decided that efforts should be made to get Congress extremists appointed as Trade Union leaders. In this connection it was decided that steps should be taken through the Trade Unions to get W. B. CHISIZA, Organising Secretary of the Commercial African Employees Trade Union removed from his office as he was not considered extreme enough in his views.

k. It was decided that the composition of Provincial Committee would be brought into line with that of the Central Executive Committee, and that in future only the

³ Henry Blasius Masauko Chipembere, treasurer of the Nyasaland African Congress.

⁴ Murray William Kanyama Chiume, publicity secretary of the NAC.

⁵ Rose Chibambo, leader of the Women's League of the NAC and subsequently of the Malawi Congress Party, 1958–1964.

Provincial Chairman would be elected. He would have authority to select his own Executive.

This was the more open side of the Conference.

5. Later the same morning the delegates were taken to Dr. BANDA's residence in Limbe where each one was introduced individually by D. K. CHISIZA.

6. In the afternoon of the 25th January, a secret meeting was held in the bush near Katumba, not far from Soche. Lawrence MAKATA used his lorries to convey delegates, who numbered about 140, to and from the meeting. The meeting was held under the direct instructions of Dr. BANDA though he was not present, again to ratify the decisions made by the Central Executive Committee. Reports vary as to who presided, but it is probable that D. K. CHISIZA, the Secretary General, presided while H. B. CHIPEMBERE did the explaining. The strictest precautions were taken to ensure that there should be no leakage of any sort. Members were searched for pencils and paper and a number were sent away from the meeting for one reason or another, usually because they were suspected of being police informers.

7. The following resolutions were passed:—

a. *Illegal meetings and processions.* Until such time as the announcement of the impending constitutional changes was made, unlawful public meetings and processions should be held throughout the Protectorate. Those meetings were to be held where possible in the bush. Those attending them should not resort to violence but should offer themselves for arrest if the need arose. In this connection it is of interest to note that eight illegal meetings have been reported from various places in Nyasaland since the 25th January, 1959.

b. *Action in the event of Dr. BANDA's arrest.* Apart from what was decided about a general strike in the more open meeting, it was decided as follows:—

(i) The four persons named above elected to run Congress in the event of Dr. BANDA's arrest were to fix a day when violence was to begin. Three cars containing Congress leaders with individual messengers should set out for the Central and Northern Provinces to inform every branch of the arrest. The Committee of four were to fix a day when violence was to begin to be called 'R' day. In view of the difficulty of communications this would probably be from ten to twenty one days after BANDA's arrest. All action was to begin simultaneously in every district on this 'R' day.

(ii) Action was to be on a district basis organized by the Chairman and others of the district Congress branches.

(iii) Between the date of Dr. BANDA's arrest and 'R' day nobody was to take overt action of any sort. Between now and Dr. BANDA's arrest efforts were to be made to get the friendship and help of hooligans, criminals, known murderers, etc., for use on and from 'R' day as they would do the 'dirty work'. On 'R' day their ranks are to be swelled by prisoners released from Zomba Prison, the gates of which will be opened by the staff.

(iv) All telephone wires, means of communication, bridges on roads and railways, etc., were to be destroyed. Chiromo Bridge was mentioned.

(v) Airfields, including Chileka, were to be attacked and installations destroyed or burned. The main Power Station at Blantyre was to be attacked and put out of action. Any petrol dumps or storage places were also to be destroyed.

(vi) Each District Chairman was responsible for murdering his District Commissioner, or where there was a Provincial Commissioner, the Provincial Commissioner and his staff first, followed by the Police Officer and then any other Europeans. In the township areas there was to be widespread murder of Europeans and Asians. H. B. CHIPEMBERE said that the murders were to include all women and children. Their bodies were to be mutilated and then burned if possible.

(vii) In Zomba, the Congress district committee were to be responsible for assassinations in the following order of priority:—

- H.E. the Governor.
- The Chief Secretary.
- The Commissioner of Police.
- Senior Police and K.A.R. officers.

H.E. was to be murdered by his own staff of servants. The Commissioner of Police and the senior Police and K.A.R. officers were to be murdered by Police and K.A.R. personnel, 75% of whom, CHIPEMBERE claimed, would go over to Congress with their arms and ammunition. After this there were to be indiscriminate attacks on Europeans and their families.

(viii) To begin with any sort of weapons were to be used, including pangas. After the first killings weapons could be obtained from murdered Europeans and from the K.A.R. and Police.

(ix) CHIPEMBERE claimed that many of the Chiefs were secret members of Congress and were expected to help.

(x) Help was likely to come from other African territories two or three days after the beginning of the disturbances. The type of help and how it was to be arranged was not stipulated. But George NYANDORO, Secretary General of the Southern Rhodesia Congress, who was present, is reported to have offered support in Southern Rhodesia in the form of violence.

(xi) As soon as all the above work had been done, Congress officials in the district, and those who had taken part in the outrages were to retreat into the bush until such time as things had quietened down, or until they were no longer able to defend themselves with the arms they had looted.

(xii) The question of the disposal of 'quislings' was then discussed. One report indicates that this motion was put at the instance of the Congress Youth League. It was decided that KWENJE and MATINGA, J. R. N. CHINYAMA and W. M. CHIRWA should be murdered as soon as possible as and when the opportunity arose *before* 'R' day.

(xiii) Delegates were sworn to secrecy and warned that anybody known to have given to the Police any information at all would be murdered forthwith.

(xiv) The delegates were told that when they returned to their homes they were to brief the Chairman and Secretary of each Branch (in most cases the two delegates from the branches were in fact the Chairman and Secretary), regarding the decisions taken at the Conference. They in turn were to inform the 'brave' members of their branches about the proposals and the plan to adopt the campaign of murder and lawlessness. (Note: Since the 25th January, four instances have been reported of the secret plans being passed on to others.) Meanwhile the only subject which was to be discussed at public meetings was

that of constitutional reform and the public were merely to be told this was to be expected in the very near future.

8. It is of interest to note that on the 17th January, 1959, CHIPEMBERE had held a secret meeting in his canteen at Fort Johnston in which he said that plans would be made at the forthcoming Conference for 'bloodshed and riots'. When divulging the plan above CHIPEMBERE said that the outline of it had been decided upon by Dr. BANDA in consultation with two or three East Africans in Accra during the Conference there in December, 1958. It was generally inferred from CHIPEMBERE's remarks that at least one person from Kenya had advised Dr. BANDA and, in fact, the plan above bears a strong resemblance to the original Mau Mau plan.

9. It is not yet clear whether this plan is to be put into effect only in the event of BANDA's arrest or whether it will be implemented if the proposed constitutional reforms are unacceptable to Congress.

174 WP 240/1, ff 8–10

18 Feb 1959

[Nyasaland unrest]: letter from Sir R Armitage to Sir R Welensky

[The document reproduced below, taken from the Welensky papers, again provides a more detailed account of Armitage's reaction to the intelligence on the 'meeting in the bush' than any material currently available in the National Archives.]

I imagine you will have seen the Top Secret Report dated 13th February by our Special Branch on the Emergency Conference of the Nyasaland African Congress held at Blantyre on the 24th/25th January, 1959.¹

If you have not yet had a copy from the Regional Liaison Officer, two copies have already gone to the Security Liaison Officer in Salisbury.

The first eight paragraphs call for little comment and have nothing of particular significance but paragraph 9 onwards presents a fresh picture. In brief they indicate preparations for widespread violence in certain eventualities; though I would emphasise the fact that the information is not first hand but second hand from informers who were not themselves present at the meeting of delegates in the bush and, as such, requires confirmation. This we are trying to get and there has been confirmation from certain parts of the country that the gist of the plans discussed in the bush has been conveyed to more than one branch of Congress. There is also, I understand, evidence that a dissident school teacher lately resigned from Dedza is in possession of much the same information and has been passing it on. Whether we can get direct evidence of this is doubtful.

In view of the seriousness of the implications, I have sought with my advisers to assess the position. As we see it, though the extent to which Dr. Banda is informed of the detailed plans is not known, action is contemplated in two situations; first if Dr. Banda finds our constitutional proposals unacceptable and secondly if Banda is arrested.

¹ See 173.

To take the first situation, we have little evidence that Dr. Banda is contemplating more than general strikes and interruption of work if the constitution proposals are unacceptable to him but even this sort of action might lead to violence and his arrest which would, in itself, spark off trouble.

We have therefore sought to assess what Dr. Banda may himself be thinking and we believe that he has every intention of participating in the Constitutional talks. On that basis we feel he must wait for them and see how they go and that only if they seem to hold out to him no hope of achieving his aim will he decide to call a general strike, and possibly make his own arrest unavoidable, thereby precipitating his followers into the violence they have planned.

The situation has, however, a number of complicating factors. First it is very difficult to know what control Dr. Banda has over his lieutenants. I think the best answer to this is that he would certainly be able to set them off on a course of violence but would not be able to control it when once started. Nor could we feel sure that he could prevent the extremists embarking on such a course in his name should they see fit.

Furthermore, it is always possible that some other incident or a general strike might be seized upon as an excuse to set in train the violence programme in whole or, more probably, in part.

We must also realise, though we may not like it, that the bulk of the forces dealing with the situation will be of Nyasaland origin. We must also remember that our K.A.R. has only comparatively recently been officered 100% by Rhodesian personnel. I have *no* evidence to suggest that all this *will* be a factor but the situation would be grave indeed if it were. Nor can we discount the possibility of sympathetic disorders being staged in Northern and Southern Rhodesia, indeed if George Nyandoro is to be believed this may be on the cards.

A further problem could arise if the Doctor found us reluctant to arrest him and decided to try his hand at illegal entry into Southern or Northern Rhodesia. Even if there were no attempt to arrest and charge him he might still commit some offence which would force this on to the Police. I do not say that he would do this but it has been hinted that he might.

Finally, if he were arrested it might be very difficult to establish how much of the violence programme of Chipembere he knew—perhaps deliberately little so as to disclaim any knowledge.

So much for the situation as we see it. It is uncertain and complex; but so far as we can assess it, though we shall continue for the time being with isolated disorders, Dr. Banda himself will not seek to cause his arrest just yet and that is the essential factor calculated to spark off violence. If, as we imagine, Lord Perth will not seek to reach a final decision, or tell Dr. Banda that his proposals are a complete non-starter, we should still have more time to complete our own preparations.

I shall be coming to Salisbury on Friday this week as you know and have very kindly provided me with an RRAF aircraft. I shall hope, if time permits, to have a talk with you. I am therefore sending you this urgently so that you may have a chance to read it before hand. In any event, I should be in Salisbury again next week with Lord Perth.

175 CO 1015/1515, no 16

19 Feb 1959

[Nyasaland unrest]: inward telegram no 79 from Sir R Armitage to J C Morgan

Our internal security situation, particularly in Central and Northern Provinces, is deteriorating with continued sporadic demonstrations, illegal meetings and minor disorders which are part of Congress programme now known to have been determined at meeting in bush held on 25th January. Copy of latest appreciation follows by bag.

2. We have not sufficient police to contain this situation and, as violence is also on programme in certain eventualities, I cannot discount possibility of police having to fire which might spark off widespread disorder and violence. I have found it necessary to ask Prime Minister for First Battalion K.A.R. to come in from Northern Rhodesia and also two platoons of riot police from Benson.

3. I must emphasise these measures are:—

- (a) to protect life and property and
- (b) in hope that genuine show of force will stop situation deteriorating.

I am sorry it has been necessary to take them just before Lord Perth's visit but see no option as I cannot release any further significant force from Southern Province.

176 CO 1015/1516, no 139

2 Mar 1959

[Unrest in the Federation]: letter from Sir A Benson to W L Gorell Barnes

[Benson's account of the Heads of Government meeting on 20 Feb suggests that the federal government's minutes of that meeting are seriously misleading. They read: 'It was understood that action would be taken not later than Monday 23rd Feb by the N. Rhodesia Government for the arrest of Sipalo and Kaunda on charges under the Penal Code, that the Southern Rhodesia Prime Minister would plan on the basis of rounding up potential trouble makers under the cover of a declaration of emergency by about Friday 27th Feb 1959, and that the Governor of Nyasaland would make preparations for similar action following the ground being cleared in the two Rhodesias (WP 239/9, ff 61-4, 'Meeting of heads of government at Salisbury'). In fact, if any decision was made, this appears to have been done in the absence of Benson and Armitage and without their knowledge.]

I write about the situation in the Federation as a background to the telegram I have sent you today forecasting action by me under Section 4(A) of the Emergency Powers Ordinance (Cap. 29). The past week has been a very full and busy one.

At Dalhousie's request made on the 17th February I agreed to go to Salisbury on Friday 20th February to discuss whether a successor to William-Powlett should be appointed or whether both offices should be held by the Governor-General. On the day before, Monday, 16th February, we had learnt from the local military commander—we had no word whatsoever from Salisbury—that the 1st. K. A. R. Battalion stationed at Lusaka had been warned to be ready to move.

On Thursday, 19th February we heard that Armitage had reported that the situation in Nyasaland was deteriorating and that he would be glad of reinforcements. Late that evening the local military commander told us that they had been told that they were to move at dawn on Monday 23rd February. I went to

the airport on the morning of Friday 20th February and was met there and told that the 1st K.A.R. was going to move immediately that day. They did—two companies by road through Fort Jameson and one company by air from Lusaka. Simultaneously I was told that Armitage had requested the immediate despatch of two platoons of our mobile police unit and if possible four. I went to Salisbury.

In Salisbury for an hour and a half Dalhousie, Armitage, Welensky, Whitehead, Greenfield and I discussed the question of the Governorship of Southern Rhodesia. With an hour then to spare before lunch we turned to the security situation. There was only ten minutes after lunch before Armitage and I had to leave to catch our aircraft.

Armitage described briefly the situation in Nyasaland. I learnt for the first time that a secret meeting of the Nyasaland African Congress held in the bush had evolved a plan called 'The R. Plan' (a report on which, however, Welensky had already seen) which was to come into force on the day Dr. Banda was arrested. It appeared that this plan had gone off at half cock because attacks had been made on the aerodromes and other installations, particularly Federal Installations, at Fort Hill and Karonga the day before. An African had been shot at by James, a W.N.L.A.¹ agent, at Fort Hill and he and his wife had been removed from Fort Hill, James to Nakonde on our border and his wife by air to Lusaka. (Subsequent information showed that James had been hit in the face by a bottle but that no violence whatsoever had been suffered by his wife. The newspapers had reported that she had been badly injured and her arm broken and was in Lusaka Hospital. In fact she was treated for shock on arrival at Lusaka Hospital but was not admitted.)

I got the impression from what Armitage said that he was very worried about the situation but that the position was not desperate. Throughout our meeting messages kept coming in saying that the aerodromes at Fort Hill and Karonga were being blocked; that there had been a dispersal of rioters elsewhere in the Central Province, and so on. We were interrupted four times by requests from the press for confirmation of some wild story and by demands for a statement from Welensky.

Whitehead followed. He said Nyasaland was wanting more reinforcements and advanced units of the R.A.R. were at that moment on their way between Bulawayo and Salisbury with a view to their onward transmission to Nyasaland if needed. He was desperately worried about the 'draining of Southern Rhodesia of troops' because he was thinking of declaring an emergency in Southern Rhodesia very shortly and if he did so he would need, in addition to the whole strength of the B.S.A. Police, the R.A.R. Battalion and also the whole of the 1,300 R.R.R. men then undergoing their normal training as national servicemen in camps in Southern Rhodesia. The right thing he said, was for him to clean up all the subversionists in Southern Rhodesia first and get them inside, at which time he would then be able to agree to furt or reinforcements going to Nyasaland.

Throughout this Greenfield did not say a word.

I followed. I said that in Northern Rhodesia though there had been intensely violent and seditious speeches by three or four Zambia people², particularly by

¹ Witwatersrand Native Labour Association, the labour recruiting organisation established by the South African chamber of mines in 1901.

² Zambia African National Congress. Harry Nkumbula's leadership of the Northern Rhodesian ANC had come under attack in Oct 1958, with Kenneth Kaunda, Simon Kapwepwe and M Sipalo breaking away to form the ZANC.

Sipalo, which speeches had been headlined in the local press and made much worse than we believed they were because the Editor of the Northern News had stated that he had only reproduced bits of them—other bits were too bad for reproduction—we had no reason to expect any threat to security save from one cause; the expressed determination of Zambia to prohibit, by violent means if necessary, any African voter from casting his vote in the elections on the 20th March. I stressed that on the other hand the old African National Congress, led by Nkumbula, had advised all its members to play a full part in the elections and was putting up candidates itself, including Nkumbula, for election. If Zambia went to any lengths to secure their object we could rely on the full support of our non-Zambia African population including Nkumbula's African National Congress to be entirely behind us in any action which we could take. Action contemplated at the moment was the arrest of Sipalo on a charge of sedition in respect of this particular speech backed by other counts on the same charge. We hoped simultaneously to bring charges of conspiracy against the ten or a dozen other most prominent Zambia people, to commit an offence in preventing people from casting their vote. The lawyers were urgently considering the case and on the information they had so far given to us we hoped to be able to take action simultaneously on both matters on Monday, 23rd February or possibly on Wednesday, 25th February.

I said there was no question whatsoever of an emergency in Northern Rhodesia. I had to be satisfied that the public safety of Northern Rhodesia was endangered. I had no reason at that time to consider that it was in any way. I had thought that the Southern Rhodesia emergency provisions were similar and I was most surprised to hear that it would be possible for Whitehead to take any such action as he had suggested.

I explained to Armitage that our agreement to make two platoons available to him with a possible further two, was given last September on two clear understandings:—

- (i) that the situation in Northern Rhodesia was normal and peaceful;
- (ii) that the first reinforcements to be asked for by Nyasaland would be Police.

While there was no question of emergency in Northern Rhodesia, intimidation of voters was taking place now and there was the most urgent need for every available policeman, regular or mobile, to be there stepping up normal beat duties and ready to prevent and where possible counter any intimidation of any individual voter. But on this occasion, without warning, a whole battalion of troops had been suddenly removed from Northern Rhodesia, which battalion necessarily formed part of our calculations when we made our Police dispositions and when we promised assistance in time of trouble. I was not in a position to let him have the two mobile platoons. Furthermore it appeared to me that the apparent lack of any disorders in Southern Rhodesia and the strength of the army there, both black and white, seemed to call for further reinforcements from Southern Rhodesia before my depleted security forces were further depleted.

I must frankly admit, Greenfield having said nothing either to my remarks or to Whitehead's original remarks, that I was convinced that the Southern Rhodesia law officers would tell Whitehead he was talking through his hat if he proposed to declare an emergency in Southern Rhodesia.

The meeting decided that the right way to proceed was for us to go ahead with our sedition and conspiracy charges against Zambia leaders. This would clear up the

position in Northern Rhodesia as a result of which I would be prepared to reconsider my decision against sending two platoons of the mobile unit to Nyasaland. I must admit, thinking back afterwards, that it was odd that neither Welensky, Greenfield nor Dalhousie ever followed up the point whether Southern Rhodesia could possibly declare an emergency without being *ultra vires*. On the other hand a great deal of what Whitehead said at the meeting was odd (he recounted at great length an incident at Umtali in 1948 which made Welensky very restless) and I fear that I judged that all present except Whitehead thought that Whitehead was talking through his hat.

Armitage and I drove out to the airport together and Armitage agreed that Whitehead appeared to be talking through his hat, but said 'It is of course utterly the old Southern Rhodesia tradition. You get a minor industrial dispute; an emergency is immediately declared and all the strikers are forced straight back to work.' Armitage also said he was entirely happy about my decision with regard to his request for Police reinforcements from me and grateful for my promise to reconsider if the situation changed.

I called an Executive Council meeting on Saturday 21st February to report the situation as I knew it. Unofficial members stated that there was widespread jitters in Northern Rhodesia amongst the European population, mainly on the Copperbelt, and we drafted and put out a statement saying we were watching the position very closely and would take any action which might be needed to ensure that the public safety was not endangered.

Before all this I had decided to move the mobile police platoon stationed at Kasama over to the Isoka District, to Nakonde, where the main road from Nyasaland comes in from the north. We already had some forty Police stationed at Fort Jameson, only 26 miles from Fort Manning. You may care to know that some months ago I issued a specific instruction that Special Branch strength all along the Nyasaland border was to be increased and that bomas, particularly in that area, were to be equipped as quickly as possible with VHF radio.

On Saturday, 21st February, the Police Mobile Radio Workshop carrying a large amount of valuable equipment was en route from Lundazi to Nakonde via the main road which passes in and out of Northern Rhodesia and Nyasaland in those parts and which runs through Fort Hill. At Chisenga, 26 miles south of Fort Hill in Nyasaland, Gregory, the Radio Officer in charge, got news that there had been disturbances at Fort Hill and deemed it wise to stay at Chisenga until he could obtain instructions. While he was there a K.A.R. officer motored past en route for Karonga. Gregory discussed his position with him, and the military officer promised to send back an escort to take him north through Fort Hill to Nakonde.

Later a message came through to say that no escort could be provided. This was reported to Police Headquarters in Lusaka through our radio network, and instructions were sent to the mobile platoon at Nakonde to go down through Fort Hill to Chisenga and escort him back. The Platoon Commander at Nakonde sent one European Officer and three African other ranks in a land rover as an armed party. They reached Chisenga, drove back with the mobile radio van under their escort and no incident occurred in either direction. At Fort Hill the officer in charge stopped and chatted with a number of Africans who were about the place. He reported that they were polite to him but that there was a feeling of general hostility towards Europeans induced by the fact that James had shot an African. The post office radio

there was intact. Between the time when he passed through Fort Hill on his way south and the time when he passed through it again on his return journey north oil drums had been placed on the Fort Hill aerodrome.

On Monday, 23rd February we received a further request from Armitage for two platoons of Police. It was asked that they should fly to Lilongwe, from which they would go north to the Fort Hill-Karonga area. I was aware at this time of the disposition of the 1st. K.A.R. battalion. One platoon was at Rumpi and there was a company at Mzusu including sixty European troops of the R.R.R. I was also aware that the R.A.R. had arrived in Salisbury and was in process of being ferried to Nyasaland. I rang Welensky and said that having regard to the large number of troops already in Nyasaland; and to the fact that the operation into the north of Nyasaland to retake the Federal aerodromes at Fort Hill and Karonga appeared to me to be in the nature of a military operation; and above all to the fact that my mobile platoons were totally paralysed without their mechanical equipment in which and round which they had been trained, and which could not be transported by air, I was still reluctant to send them. Welensky agreed and sent a telegram to Armitage repeated to me stating that in addition to all the other reinforcements he was sending up by air that day 150 European soldiers of the R.R.R. to Chileka and suggesting that these and other troops should be used to take over other duties from the Police, thereby freeing the Nyasaland Police and avoiding the need for depleting the security forces available in Northern Rhodesia. Having received no echo on this from Armitage during the next twenty-four hours I sent a telegram to him on Wednesday, 25th February, repeated to Welensky, saying that I would take no action on his request until I saw his reply to Welensky's telegram. It may be of interest to know that a further paragraph in the telegram ran as follows: 'Suggestion made in Salisbury that emergency likely to be declared in Southern Rhodesia in near future seemed at the time highly improbable if only on legal grounds and still seems to me bad strategy, particularly while strike at Kariba persists for which we have received request emanating from Kariba itself for mobile police platoon.'

At Kariba a strike had broken out on Tuesday 24th. The request I had received from Kariba was confirmed by Whitehead and Welensky who told me that he was sending a hundred European troops of the R.R.R. to Kariba. I gave orders immediately for the despatch of the platoon to the North Bank at Kariba, with instructions to do nothing save act in defence of lives or property on the North Bank. Suffice it to say that Barrow himself has later confirmed that there was no sign of any Congress influence whatsoever over the Kariba strike which broke out some weeks after underground workers had put in a request for additional wages and which was sparked off by the fatal accident two or three days before in which fourteen African underground workers lost their lives. I had a labour officer down there immediately who has since reported that nothing could be more exemplary throughout than the behaviour of the strikers. All is now over there and both the European troops and my mobile platoon have been withdrawn.

Also on Wednesday my Attorney-General reported that the case against Sipalo had fallen down for lack of corroborative evidence. He was still hopeful of a conspiracy charge. I relayed this to Welensky.

At 4 a.m. on Thursday, 26th February we received news that an emergency had been declared in Southern Rhodesia. Once more I summoned Executive Council. We considered the position. We issued a further statement in an attempt to defeat those

who were already saying what fine chaps the Southern Rhodesians were, and how weak and dilatory we and Nyasaland were; stressing again that we were watching the attempts at intimidation of voters; that we were satisfied that our existing laws were all that were needed at the present time; but that there would be no hesitation in taking further powers if at any time those powers were needed. This was made all the more important by the passage in Whitehead's statement which said that his existing laws were inadequate and went on: 'It is a very ancient tradition of the British people that Governments should defer action against subversive movements until actual rioting or bloodshed has occurred. My Government does not subscribe to this tradition.'

On Thursday evening, the 26th February, I asked my people to give urgent consideration to placing two mobile platoons on the Nyasaland border, one at Fort Jameson and one at Lundazi. These, with the platoon at Nakonde, would cover fully all road entrances from Nyasaland. We knew by this time that Armitage was going to declare a state of emergency on the night of Monday 2nd/3rd March. We knew also that Armitage was likely to have grave difficulty in picking up all the people he would proscribe for detention and we thought the best way of helping him would be to collect any who tried to get out of Nyasaland into Northern Rhodesia and hand them as they came into our hands into the hands of the Nyasaland authorities across the Nyasaland border. As I have said the road winds in and out of Nyasaland.

I should mention at this stage that immediately after my meeting in Salisbury on Friday, 20th February—indeed at that meeting—I had sought and obtained permission to put my Assistant Secretary (Internal Security) into the Operations Room in Salisbury which the Federal Government had organised. He went there on Sunday, 22nd February, and his brief broadly was to keep the Federal and Nyasaland Governments fully informed about the whole background in Northern Rhodesia and of any new developments in our situation which might arise; and to keep my Government fully informed about everything in Nyasaland and Southern Rhodesia. He has so far managed to secure little or no information about internal conditions in Nyasaland and as regards Southern Rhodesia he only heard about the declaration of an emergency at the time when it was announced to the Press. What he has been able to keep us informed on is the number and nature of reinforcements which have been sent to Nyasaland and their actual position there.

On Friday, 27th February, in pursuance of a long-standing engagement I went to Salisbury to address the Rhodesia National Affairs Association on the Northern Rhodesia Constitution. Immediately I arrived I was taken into a meeting with Welensky in the Chair and attended by Barrow, Whitehead, Garlake (G.O.C.), Jacklin (Air Officer Commanding), Parry, my Assistant Secretary (Internal Security) and myself. Barrow's role throughout (save when he was declaring that the Kariba business was nothing but an industrial dispute) was expert on Nyasaland affairs and major critic of Armitage and everything that Nyasaland had done, was doing or was proposing to do.

In the course of the meeting I was told that Stonehouse was going to be declared a prohibited immigrant. I recorded my advice against it and said that his behaviour in Northern Rhodesia had been unexceptionable. I pointed out that he was finishing his Northern Rhodesia tour on Monday night at any rate and was due to leave Northern Rhodesia on Tuesday morning. It was quite plain that both Welensky and Barrow were flushed with a sense of power and of successful achievements so far, in particular the reception by the general public of the Southern Rhodesia declaration

of emergency and the newspaper leaders which had picked out for special mention the passage I have quoted above of Whitehead's statement and had proceeded to write leaders about the utter weakness of Colonial Office Governments.

A large part of the discussion centred round the problem which would arise in Nyasaland when they started detaining people, how they could hold them till they could be transferred to various prisons, and how they could find room for them in prisons in Southern Rhodesia. I learned that by Sunday night there would be three regular battalions of K.A.R. and R.A.R. in Nyasaland plus two battalions of European Territorials—the R.R.R.—plus one hundred members of the British Southern Africa Police (thirty European and seventy Africans). And that a Tanganyika platoon 60 strong would enter Nyasaland from the north. In his telegram to Tanganyika Armitage had stated that the Nyasaland Commissioner of Police had reported that his Police radio network was not secure; and much alarm was expressed and much capital was made out of this.

It was absolutely obvious to me, as it was to my Assistant Secretary (Internal Security) that the Federal Government is making the most tremendous bid now over Nyasaland's misfortunes to establish that they must have full control over Police and internal security. And it is their belief that they are being very successful in this that flushed them with pride and swelled them up like frogs.

I went to give my speech to the National Affairs Association and was then whipped up by William-Powlett and drove with him to the airport. He told me that the 400 people who have been detained in Southern Rhodesia will remain so detained for a period of five years. They will be placed on an island in the Zambesi together with their wives and families, on which island there is now being built a Fisheries Research establishment, and they will be 're-educated'. This has since been confirmed by my Assistant Secretary (Internal Security) who states, however, that there is doubt whether five years is to be a set period or is to be the minimum period.

I forgot to mention that at the meeting I made a strong plea to Whitehead to revoke his proscription of the African National Congress. His intention, I said, was not to bring any of the detained people before any kind of tribunal. I did not suggest that any of them should be released. They could continue to be detained, if necessary, as Zambia people. But the effect of proscribing the African National Congress, which during the last three months had taken on an entirely new look, had cleansed itself of all the worst extremists (who had transferred to Zambia), and which was contesting the Northern Rhodesia elections, could only be to drive these moderates straight back into the arms of the extremists. A distinction drawn between the two Congresses now by Southern Rhodesia would on the other hand be of tremendous psychological value in Northern Rhodesia and would strengthen the support both for the Federal Government and for all forces of law and order throughout the Federation.

Whitehead said he would consider it, meaning that he would not.

I have three platoons of the Mobile Unit on the Nyasaland border and developments since Friday have caused me to respond to yet another request, un-understandable as I find it, from Nyasaland that they should do reconnaissances into the Fort Hill and beyond southwards areas as far as Rumpi; from Lundazi into Mzimba; and from Fort Jameson to Fort Manning. I have agreed to this extent: that my Nakonde platoon can go to Fort Hill but no further. The road beyond Fort Hill is

precipitous, narrow, winding and admirably suited for any kind of ambush. If they make contact with the Tanganyika platoon to provide a stronger force than 30 men (the size of one of my platoons) then they can join in any enterprise provided they do not get so involved that they cannot extricate themselves and get back to Nakonde within 24 hours after receiving that instruction. The reconnaissance from Fort Jameson to Fort Manning is being carried out today. It is twenty-six miles and Fort Manning and Fort Jameson are in regular radio contact. I simply cannot understand the object of this exercise. There are troops both north and south of Fort Manning. My Lundazi platoon will proceed to the Nyasaland border but no further. Mzimba is only 30 miles further on and at Mzuzu, which is only some 30 miles from Mzimba, there is a whole company of troops.

My limitations are imposed for two reasons:—

(a) Because Nyasaland have estimated that they are only going to be able to pick up 20 to 25% of the people they want to pick up. The most probable action of those who escape is to try to break through into Northern Rhodesia. So long as I have all the roads blocked and guarded I can let such people fall gently into my net, from which they would be courteously escorted back into the hands of the Nyasaland authorities who, presumably, are anxious to receive them. If they are not in position there the Nyasaland people can break straight through into Northern Rhodesia and create a very serious security situation here where, as you know, we have thousands of Nyasalanders including strong branches of the Nyasaland African National Congress. In this way I believe I shall be rendering Nyasaland greater assistance than the mere reconnaissance exercises suggested. I cannot understand why these should not be mounted from within Nyasaland by the thousands of troops now there. And

(b) I shall be able to get my platoons back in case of need (which already exists) in the Broken Hill, Lusaka and points south area of Northern Rhodesia. I cannot have them involved at the present moment and lost to sight in Nyasaland. You know and Armitage knows that I would do so at once:—

(a) if I could understand what the hell all the troops in Nyasaland are doing already; and

(b) if I was given any form of useful exercise for them to perform.

Because our information is so scanty I sent my Assistant Secretary (Internal Security) from Salisbury to Zomba and Blantyre on Saturday, 28th February, with instructions to give us the fullest information he possibly could about the situation everywhere there. He returned with little or no information but with the request that my platoons should carry out these reconnaissances. I sent my Deputy Commissioner of Police, Halse, to Zomba on Saturday morning and conferred on him, in agreement with the Commissioner of Police full powers in the light of the situation obtaining in Nyasaland to vary in any way he wished the instructions now given to my Mobile platoons; with the reservation that if his instructions were going to get them involved so deeply that they could not return to the line of rail within seventy two hours he was to refer to me first.

In case you have not had it I enclose two copies of the full text of Whitehead's statement announcing the state of emergency in Southern Rhodesia.³

³ Not printed.

177 CO 1015/1519

5–9 Mar 1959

[Nyasaland emergency]: minutes by N D Watson and Sir J Macpherson

[It appears it was not until 25 Feb that Armitage decided the declaration of a state of emergency was inevitable (CO 1015/1977, no 75A, Armitage to Perth, 25 Feb 1959). The following day, he told London the declaration would be made at midnight on 2–3 Mar (CO 1015/1515, no 39, Armitage to Perth, 26 Feb 1959). The arrests of Banda and other NAC activists which followed the declaration was accompanied by further unrest in Nyasaland.]

Sir John Macpherson

We have on this file been in correspondence over the last few weeks with Sir Robert Armitage about the security powers at his disposal. When he first raised this matter in his letter at (1), Sir R. Armitage was considering the problem in terms of having certain powers (e.g. of restriction and detention) which he could use to take action against Congress leaders without declaring a full emergency. We sent him some preliminary guidance on these points at (4), and promised further discussion of them with him in Nyasaland during the visit of Lord Perth and Mr. Morgan. All this has of course been overtaken by subsequent events, and the Governor has now taken action under a declaration of emergency.

2. In his letter at (10) and telegram at (11), Sir R. Armitage is now concerned with the rather different problem of having the necessary powers to keep people whom he has detained under emergency regulations in detention after he brings the state of emergency to an end; and also to detain fresh people whose activities might, after the end of the emergency, carry a threat of renewal of serious disorder.

3. It is part of the background to all this that in 1953 Nyasaland drafted a Bill providing for detention of people likely to be considered dangerous to public order, without the declaration of an emergency. This Bill was approved in principle by the Secretary of State at the time, but the Governor was told that it must be held in reserve and not introduced without the Secretary of State's prior permission. Sir R. Armitage is now thinking in terms of introducing such a Bill to give him the powers he requires after he brings the present emergency to an end.

4. This proposal in fact takes us into the midst of some of the major issues of principle in regard to 'twilight' legislation, on which our thoughts have recently been crystallising in the context of the proposed Kenya legislation. It means in effect that, if we are to give Sir R. Armitage the authority which he is asking for, a decision on one particular point of principle on which Ministers have not so far ruled, now arises for the first time in the Nyasaland context.

5. The legal issues involved, coupled with the implications of the European Human Rights Convention, are rather complicated, but I will try to put the issue as briefly as possible.

6. In our recent departmental discussions on the proposed Kenya legislation with the Legal Advisers, we have come to the conclusion that, both for purposes of answering any challenge under the Human Rights Convention and for meeting general criticism in Parliament and elsewhere, we should be wise to move away from our earlier conception of 'pre-emergency' powers. This does not mean to say that we cannot devise legislation whose purpose is in effect to provide such powers as may be necessary to prevent a serious emergency from arising. It is however necessary to

provide in the legislation that such powers should be usable only when a state of public danger exists, i.e. an actual, even though incipient, threat to public order. On this basis we may reasonably claim to take measures derogating from the European Human Rights Convention under the vital Article 15.

7. At the time when the Nyasaland draft Detention Bill was prepared in 1953 the implications of the Human Rights Convention in relation to detention in circumstances short of the declaration of a full emergency had not been fully examined. The Secretary of State said at the time that he could contemplate powers of detention only in time of emergency, or at least imminent emergency. The latter phrase of course describes a state of affairs equivalent to 'a state of public danger' of the kind envisaged in my preceding paragraph.

8. On this general basis therefore that the taking of preventive powers by a Governor should be related in law to the existence of a state of public danger, the main question at issue is whether or not it is right to detain persons without trial in what might be described as the first, or incipient, stage of an emergency; or whether detention should not be at least a fairly late-resort measure which would not normally be contemplated except in circumstances which would justify the full invocation of the Emergency Powers Order-in-Council. On the basis that once you are faced with a state of public danger, detention may at any time be necessary to prevent further deterioration, the inclusion of detention powers in permanent security powers legislation is not really open to objection in principle. The question in fact is whether you are not able better to defend yourself in the use of detention powers if you have declared a full emergency, than if you are relying merely on the existence of 'a state of danger'. The point was put in these terms recently to Sir E. Baring in connection with the proposed Kenya legislation, and he was at first inclined to think that it would be better not to have powers of detention in his proposed 'Preservation of Public Security Bill'. But I now understand that, on reconsideration, he is beginning to think that powers of detention had better be included in this Bill.

9. Exactly the same issue now arises in the case of Nyasaland. The short question for decision by the Secretary of State is whether he will authorise the Governor of Nyasaland to enact an ordinance enabling him to take certain action if a state of public danger exists (i.e. an actual, though incipient, threat to public order), containing inter alia the power of detention. This question was discussed by Mr. Morgan, Mr. Steel and myself yesterday afternoon, and it was agreed that we should seek the Secretary of State's authority for proceeding accordingly. Legal advice is that if the 1953 draft Bill which Nyasaland has on the stocks is amended to bring it into line with our present thinking in relation to the Human Rights Convention, we shall be in a proper posture to meet any challenge under that Convention. Such legislation, once enacted, could be used by a Governor, provided he is satisfied that a state of public danger exists, either (a) to detain people short of a state of affairs in which he is obliged to invoke the Emergency Powers Order-in-Council, or (b) to continue to detain people who may have been detained under emergency powers if it is convenient to revoke the emergency powers, but nevertheless a threat to public order remains.

10. If the Secretary of State is prepared to give this authority we should propose immediately to telegraph to Sir R. Armitage as in the draft opposite. It will take a little time to work out the necessary amendments of his Bill, and we will let him have

these as soon as possible. Meanwhile, however, Mr. Morgan and I agree that as he is now acting under emergency powers there is no reason why he need be in undue haste to call off the emergency. In practical terms he is not likely to want to call off the emergency before we have been able to give him considered advice on the drafting of his new Bill. We want to make sure of getting that right, and there is no reason to rush it.

N.D.W.
5.3.59

This seems quite right to me, but it occurred to me that the S. of S. would probably wish to invite the concurrence of 'colleagues' (C.P.C., who have considered twilight legislation before?) I spoke to him in general terms about this yesterday, and he *would* like this to be done (remembering particularly the Lord Chancellor's interest in these matters).

For action accordingly please. We can still send a telegram to Sir R. Armitage telling him what line the S. of S. has in mind (and repeating to Sir A. Benson reference his telegram loose opposite), and suggesting, as in present draft that he needn't be in a hurry to end his present state of full emergency.

J.S.M.
9.3.59

178 PREM 11/2787, PM (59) 7

6 Mar 1959

[Nyasaland emergency and the use of aircraft]: minute by Mr Lennox-Boyd for Mr Macmillan

On 4th March I had a telegram from the Governor saying that he had told the O.C. Troops that he would not permit any aircraft to fire 303 ammunition or rockets from aircraft on rioters, whatever the situation on the ground. He asked for confirmation that this was the correct directive. I immediately sent him a reply saying that he was certainly correct in assuming that in no circumstances should aircraft fire on crowds which were not carrying firearms.

2. I have now had the attached telegram¹ from the Governor in which he asks for this matter to be reconsidered, and says that pending further instructions from me he has laid down the principle that if forces on the ground have exhausted all effective means of resistance, are in imminent danger of death, and are in communication with aircraft, they would be permitted to call for fire (i.e. machine gun fire) from the aircraft, indicating if possible where it should be directed; the captain of the aircraft must ensure that firing is kept to the minimum.

3. I think I must support the Governor in this directive; the restrictions to be observed for the use of fire from aircraft in such situations must of course be clearly understood. As time is so short, I have already sent him a telegram (copy attached) giving my support pending further consultation with my colleagues.

4. The Governor explains in his telegram the dilemma which can arise. On the one hand, if some small garrison is heavily attacked, calls for fire from aircraft, and

¹ Annexes not printed.

that fire causes serious casualties in the surrounding African crowd, including possibly deaths of women and children, there will be a wave of African reaction throughout all our territories, with repercussions in Parliament and internationally; on the other hand, if such a garrison is wiped out by African attackers in circumstances in which support from aircraft could have been provided, there will be an equally serious reaction, not only among the white settlers in the Federation and the very many loyal Africans but also among our own people in this country. There might in addition be circumstances in which supporting aircraft fire was necessary to save lives not only of the security forces, but of other, perhaps civilian, victims of riot. Any instructions which are given must clearly cover these cases.

5. I enclose the draft of a further telegram which, with the agreement of my colleagues, I should like to send to the Governor.

6. I am sending a copy of this minute to the Foreign Secretary, the Commonwealth Secretary and the Minister of Defence.

179 PREM 11/2787, M 80/59

7 Mar 1959

[Nyasaland emergency and the use of aircraft]: minute by Mr Macmillan to Mr Lennox-Boyd

I have read your minute of March 6.¹ I am prepared to agree to a telegram on the lines of your draft going out to the Governor of Nyasaland, but I would like to add this paragraph:

'3. In a situation where aircraft fire may have to be used as a last resort in the circumstances envisaged above, it would be proper to make some preliminary dummy runs of a menacing kind which might frighten and disperse the mob, without actually opening fire and inflicting casualties. It might even be possible to open fire, in the first instance, in such a way as not to cause casualties, as, for example, in the old days troops "fired over the heads of the mob".'

I hope you can have such a paragraph added to the telegram. Meanwhile, I think we should ask the Air Staff to work out a proper exercise for this purpose. If they use their ingenuity, I think they could devise various forms of terrorising action which might well secure the necessary result without the danger of an incident which would do us all great damage, both here and in the colony.

I would be glad if you could perhaps see the Chief of Air Staff yourself and get him to work out a drill on these lines.²

¹ See 178.

² In the draft tel, Lennox-Boyd gave Armitage provisional permission for the use of aircraft in these circumstances, subject to the conditions that this should only be done in the last resort, should be the only means of preserving life, should be under the direction of ground forces and should be to the minimum extent necessary. He also forbade the use of canon or rockets.

180 CO 1015/1494, no 144

10 Mar 1959

[Nyasaland emergency]: letter from Sir R Armitage to J C Morgan.

Enclosure: Operation Instruction No 2/59 from the Nyasaland Operations Committee

On Sunday, 8th March, I flew to Chileka with the Commissioner of Police and met there the Prime Minister of the Federation, the Prime Minister of Southern Rhodesia, the United Kingdom High Commissioner in Salisbury, together with various military and RRAF chiefs and officers. In addition to the Commissioner of Police I had with me Ingham, who is responsible for all publicity matters, and Kettlewell, who is the Chief Secretary's representative on the Executive Committee of Nyasaland Operations Committee. I took with me copies of the Operations Instruction No. 2/59 which was made available for all those at the meeting to read. All copies were subsequently collected from them. I attach a copy of this document which has been distributed as shown on Page 6. Please ensure that there is absolutely no disclosure of the various phases of the plan. This will be extremely embarrassing to those concerned with the Federal forces and to the Prime Minister of Southern Rhodesia, who is under constant pressure to get back his territorial forces so that individuals can return to their civilian activities. Our main endeavour was to secure, if possible, 120 B.S.A.P. so that we could allow the military forces either to proceed northwards to clear up the main trouble areas or to be withdrawn. This request had already been made by Mullin to Spurling, who is Commissioner of Police, Southern Rhodesia.

The Prime Minister, Southern Rhodesia, then proposed that it would be far better, and would lead to a greatly improved solution of the problem, if a considerable area, presumably in the Southern Province, was taken over completely by B.S.A.P. who would be responsible for its administration. He actually said that he would approach his Cabinet to permit the transfer of up to 900 B.S.A.P. on these terms, the transfer to start within a week. One of the conditions would be that this force would be responsible, through the Commissioner, B.S.A.P., to the Southern Rhodesia Government and through that Government to me.

This proposal was clearly unacceptable but as we did need a limited number of B.S.A.P. for a limited period. I felt that I could not turn it down out of hand. We therefore threw the ball about the table a good deal.

The O.C. troops and Colonel Anderson, 2 i/c, had previously explained the military dispositions and plans and had fortunately been most insistent that there must be more police in order to relieve the military forces of police work. They had also stressed that the sooner this was done, the sooner battalions of the R.R.R. could be withdrawn. Between us we tried to point out the difficulties of trying to marry the Southern Rhodesia system of administering native affairs through the B.S.A.P. and our system of administration through the Provincial and District Administration. We emphasised that the proposal appeared to have more of the characteristics of a long term plan than the very limited one for which we wanted the B.S.A.P. Whitehead himself talked about a period of from six to twelve months but I suspect that he was thinking that once they were here, they were here for good. Mullin made it clear that even if B.S.A.P. took over the limited and rather specialised areas of Blantyre/Limbe, Cholo and Mlanje, the consequent disorganisation of removing the Nyasaland Police from these areas would make for very unsettled conditions for some time.

Eventually Welensky, who had remained silent throughout this discussion, said that clearly there were vital political implications involved and that it was no good beating further about the bush. He suggested that I would have difficulty in persuading H.M.G. that there was any merit in this plan to which I replied that I would not try to do so. The discussion having been thus, I think, rather well brought to an end by Welensky, Whitehead was able to suggest that the two Commissioners of Police could concert together and see what could be arranged for limited reinforcements for a limited time. On their return about three-quarters of an hour later, it was agreed that 75 B.S.A.P. would be sent up on the undertaking that they would be able to return within six weeks.

While the two Commissioners were discussing matters, the rest of us talked about more general affairs. We went over the security position and intelligence assessment, the greater liberty given to the Press to visit scenes of operations and to move about the country and the information coming out of the interrogation of the persons detained by the Southern Rhodesia Government. They had been able to use a large number of teams systematically to interrogate every detainee. They hoped to finish by the end of this month and then I think they will help us in our extremely difficult task of interrogation. So far we have very limited resources but we are doing quite well with these. It would appear that confirmation of the meeting in the bush held on the 25th January¹ has been obtained from two such detainees who had attended from Southern Rhodesia. No use at this stage should be made of this information.

I must report that criticism was made of the refusal by Benson to permit any of the four mobile police platoons from Northern Rhodesia to come into Nyasaland for operations. I explained that he had his own problem and that he must safeguard the proper holding of his elections on the 20th March. He had lost one battalion of the K.A.R. and one company of the N.R.R. but clearly those from Southern Rhodesia were not impressed.

I raised the question of the battalion which has been alerted in Nairobi and Welensky was not prepared to be drawn on this matter. He kept emphasising that there were still plenty of reinforcements available in the Rhodesias.

I think that the meeting was satisfactory in several ways. We are getting the reinforcements of B.S.A.P. although not as many as we want. All those present have seen our Operation Plans for the next five weeks and have heard from the military commanders their appreciation of the situation and their confidence that they will be able to carry out this plan. I think that we have been alerted as to possible Southern Rhodesia thinking on the liability of having a Nyasaland where political affairs, in their opinion, are allowed to get completely out of hand as far as Africans are involved. Whitehead made no secret of the time that it is going to take the B.S.A.P. in Southern Rhodesia to bring normal acquiescence in their paternalistic Government in certain areas in the native reserves. I think they have been surprised as to the extent to which the Southern Rhodesia Congress has been able to organise during the few months of its existence. Whitehead made it quite clear that in the opinion of the Southern Rhodesia Government it would be necessary to have legislation to enable those persons who are determined not to co-operate in African advancement in the political sphere to be detained for long periods. It is

¹ See 173.

obvious that they consider that the general good and contentment of the African population can only be achieved by making it clear to what would generally be described as African political agitators, that they will not be allowed to agitate or, if they do, they will find themselves in detention. As I remarked to Whitehead, I felt that Nkrumah and he would get on very well in their attitude towards this particular problem.

You are fully aware that this particular problem is going to appear here in the very near future. We shall make every endeavour to bring every person before the courts where there is evidence that he has committed a criminal offence. It will not be possible to do this in the case of some of the most prominent leaders of Congress because the evidence against them comes from intelligence sources which cannot be used in the courts.

We shall not be able to maintain a State of Emergency here permanently and the time will come, therefore, when these prominent Leaders of Congress have to be released or have to be detained under other legislation. It is abundantly clear that to allow them back into ordinary life will jeopardise the whole procedure of trying to get more moderate African opinion to work with the Government and non-Africans here with a view to constitutional changes with racial co-operation for the interim period before the African is inevitably in the majority on the voters rolls and in the legislature. It is going to be the negation of the preservation of law and order and firm and stable government that we shall be aiming at to allow folk of this sort to re-appear. The reactions in the Rhodesias will be tremendous. I know what the reactions in the U.K. will be to the Southern Rhodesia proposals for making detention a permanent feature of life there. The reaction to such a feature created in Nyasaland will be even more intense. I believe that in many ways deportation may well be the answer. Persons deported do not have to be kept under the strict regime of detention camps. There are obviously considerable difficulties but it has been a device used with great effect in the past. The one certain thing is that these Congress leaders cannot be allowed to be at large in Nyasaland within the next few years without re-creating troubles, the scale of which will completely dwarf those with which we are now contending.²

Enclosure to 180

Information

1. *Congress.*

(a) Approximately 250 hard-core Congress leaders were arrested in and since Operation Sunrise. But sufficient still remain at large to continue the organisation and execution of the Congress plan of lawlessness and violence, and to encourage the emergence of others. It is known that recruitment to Congress ranks continues.

(b) The pattern of Congress activity is at present intimidation, the spread of rumours, the disruption of communications and attacks on police posts, isolated

² Lennox-Boyd commented: 'Banda's future will be a problem. It now looks as if we shall have great difficulty in identifying him with plans for violence' (CO 1015/1494, minute by Lennox-Boyd).

chiefs, missions and property in certain rural areas. Other areas are watchfully quiescent. Throughout north Karonga, where several dangerous Congress leaders are still at large and security forces thin on the ground, early successes have encouraged a widespread rebellious attitude.

2. *Security Forces*

- (a) *Military* Two Territorial Force Bns.
 4 Independent Territorial
 Force Coys.
 3 African Bns.
 Total of 11 Territorial Force
 Coys. & 9 African Coys.
 1 Platoon Armoured Cars.
- (b) *Police* 9 Platoons Nyasaland P.M.F.
 2 Platoons Tanganyika Police
 4 Sections B.S.A.P.
- (c) *R.R.A.F.* 7 Vampires
 10 Provosts (7 armed)
 2 Pembrokes (1 smoke capability)
 1 Beaver
 1 Cessna

(d) The Tanganyika Police will return to Tanganyika on 10th March. The 1st and 2nd Bns. R.R.R. and one Independent Territorial Force Coy. and Platoon Armoured Cars must be returned to Southern Rhodesia as soon as possible in the interests of the economy of the Federation.

Intention

3. To restore respect for law and order and to re-establish peace and public confidence as quickly as possible.

Plan

4. The immediate objectives will be:—

- (a) The arrest of Congress Leaders and others known or strongly suspected of subverting public opinion;
 (b) Firm but friendly displays of force in quiescent areas;
 (c) Tough, punitive action in areas where lawlessness and acts of violence are perpetrated or planned;
 (d) Propaganda to make the public aware of Government's determination to eradicate Congress leadership and doctrines and to strengthen and encourage the law-abiding.

5. The successful pursuit of objective 4 (a) above necessitates accurate and up-to-date intelligence. A Field Intelligence Service is being set up at once on a Provincial basis to supplement Police Special Branch. Seized Congress papers are being scrutinised to provide information leading to the arrest of leaders still at large, and evidence to incriminate those already detained.

6. Where possible arrests of hard-core Congress leaders will be made on Governor's Orders and the detainees removed immediately from Nyasaland as in Operation Sunrise. Where it is inadvisable to await the preparation of Governor's

Orders, arrests will be made for 28-day detention, the accumulation of evidence for Governor's Orders proceeding during that period.³

7. Objective 4(b) necessitates frequent, widespread patrols penetrating all accessible areas and paying special attention to chiefs whose authority and governing functions must be re-established, and who must be encouraged to help with the nomination and arrest of Congress leaders and active members.

8. These patrols will be composed of police and or military. They must be small (approximately half platoon strength where practicable), active and give an impression of firm friendliness.

9. The redeployment and reorganisation of Security Forces are necessary to provide sufficient small, active patrols. Static guards will be reduced to a minimum, taking calculated risks, in order to free men for more active duties.

10. Those forces now organised to operate at not less than platoon strength will be reorganised to operate in accordance with para. 8. Land-rovers are on their way by rail from Salisbury to facilitate this.

11. In pursuit of objective 4(c) swift and offensive retribution must be meted out to convince that lawlessness does not pay.⁴ Areas in which violence, damage to property, or serious disorders have occurred will be dealt with firmly, but without brutality; leaders will be arrested, searches for arms and offensive weapons made and strong patrols will revisit the areas frequently thereafter until respect for law and order is re-established. Security forces on offensive patrols will include police.

12. The principal instrument in pursuit of objective 4(d) will be leaflets dropped from the air. An organisation has been established for this purpose which will operate daily and provide for dropping in defined zones. Differential propaganda treatment will be arranged in accordance with local circumstances and P.O.C.s will be responsible for suggesting subjects and timing.

13. The role of the R.R.A.F. will continue in providing reconnaissance with Provosts and, in emergency in the Central and Southern Provinces, by Vampires. They will also assist in leaflet drops, evacuation of detainees, transport and supply of troops, equipment and personnel.

Implementation of plan

14. The situation in the Southern and Central Provinces must be restored to normal with the utmost despatch in order that Territorial Troops may be released and remaining security forces redeployed to deal with the Northern Province, particularly Karonga.

Phasing of plan

15. *Phase I (Period D to D+14 days) Restoration of law and order in Southern & Central Provinces in particular*

- (a) Creation of Field Intelligence Organisation.
- (b) Arrest and removal of Congress Leaders.

³ By May 1959 around 1000 people had been detained, mostly under these orders.

⁴ The Devlin Commission of Inquiry made explicit reference to this phrase, and suggested that its general sense had been conveyed to troops involved in the operation. Its report concluded that 'An aggressive and bullying attitude was part of the treatment and lack of submission to it meant hitting and beating' (*Report of the Nyasaland Commission of Inquiry*, Cmdnd 814, London, 1959, para 285).

- (c) Reorganisation of forces to permit small active patrols.
- (d) Redeployment of forces for same purpose.
- (e) Clean up of Blantyre/Limbe urban area.
- (f) Active rural patrolling; friendly or punitive as required
- (g) Reorganisation of Command Structure.

16. During this phase the balance of 1 and 2 Bns. K.A.R. will move to the Northern Province, their tasks being taken over by reorganised Nyasaland Police and B.S.A. Police. Additional B.S.A.P. are essential to successful execution of this phase and to correct the balance between police and military.

17. *Phase II (Period D+15 days to D+35 days) Restoration of law and order in Northern Province and the consolidation of Government in Southern and Central Provinces*

- (a) Offensive operations will be stepped up in Karonga district and as necessary elsewhere.
- (b) 1 and 2 Bns. R.R.R., one independent Coy. R.R.R. and Platoon Armoured Cars will be withdrawn from Nyasaland.
- (c) Depot R.R.R. Coys. will remain if required.
- (d) Remaining forces will be redeployed in Southern and Central Provinces as required to support the re-establishment of normal government.
- (e) The arrest of Congress leaders will continue as necessary.

18. *Phase III (D+35 onwards) After law and order generally restored*

- (a) Depot R.R.R. will be withdrawn
- (b) R.R.A.F. will be withdrawn (less such elements as may be required)
- (c) B.S.A.P. will be withdrawn
- (d) R.A.R. will be withdrawn
- (e) 1 and 2 Bns. K.A.R. will be redeployed to support the Nyasaland Government in consolidating the position.
- (f) Nyasaland P.M.F. will be increased.

181 CO 1015/1533

11 Mar 1959

[Nyasaland emergency]: minute by Mr Amery to Mr Lennox-Boyd

[By this stage, 46 people had been killed in Nyasaland by the security forces, and at least 79 wounded by bullets. Almost half the deaths had occurred at Nkata Bay in the Northern Province following intervention by a detachment of the Royal Rhodesia Regiment, a unit of territorials and national servicemen drawn from the European population of Southern Rhodesia. It was widely assumed that some form of inquiry would be held into the emergency, but it had not yet been decided precisely what form this would take.]

I have just seen the draft of the telegram you are sending to David Perth about a Commission of Enquiry into Nyasaland.

2. I think I ought to say that it leans further than I would care to go towards a Parliamentary Commission. I say this really on the following grounds:—

- (1) I don't see how we can avoid a Parliamentary enquiry becoming an enquiry into Federation. Even if our representative stands firm there is always the danger of a minority report.
- (2) We may well be in for a series of Nyasalands; and if there is to be a Parliamentary enquiry into each the Government's position will become impossible.

(3) There is very strong feeling in our Party against a Parliamentary enquiry—and not only on the right-wing of the Party.

(4) I would guess that such an enquiry would be resented by Welensky and would shake the confidence of all those interests which are backing Federation.

(5) You spoke in very strong terms against a Parliamentary Commission in the Commonwealth Committee¹ the other day and are understood by many Members to have pledged yourself against it.

3. I would add that I don't believe in the good faith of the Opposition in all this. They have been looking for a battle-ground with us for months and think at last they have found one. They would also like to wreck Federation on the merits of the case if they could. My own view is, that as over Suez, they have miscalculated public opinion and that once we are in a position to tell our full story we have no need to fear their agitation and may well turn the tables on them as far as public opinion is concerned.

4. Forgive me bothering you with all this. I have no doubt you have thought of all these considerations already but as there hasn't been a chance of discussing them with you I thought I ought to let you know my views.

¹ The back bench Conservative Commonwealth Affairs Committee.

182 CO 1015/1533, no 30

18 Mar 1959

[Federal review commission]: draft telegram from Lord Home to Lord Perth (Lusaka)¹

[In order to prevent the planned enquiry into the Nyasaland emergency becoming an inquest into the performance of the Federation, the Cabinet decided to create an entirely separate commission to prepare the ground for the 1960 federal review conference (CAB 128/33, CC(59)17, 17 Mar 1959).]

Following personal for Lord Perth from Commonwealth Secretary.

1. You will have seen my letter to Welensky which advocated the acceptance in principle of a Preparatory Commission to the 1960 Review which we should appoint before the General Election. We had a preliminary discussion of the value of this in Cabinet this morning and as a result Alan² and I thought you might like ammunition which you could use to try and get him to accept this in principle.

2. There are some very compelling reasons.—

(a) The political situation here is very difficult and bad and a lot of Conservative opinion deeply disturbed and in need of re-assurance. Welensky must understand the overwhelming importance of enabling us to hold Conservative opinion steady.

(b) The Labour Party will commit themselves to secession and that would be the first step to breaking Federation and seriously prejudice the 1960 Review. If a preparatory Commission is appointed, I believe we can prevent the Labour Party from committing themselves.

(c) It would take Federation affairs out of party politics here over the period of our General Election and between now and 1960.

¹ For despatch through the governor, Lusaka.

² Lennox-Boyd.

(d) Ignorance of the purpose of Federation is widespread both here and in Africa. The Federal Government, the Labour Party and we are thought to have axes to grind, but an impartial and objective enquiry would lead the public to a fair and objective view and do much to restore confidence. Confidence is, of course, necessary from the angle of overseas investment.

(e) If the Federal Government is interested in progress towards full membership of the Commonwealth, the appointment of an impartial Commission should help.

3. We think that we should have to have something of the kind anyhow after this present upheaval and it would be far better if from the start it was blessed by and associated with the Federal Government.

4. I suppose that Welensky may feel doubts on two main points:—

(a) intrusion into Federal affairs by what he calls outsiders; but it is the plain truth that Federation cannot advance at all without the consent of the British Parliament.

(b) That Dominion Status so called may be postponed. But might they not rather like to get off this particular hook.

5. If you can get acceptance in principle it will be fine but the important thing is not to let him reject the idea.

6. There are variants you might float. It could be 'Advisory' rather than 'Preparatory'. There would be ways of associating the five Governments through assessors.

7. You will see what progress you can make but the more we think of it the surer we are that something like this is needed if Federation is to be saved.

183 CO 1015/1533

20 Mar 1959

[Nyasaland emergency]: minute by Mr Amery to Mr Lennox-Boyd

I had a further meeting with Cub Alport this afternoon. We discussed the draft of a telegram from the C.R.O. to Welensky. The Department will be submitting a copy of this to you with their comments. Certain other points arose in the discussion which may be worth reporting to you.

2. I feel strongly, and I understand Alport agrees, that it would be a mistake to include Privy Councillors in the Nyasaland Commission. I say this for five reasons:—

(a) Someone like Soskice¹ could, and almost certainly would, drive a coach-and-four through the terms of reference now contemplated or indeed through any others.

(b) The Commission as a whole would have to include much of Soskice's views on Federation in their report or face the risk of a minority report which would defeat the main purpose of the exercise.

(c) It is asking a lot of Welensky to swallow two political enquiries.

(d) We are setting a dangerous precedent.

¹ Sir Frank Soskice, Labour MP for Newport. Attorney-general, Apr-Oct 1951; home secretary, 1964–1965.

(e) Our thinking so far has been mainly, and rightly, concerned with reassuring 'Liberal' opinion. We should be careful not to go so far in that direction as to disturb our own supporters. Some of them would find it difficult to reconcile the inclusion of Privy Councillors on the Commission with the line we have taken hitherto, e.g. in the Commonwealth Committee.

3. There is another side to this. The C.R.O. are in some difficulty as to how far they can go on the subject of the wider enquiry in the Federation. They cannot be very definite about it as they have not yet got agreement with Welensky. On the other hand, if they are too vague about it they give the Opposition an opportunity to take the initiative and try to dictate its nature and terms of reference. It seems to me that both from the point of view of public opinion here and of our relations with Welensky we can afford to be considerably more definite about the wider enquiry if we exclude the Privy Councillors from the narrower; and it is the wider enquiry which matters most to us.

4. I believe in any case that we must not underestimate the extent to which public opinion will be steadied by the Governor's despatch. The statement by one of the chief Asians in Nyasaland repudiating the Indian Government's views on our actions there should also help.

5. Sorry to burden you with this further bit of back-seat driving.

P.S. I may be wrong but I don't believe the opposition are acting in good faith over the Nyasaland enquiry. 'Colonialism' has become a main issue in party politics here; indeed it is about the only issue the Labour Party can still campaign on. We must, therefore, expect them to make the most of it. I still think that the natural jingoism of the country will make Labour lose more than it gains by being 'anti-colonialist', but from a purely tactical point of view I don't see what other flags Transport House have left to wave.

J.A.
20.3.59

184 CO 1015/1702, nos 14/15

6 Apr 1959

[Federal review]: outward telegram from Mr Lennox-Boyd to Sir R Armitage (no 278) and Sir A Benson (no 115)

As you know, Lord Home has just returned from his visit to Salisbury. We had a meeting of Ministers today, 6th, under the Prime Minister's chairmanship and though no definite conclusions were reached our minds are moving along the following lines:—

- (i) Officials of the five Governments to meet say, in June, to prepare material for the 1960 Review. There will be many different points of view put forward.
- (ii) When this material is ready it should be given to a Preparatory and Advisory Constitutional Commission. The Commission should have as its chairman of reference someone of the stature of Lord Radcliffe,¹ two representatives from the

¹ Cyril Radcliffe, lord of appeal in ordinary since 1949; chairman of Bengal and Punjab Boundary Commissions, 1947; constitutional commissioner for Cyprus, 1956.

Federation, one representative from each of the three territories, two Conservative Privy Councillors, two Socialist Privy Councillors, and probably at least one constitutional lawyer and one economist. Obviously it would help presentationally if there were Africans on the Commission. We wondered whether of the two Northern Government representatives one at least of them could not be an African. I should very much like to know what you think of this and whether you have a suitable name to suggest.

(iii) The Commission should be invited to visit the Federation with terms of reference roughly as follows:—

'In the light of the information available in the Report by officials and of any additional information the Commission may require, to advise the Governments concerned in preparation for the 1960 review on the further steps necessary towards achieving the aims and objects embodied in the Annex to the Order in Council of 1953.'

You will realise that this wording brings in the preamble to the Constitution. The idea would be that the Commission would start its task in the Federation, say, in November.

2. This morning we have also given considerable thought as to whether it might not help presentationally if the Commission were set up sooner than we at first thought, say, a month or so after the officials have started their work, met the officials for a few talks and then adjourned until the official reports were ready. The purpose of this would be to gain a possible presentational advantage that we might get through naming the members at an early date, it would also ensure that *all* the members other than the two Socialist Privy Councillors, were chosen by the present Government.

3. I realise that the task of officials may be rather delicate and difficult. But quite apart from the fact that they should be able to help the Commission a lot by wise treatment of material, I gather from Lord Home that their introduction into the scheme of things, which would not of course in any way prejudice the freedom of the Commission to obtain additional information as and when they may think necessary, is likely to make all the difference between agreement and refusal of Federal and Southern Rhodesian Governments to fall in with the idea of the Commission.

4. Ministers will consider further on Wednesday. Please comment by then.

185 CO 1015/1702, no 18

8 Apr 1959

[Federal review]: inward telegram no 95 from Sir A Benson to Mr Lennox-Boyd. *Minute* by W L Gorell Barnes

Your telegram Personal No. 115.¹

1960 Review.

The considered opinion of myself, my successor in office and our closest official advisers is that proposals made are unrealistic and could only damage H.M.G.'s name, influence and interests in the Federation. If they were implemented we all believe that we could no longer continue to maintain what has been maintained

¹ See 184

against the greatest provocation and difficulty during past three years viz., the trust in the ultimate good faith of H.M.G. of the vast majority of our population. It is this and this alone which has enabled us so far to avoid what has happened in last three months in other territories of Federation. One has seen widespread uprisings and the other has resorted to police state action.

2. We take composition of proposed Commission first. Our comments fall into two parts:—

(a) Two Federal representatives plus one from Southern Rhodesia place two Northern Rhodesia representatives² in a minority, no matter how many constitutional lawyers or economists you may appoint from the U.K. You are fully aware, if only through demands for parity during Constitutional discussions, of weight attached by Africans to composition of any body of this kind and immediate reaction by Africans must be that Commission is so weighted in favour of Southern viewpoint that their only salvation lies in violence, which they believe will evoke reaction by Labour Party on lines demonstrated recently over Nyasaland.

(b) Secondly how are we to choose Northern Rhodesia representative? He must (repeat must) be an ex officio Minister and we face 5 U.F.P. Ministers in Executive Council of ten. Any attempt to appoint ex officio Minister therefore creates immediate political crisis in Northern Rhodesia. There is no (repeat no) African in Northern Rhodesia on whom as sole representative of Northern Rhodesia this heavy duty could be placed; who could represent H.M.G.'s interest in Northern Rhodesia; or in whose name agreement could be reached in Executive Council. If territorial representation were raised to two, in order that one might be an African, it would still be necessary to have ex officio Minister as the other, and head on clash with U.F.P. would not be avoided.

3. For these reasons we believe it essential that Commission should not (repeat not) contain any local representatives. See also in this connection paragraph 9 below.

4. We can fully appreciate that appointment of official Preliminary Committee could make preparatory Commission more acceptable to Welensky or Whitehead and certainly Greenfield. Such a body could only circumscribe Commission's freedom of enquiry which must be as unfettered as review envisaged in Article 99 of Constitution. But arguments against such preliminary official committee are overwhelming as follows:—

(a) No (repeat no) agreement could be expected in their report. Vital need is for change in whole attitude hitherto adopted by Federal Government towards concept of Federation. History of past 5 years has been repeated attempts by Federal Government, often successful but sometimes defeated by us, to reduce territorial Governments to position of impotence by dictatorial use of its own powers coupled with constant attempts to encroach on territorial field. Numerous examples are on your files, and we need only cite demand for Federal police force and proposed subversion of Federation Bill, enclosed with my letter to Gorell Barnes of 2nd April. Our minimum requirement from Constitutional review must be to establish the territorial Governments' jurisdiction and powers at least at

² By the 'two Northern Rhodesia representatives', Benson presumably means the two representatives from the Northern territories.

position to which they have been reduced today. If Federation is to work effectively, with consent of its inhabitants, we need more than this. Northern Rhodesia official appointed to Preparatory Committee has virtually no hope as we see it of recording any (repeat any) agreement with officials of Federal and Southern Rhodesia Governments who must follow line dictated by their U.F.P. Ministers.

(b) Throughout this exercise U.F.P. Ministers in Northern Rhodesia will justly demand full accounts of way official meetings are going and every such account must precipitate split in Executive Council.

(c) At the end of this exercise what has Preparatory Commission got, other than fixed and diametrically opposed views, which must hinder instead of help its work?

5. For reasons given in paragraph 4 terms of reference proposed by you would (a) be impracticable and (b) completely fail to achieve the objectives of reassuring African opinion (see my despatch No. 70 of 12th February).

6. The Questions before the Commission must be of two kinds:—

(a) Factual and administrative. In this regard there is, for reasons given, no hope that Preliminary Official Committee could give concerted and objective guidance.

(b) Essentially political. The Commission must hear the various shades of opinion in the Federation about the general direction of advance which, if H.M.G. are to maintain the pledges in the preamble to the Constitution, is politically possible.

7. (b) is the basic and governing question and until they have formed a view on that the Commission can reach no firm decisions on (a).

8. We hold strongly that terms of reference should be on following lines:—

‘To review the Annexe to the Order in Council establishing the Federation of Rhodesia and Nyasaland in terms of its preamble and to recommend in the light of the experience of the working of the Constitution since its inception and of its impact upon the peoples of the Federation what changes are necessary in the Constitutional relationship of the constituent territories and the central body within the Federal association including the legislative, financial, and other powers of the Federal Government and those of the constituent territories.’

9. From this first information granted, of progress of Lord Home's talks and from subsequent declaration by Welensky that in given circumstances he may declare Republic (promptly countered by Northern Rhodesia African National Congress promise simultaneously to declare Black Republic) we must judge that Lord Home encountered serious opposition in Salisbury to proposed appointment by H.M.G. of Royal Commission in normal form that Royal Commission takes. We have given a very great deal of assessment and advice during past 3 or 4 years about state of public opinion in Southern Rhodesia and Northern Rhodesia; about determination of successive Prime Ministers of Federation and Greenfield to achieve amalgamation with advanced status as means towards this end; and about Welensky's personal recognition that he must defer to electorate's loyalty to H.M.G. typified by the Queen if he is to remain in power. We have yet to learn that we have been wrong. Welensky has had a bad press locally in a fourth estate which is largely Federal Party controlled

and which normally fawns on him. We now firmly repeat our considered view that announcement of H.M.G.'s decision to appoint full scale Royal Commission with no (repeat no) local representatives and with terms of reference on lines indicated in paragraph 8 above will secure very large majority support amongst European population of Federation, whilst at the same time providing that reassurance to African population of Northern Rhodesia which is vital if opposition in enhanced form of Nyasaland outbreaks is to be avoided. If Welensky or Greenfield attempted to fight in public against this they would have support only of Broederbond Dominion Party sympathisers and they would have the local press even more strongly against them.

10. I trust that our views on this vital matter may be laid in full before Wednesday's meeting of Ministers.

Minute on 185

Secretary of State

Please see (18), (19) and (20).

I feel bound to say that I find myself very much in agreement with Sir A. Benson's telegram at (18).

As you know, I have always disliked the idea of officials of the five Governments being asked to sit together and prepare material either for the review itself or for any Commission asked to report before the review; for I have felt that there is now such strong feeling, both political and other, in this matter that it would be very difficult for officials to operate without close instructions and useless to operate with close instructions, which would be bound to be very conflicting.

I must confess that I had not realised that the balance of the proposed Royal Commission would be thought by Africans to be so prejudiced in favour of the local European view. Even now, I think Sir A. Benson slightly over-states the case (though not so much since Lord Home has added yet a third member from the Federation). But I assume that he is assuming that Africans will consider it certain that the two Conservative Privy Councillors will support the local European case, and I am afraid that, however wrong they may be, this is what Africans probably would think. I think, therefore, we must accept that a Commission with this kind of composition would have the sort of effect on African opinion that Sir A. Benson predicts. Certainly I feel that both Governors are right in thinking that it would be very difficult, if not impossible, to choose an African to be their only representative, and I myself also consider that Sir A. Benson is right in thinking that it would place him in an extremely difficult position to have to nominate only one representative.

As you know, we in the Department have always been with Sir A. Benson in thinking that a Commission like the Simon Commission,³ which was a Royal Commission composed partly of Members of Parliament and partly of other prominent persons from this country, is the right answer. If H.M.G. could have the courage to decide to appoint such a Commission in the face of Sir R. Welensky's opposition, then I believe that such a step would restore confidence here and might

³ A reference to the 1927 Simon Commission appointed to examine in India the working of the 1919 Government of India Act. The commission had no Indian representatives and it met with a widespread boycott when it arrived in India.

well have not-too-bad a reception in the Federation. Certainly I think it would be extremely difficult for Sir R. Welensky to refuse to have anything to do with it.

If, in spite of all this, it is felt necessary, at the risk of provoking further violence in the Northern Territories, to appease Sir R. Welensky to the extent proposed, then I would like, if I may, to make a strong plea that, before the arrangements are announced, there should be a clear statement from H.M.G. that, whatever any of these bodies may recommend, they will in no circumstances withdraw their protection from the Northern Territories unless and until the majority of their inhabitants have expressed a desire that they should do so through some machinery which is clearly representative of those inhabitants and not only of a very small proportion of them.

W.L.G.B.
8.4.59

186 CO 1015/1607, no 162

17 Apr 1959

[Nyasaland constitution]: minute by J C Morgan to Mr Lennox-Boyd

No. 161 with its enclosures is the letter from the Governor of Nyasaland which we have been expecting, as indicated at X/ of his telegram at No. 159. It has crossed with our telegram No. 160. You will see that the Governor's proposals, so far from having anything to do with common rolls and franchise qualifications, envisages an interim constitution based entirely on the old fashioned principle of nomination: i.e. purely a 'holding' Constitution (which might be compared with the Constitution of British Guiana after the emergency or that at present introduced in Malta), and not one which involves any democratic processes of election at all. Indeed, the Governor is absolutely forthright in saying that he does not contemplate any actual elections in Nyasaland for the two-year period envisaged (i.e. over 1960) and if there are not to be elections, one can readily see that there is little point in entering into discussions or arguments as to the scope and qualifications of the franchise.

2. As noted on the letter, Mr. Gorell Barnes thought that you should see this soon, and I felt that you might like to have it to read over the week-end. You will see that the Governor asks for specific advice on particular points which I have numbered in the margin from 1 to 6. These points generally relate to the legal *method* of achieving a situation in which Mr. Chipembere and Mr. Chiume¹ would have been legally unseated, their places taken by two nominated Africans, with provision for two other *nominated* Africans in the Legislative Council (the nomination of two Africans to the Executive Council requires no new Instrument); and generally as to the method of bringing in a constitution solely by Order in Council passed in the United Kingdom, without any Bill being introduced or debated in Nyasaland itself. This procedure also implies that there would be no further discussion in Nyasaland itself, although the conception of the proposals will have to be discussed with the Federal Government; perhaps this in itself will create new difficulties.

3. I am quite unable without advice to give the answers immediately on the points raised by Sir R. Armitage; and I therefore propose to have a meeting as early as possible next week with the Legal Adviser and Mr. Watt to see in what way the proposals made by Sir R. Armitage could be implemented, if you were to decide that

¹ Chipembere and Chiume had both been members of the Nyasaland legislature since 1956.

you could accept the idea of having no advance on the electoral front. For this purpose I am sending a copy of this minute, together with a copy of the letter and its enclosures, to Mr. Watt and Mr. Rushford (asking him to give to whichever Legal Adviser is correct, if it is not for him). I have also sent a copy of the minute and letter to Sir J. Macpherson.

4. Because of the Federal interest it will also be necessary to arrange for copies of this correspondence to go to the C.R.O. and for this purpose I shall be grateful if Miss Brimblecombe could arrange to return to me the copy of the letter sent to Sir J. Macpherson.

5. I would propose to submit more complete proposals through Mr. Gorell Barnes in the light of any comment which you may now make, and of the outcome of the meeting which I propose to hold.

P.S.

I had dictated the above minute immediately before joining you in a talk with Mr. James Johnson M.P.² this afternoon. It will not have escaped your notice that what the Governor is recommending is precisely what Mr. James Johnson recommended to you as a result of the conversations which he had had in Nyasaland with Government officials, employers and African leaders. As he put it to you, it was essential to fill the vacuum caused by the arrest of Congress leaders, and this could be done by *suspending* the Constitution, introducing an interim Constitution for the next period, having in that Constitution *nominated* Africans, including Africans nominated to the Executive Council, and not having any elections. In discussion with him you said that if this were done, a White Paper could then be published setting out the scope of the proposals which were to have been discussed by Lord Perth in Zomba; and in this manner the idea of extending the franchise and having a common roll could be kept alive. You and Mr. Johnson thought that in this way ultimate progress could be made.

At the end of the meeting you said to Mr. Johnson that you agreed with what he said; and therefore you may be disposed to agree now to the general lines of Sir R. Armitage's recommendation, varied by having in addition the publication of more far reaching proposals for discussion and debate in the interim Legislative Council.

² James Johnson, Labour MP for Rugby division of Warwickshire since 1950 and a prominent member of the Opposition's colonial affairs specialists.

187 CO 1015/2137, no 1/2

27 Apr 1959

[Federal review]: draft letter from W L Gorell Barnes to Sir E Hone

It looks as though we shall at official level soon have to launch into discussions first in Whitehall here and afterwards between officials of the five governments, about 1960 and all that; and various aspects of the problem are inevitably beginning to arise in discussions at meetings about e.g. the terms of reference of the proposed Royal Commission and so on.

It would be of tremendous help to me personally in all this if you could let me have, for my personal guidance, your personal views on the following three [four] points:—

(i) *Division of functions between territorial and federal governments*

It looks as though we ought to work for an increase in the residual subjects left to the territorial governments, the most important being probably the marketing of African produce. At the same time, we shall be faced with pressure for the transfer to the Federal Government of some or all aspects of what we broadly call 'law and order' and labour. It seems to me that we shall have to resist these demands firmly but we cannot look altogether without sympathy at Federal Governments' distaste for the idea that the law and order functions at present lying with territorial governments controlled by Her Majesty's Government should pass to independent territorial governments which are bound to be controlled sooner or later by Africans. It seems to me, provided of course that it has been established beyond doubt that we will not relinquish protection of the Northern Territories until the majority of their inhabitants really want us to, the right solution might be to lay it down that law and order and labour will remain territorial subjects so long as Her Majesty Government is ultimately responsible for the territorial governments, but that when the territorial governments become independent, those functions will be allocated in a manner more appropriate to a normally independent Federation—which would of course at any rate in the case of law and order mean that the Federal Government would have at least a very good measure of ultimate control. Do you agree broadly with all this?

(ii) Land must clearly remain in every respect a territorial subject so long as the Northern Territories Governments are ultimately responsible to Her Majesty's Government. But the question arises whether there is anything that can be done to ensure that, when Her Majesty's Government's protection is ultimately withdrawn, the successor independent government, which is likely to be or become African dominated, will not be able to deprive non-Africans of their legitimate land rights. It occurs to us that it might be possible to deal with this problem by providing that, when either or both of the territorial governments becomes independent, some power will be given to the Federal Government which should make it impossible for land rights, whether freehold or long leasehold, to be confiscated, or for action having similar effect to be taken, without the agreement of the Federal Government.

I should be glad to know whether you think that there is anything in this idea. If there were it would be certainly wise to keep it back until a fairly late stage in any [negotiations].

(iii) One cannot help also having some sympathy with the fears of the Federal Government that under certain circumstances the speed or nature of political advances in the two Northern Territories might be such as to imperil the stability of the Federation as a whole. We clearly cannot surrender control of political developments in the Northern Territories to the Federal Government. Would it however be possible to devise constitutions for the two Northern Territories including franchise arrangements which would be fair to all concerned, and would be, so to speak, 'self-propelling' (by which I mean that greater African influence would automatically come about as more and more Africans attain certain specified standards) and then to lay down that these constitutions could not be altered without the agreement of both Her Majesty's Government and the Federal Government? (Incidentally it seems to me that the present Northern

Rhodesia Constitution goes a long way towards being 'self-propelling' in the sense in which I have used the term above, but not far enough to make it possible to 'freeze' it in the manner indicated above).

(iv) *Responsibility in Whitehall*

I myself feel that there is a lot to be said for transferring responsibility for dealing with the Northern Territories to the Commonwealth Relations Office, since I feel that that Department would get a more balanced picture if they had to deal with the problems of African affairs and law and order in the Northern Territories as well as with the more diplomatic problems of relationships with the Federal and Southern Rhodesia Governments. Nor does it seem to me that their record in the High Commission territories suggests that it could legitimately be alleged that they were incapable of sustaining legitimate African interests in the face of pressure from independent or semi-independent governments dominated by Europeans. Unfortunately in the Federation there has grown up a feeling that the Commonwealth Relations Office is the protector of European interests whilst the Colonial Office is the protector of African interests, and I suppose that for that reason the first impact on African opinion of such a change would be bad. What are your general views on this? And, if you think there is something in it, do you nevertheless feel that the first impact would be so bad that the proposal is one which we ought not to consider?

I am writing similarly to Bob Armitage, and shall be grateful if you will copy your reply to him.

188 DO 35/7603

c 20 May 1959

'Question of the site for the capital': CRO briefing paper on the location of the federal capital

This question was considered by the United Kingdom authorities, and those in Southern Rhodesia and the two Northern Territories, in the pre-federal period. There was a considerable discussion of the merits of various sites between Sir Henry Batterbee and Sir Godfrey Huggins in March 1952. During discussion in April 1952, preliminary to Federation, the point was raised by Mr. Hopkinson, then Minister of State, as to whether the fears of Africans that Federation would mean domination by Southern Rhodesia might not to some extent be met by not having the site of the Federal capital in Southern Rhodesia. At this meeting, Mr. Welensky, as he then was, pointed out that as the draft Federal Scheme stood the site of the capital was to be settled by a majority vote at the first session of the Federal Legislature, and the decision would therefore be a party one. Mr. Gorell Barnes suggested that the question might be referred to a Commission. The meeting agreed that the capital ought not to be situated in any of the three Territorial capitals or in their neighbourhoods. This meeting was however confined to the Colonial Office and representatives from Northern Rhodesia.

2. So far as concerned the Constitution and setting up of the Federation, the position was left, as mentioned above, that the site of the Federal capital should be left for decision by a vote of the Federal Legislature. Just before the inception of the Federation, in August 1953, Lord Swinton had a discussion with Sir Godfrey Huggins who said that it would not be desirable to have the Federal and Territorial

Governments 'on top of one another' in Salisbury; he wanted the Territorial capital to migrate to Bulawayo. It had always been Sir Godfrey Huggins's idea that the Federal capital should be not so much at as near Salisbury, where he wished to have a kind of Federal enclave or 'Canberra', particularly so that the Southern Rhodesian discriminatory laws could be suspended there for the African politicians.

3. During this period, at the beginning of Federation, various claims to be the site of the Federal capital were canvassed. In particular, Livingstone put in a claim, and Lusaka was also mentioned. Various Southern Rhodesian towns put in claims.

4. On 30th September 1953 on the eve of the inception of the Federation, a motion was debated in the Southern Rhodesian Legislative Assembly to the effect that if the Federal capital were settled at Salisbury, then the capital of Southern Rhodesia ought to be at least 100 miles away from Salisbury. This motion was passed by one vote, but, so far as is known, no further action has been taken on it, despite the fact that the Federal capital has been settled at Salisbury. The motion evidently took the form that it did in order to leave open the various claims which would be made by Southern Rhodesian towns to be the Territorial capital.

5. On coming into being, the Federal Assembly appointed a Select Committee to make recommendations as to the site of the Federal capital. Its recommendation was that the capital should be in or adjacent to Salisbury. In the debate the Africans and their friends took the line, which had been expected, that the choice of Salisbury would underline the influence of Southern Rhodesia, and also be undesirable because of the discriminatory laws in that country, and they therefore advocated some other capital, such as Lusaka. Once again the claims of various other places such as Livingstone and Southern Rhodesian towns were canvassed. Nevertheless the vote for Salisbury was 24 to 7. It should be noted however that this vote was not so much that the capital should be in Salisbury as somewhere nearby, because Sir Godfrey Huggins, then Prime Minister, was making it clear all the time that he wished to form a Federal enclave near Salisbury. This was made even more precise when on 20th July 1955, Lord Malvern, as he had by then become, announced in the Federal Assembly that the Federal Government was going to acquire 840 acres on Warren Hills Farm $4\frac{1}{2}$ miles west of the centre of Salisbury to be the Federal capital; he said that the area would be 'extra territorial' and excised from Southern Rhodesia. This remains the aspiration of the Federal Government up to the present day, although, no doubt for lack of funds, no steps have yet been taken to bring the Federal capital into existence. It is suggested in the correspondence with Mr. Swan of Salisbury on CAA/AH. 39 that the cost, or some part of it, might be met by a grant from H.M.G. There has been no official discussion of such a suggestion with the Federal Government.

6. The question of where the site for the Federal capital should be is quite obviously, as was realised in the pre-federal period, one primarily for the Government and Legislature of the Federation itself to determine; and it is therefore doubtful to what extent it is proper for H.M.G. to bring pressure to bear on the Federal Government in favour of any particular solution. The objections to having Salisbury as the site of both the Federal and Territorial capitals are obvious, not only from the point of view of politics but of practical convenience; nevertheless the foregoing record will indicate that the intention is that the actual site should be separate from the site of the Territorial capital. It is also open to the Government of Southern Rhodesia to migrate to Bulawayo (which would welcome them) at any time; and no doubt their reasons for not doing so are partly financial and partly because of their

understanding that the Federal capital enclave is eventually to be developed away from their own area. As indicated above, various suggestions have been made at different times. Livingstone has been a strong claimant because of its central position, and on grounds of historical symbolism. When Lord Perth was recently in Northern Rhodesia he discussed with Sir Arthur Benson a new suggestion which was that the Federal capital should be developed at Kapiri Mposhi. No site in Nyasaland has ever been suggested.

7. There is no reason why H.M.G. or the Governments of the Northern Territories should not raise at the 1960 Review Conference the question of the site of the capital; it is also quite probable that representations about it will be made to the 'Royal Commission'. As to the line which H.M.G. should take, however, it still remains probably best to say that such a matter is mainly one for the Federal Government.

189 CO 1015/1703

29 May 1959

[Federal review]: minute by W L Gorell Barnes to Lord Perth

Before discussions about the Advisory Commission to prepare for 1960 are renewed next week you should see (149), (155) and the two preceding minutes and the flagged papers referred to in Mr. Webster's minute.

As I always feared would happen if we once departed from the idea of a United Kingdom appointed Commission on the lines of the Simon Commission, this matter is getting into an unholy mess, and I now see very little prospect of agreement being reached about it.

There are also two factors, which though they may not affect the possibility of reaching agreement, are worrying from our point of view. The first is that it looks as though Sir Roy Welensky who was given a third place so that he could include an African will not allot it to an African. The second is that I think Ministers need to weigh seriously, before they dismiss it, Sir R. Armitage's re-iterated plea for a third member for Nyasaland so that he could include two Africans.

Should the discussions break down, that would not in my view be disastrous provided that a very clear statement were made by H.M.G. in regard to the pledges and the fact that the Legislative Councils in the Northern territories would not be used as a means, or at any rate the sole means, of ascertaining the views of the people for the purpose of the pledges.

But it would in my view be far better if we could have a small commission of respected people which, whether it included parliamentarians or not, would be so composed as to be regarded generally as objective and reasonably authoritative. Is that really still impracticable, provided that we hold some consultation with Sir Roy Welensky regarding the membership, even though taking final decisions on it ourselves? I think Sir Roy Welensky has got to be made to understand that opinion in this country is such that we are going to have quite a job to hold the Federation together and that, without a good deal of help from him in this sort of way we may fail.¹

¹ Perth commented, 'I don't despair! If the Labour Party play on UK terms then it will be relatively easy to tidy things up as Welensky can hardly risk objecting too far. As to African rep. *we* might appoint one! Anyway, I don't think it is an insuperable problem but I don't like varying numbers already agreed' (minute, 30 May 1959).

190 PREM 11/2787

29 May 1959

[Africa committee]: minute by Sir N Brook for Mr Macmillan

In commenting on the proposed arrangements for the Chequers meeting on 7th June, you said that there must be another meeting to consider political and constitutional problems. I think you had specially in mind the problems of Africa; and I understand that you have subsequently suggested to the Commonwealth Secretary that some sort of Committee should be appointed to consider these.

The most urgent aspect of these problems (*viz.*, the future of the Federation) has something of a Party political flavour at the moment; and what seems to be needed is a Ministerial Committee which can look at the immediate problem of the Federation in the context of future constitutional developments in 'black' Africa as a whole.

I suggest that (without prejudice to the later appointment of a standing Committee on the wider problems of Africa, including the strategic and economic aspects) you might at once appoint an *ad hoc* Committee to meet, under your Chairmanship, with the following members:—

Lord Privy Seal or Lord Chancellor
Commonwealth Secretary
Colonial Secretary
Minister of Labour
Chief Whip.

(Despite the intervention of the Scottish Church, I doubt whether the Secretary of State for Scotland need be included.)

The terms of reference might be:—

'To review the trend of constitutional development in Africa south of the Sahara, with special reference to the immediate problems of the Federation of Rhodesia and Nyasaland'.

Mr. Trend is still acting as chairman of the official interdepartmental Committee on Africa; and he has been earmarked to act as chairman of any preparatory Committee of officials from all the territories concerned which may be appointed as a first step towards the review of the constitution of the Federation which is to be undertaken in 1960. It would be useful therefore if he could attend meetings of this new Ministerial Committee. The Cabinet Office would provide the Secretariat (probably Mr. Bishop and Mr. King).

191 PREM 11/2787

29 May 1959

[Africa committee]: minute by Lord Home for Mr Macmillan

I think it will be very helpful to set up an Africa Committee.

There are two urgent problems:—

- (1) The Federation and the next stage of its constitutional advance, particularly as it affects Nyasaland and Northern Rhodesia;

(2) the question whether any declaration of intention and programme of action in our colonial territories would buy off the pan-African campaign led by Dr. Nkrumah and Dr. Banda and other leaders of African Congress.

We have to examine these questions against the short term state of political opinion here: but any immediate action must be in line with what in the long term we feel to be right for the communities in Africa for whose well-being we are the trustees.

Federation. I feel that the kind of Commission we have tried to sell to Mr. Gaitskell¹ is the best. It ties up all the parties concerned, it tries to create a common mind and it consumes a lot of time. Properly managed it would carry us on for nine months and it is just possible there might be agreement on the broad lines of advance.

A Commission of impartial persons has merit but one's experience of impartial Committees is not very encouraging. They are apt to embarrass their sponsors, but it is a risk we could take if Mr. Gaitskell and Sir Roy Welensky could be brought to agree the names.

A Parliamentary (U.K.) Commission is the third alternative. But it would smack of the U.K. 'inquest' which Welensky and Whitehead rejected absolutely. Its appointment might therefore provoke a very strong reaction on their part. Certainly it would not be given the investigating facilities by Welensky which he would provide for the other two and at best it could only be on the job for a few weeks. I cannot see how it could begin its work until well after an election here so it would do little to educate and hold opinion between now and then.

Declaration. After talking to Dr. Nkrumah (I am sending you a separate record of my conversation) I have been toying with the idea that on this front of African colonialism there might be something to be said for a 'declaration of intention' on the future of our African territories. It occurred to me that if we could get such a thing it might be subscribed to by the Commonwealth Prime Ministers. It would be a sort of Charter plus a programme of training for Africans to assist them towards self government.

I am now examining David Stirling's declaration.² In his first paragraph under this heading one runs right up against the snag that, while we could accept his principles and declare them, the second and third conditions would mean that our 'protection' would have to be maintained for twenty-five to thirty years. The Governor of Nyasaland says he could not now find a single African qualified to do the job of District Officer.

Even the most intensive programme of training could not alter that quickly. African Congress is looking for 'Independence' much more rapidly while the Europeans in the Federation will want to be a full member of the Commonwealth long before that.

Then again there is the franchise. The slogan in the mouth of every Congressman is 'one man one vote'. Even the Tanganyika franchise would I fear be roundly condemned by them. While the Europeans in Southern Rhodesia would certainly dismiss absolutely a franchise which they would consider lowered their standards disastrously.

¹ Hugh Gaitskell, leader of the Labour Party, 1955–1963.

² Calling for a more dynamic and imaginative colonial policy in East and Central Africa. For background on Stirling and his declaration, see, R Hyam & Wm R Louis, eds, *The Conservative government and the end of empire 1957–1964* (BDEEP: London, 2000) part I, 29–30). Also R Owendale, 'Macmillan and the wind of change in Africa, 1957–1960' *Historical Journal* vol XXXVIII (1995) pp 472–473, 477.

Then again for development and training to be speeded up significantly vast expenditure would be needed. We just could not find the money but it might be we could interest I.D.A. if it comes into being. You will remember that Sir Anthony Eden was attracted by the idea of a huge Marshall Aid plan for Africa.

I think it is possible that we might be able to buy some time first on Central Africa by a Commission, and possibly later, although I think the Colonial Secretary will find great difficulty in this, by a declaration with a wide objective. We could also examine with the Americans the possibility of a development plan for Africa subscribed to by the West but there would of course be many claimants other than our territories on such a fund.

I look forward to our talk on Tuesday.

192 PREM 11/2769

3 June 1959

[Federal review commission]: brief by T J Bligh¹ for Mr Macmillan on meeting with Opposition leaders

General outline of discussion

1. It was agreed the other day that the best line to follow at the talks with the Opposition on Thursday evening at 5.45 would be broadly as follows. You would ask Mr. Gaitskell whether he has had further thoughts since the meetings before Whitsun and if so whether he would now like to propound his solution. It is unlikely that the Opposition will then say they are in favour of the Government's plan. When Mr. Gaitskell has said his piece, you would then say that the Government had been giving the matter most earnest consideration since Whitsun and had reached the conclusion that their original plan was the best solution. You would then once more go through the general outline of the Government's proposal (see below) stressing the advantages and dealing with the alleged disadvantages and would then invite Mr. Gaitskell to think the matter over and let you know after the weekend how the Opposition felt about it. After the weekend and in the light of Opposition reactions, a telegram would be sent to Sir Roy Welensky giving him the latest position and, subject to his reactions, the Government would then write a private letter to Mr. Gaitskell confirming the proposals and expressing the hope that the Opposition would still feel able to agree with them, and saying that it must nevertheless thereafter be for the Opposition to adopt a public position on the matter.

The government plan

2. In dealing with the Government's proposals you might like once more to rehearse the whole plan. Under the law a Conference to review the Constitution of the Federation will be convened in or shortly after October 1960. This Review will have to be conducted by the five Governments concerned. It cannot be avoided and preparatory work is necessary. Preliminary work is being undertaken by officials from the five Governments. There would be considerable advantage in having an Advisory Commission to go beyond the preparatory factual work of the officials and

¹ Principal private secretary to Macmillan.

to provide advice for the five Governments in preparation for the 1960 Review. This advice would not, of course, prejudge the course of the Review.

3. This Commission would be constituted as follows:—

Chairman

2 Privy Counsellors from the Conservative Party

2 Privy Counsellors from the Labour Party

5 Independent U.K. members (say an economist, a constitutional lawyer, a trade unionist, etc.) (a place may have to go to a Liberal).

3 appointed by the Federation

2 appointed by Southern Rhodesia

2 appointed by Northern Rhodesia

2 appointed by Nyasaland

} to include two or three Africans

The Government would, if that were agreeable, keep in touch with the Opposition about the appointment of the U.K. members.

4. The terms of reference would be as follows (these have already been given to Mr. Gaitskell):—

‘In the light of the information provided by the Committee of Officials and of any additional information the Commission may require, to advise the five Governments, in preparation for the 1960 Review, on the constitutional programme and framework best suited to achieving the objects contained in the Constitution of 1953, including the preamble.’

5. An important advantage of a Commission of this sort would be the help it would give towards creating a sense of joint responsibility and a common mind on the part of all those concerned. It would educate public opinion generally and encourage informed and moderate opinion to work along the same lines. It was an imaginative and constructive proposal and, if it were adopted, would demonstrate that the Governments concerned were making the best use of the time available before October, 1960. It was true that the Commission would number 19 which might seem unmanageable but it must be remembered that there were five Governments concerned. It might be argued also that the Commission did not allow for sufficient African representation. To some extent this point could be met not only by the inclusion of two or three Africans on the Commission but also by allowing the appointees from the territories to be assisted by a panel of assessors which could include all shades of responsible African opinion.

6. The timetable of this Commission would be that it would be set up during the summer and would shortly thereafter get a progress report from the officials now engaged on the preparatory work. The Commission would also then settle their own programme. It was envisaged they would start work in the autumn and carry on until the spring of 1960, spending a substantial part of the time in Africa.

7. This scheme would be agreeable to all the Governments concerned and it did have the advantage of representing not only parliamentary opinion but also independent and local opinion.

8. An integral part of these arrangements was that at the time that the setting up of the Commission was announced there would be a statement by the U.K. Government which would reaffirm the pledges from the U.K. to the two northern territories which were contained in the preamble of the 1953 Constitution.

Alternative schemes

9. Mr. Gaitskell may wish to talk about a Parliamentary Commission or a Committee of independent members. Your feeling was that it would not be desirable to enter too fully into discussion on the merits and demerits of these two schemes. It was important for the Government now to appear to have made up their minds and not to appear to be prepared to consider an alternative solution. Perhaps the best thing would be, if Mr. Gaitskell wishes to discuss these other two solutions, to say that whilst there may well be things to be said in favour, there were also arguments against and the Government remained convinced that their own proposal was the best plan.

193 PREM 11/2769

4 June 1959

[Federal review commission]: note by T J Bligh on a meeting with Opposition leaders

[The meeting was held at 5.45 pm in the prime minister's room in the House of Commons. The government was represented by Macmillan, R A Butler (who combined the post of lord privy seal with those of home secretary and leader of the House of Commons), Anthony Barber (Macmillan's parliamentary private secretary), Home and Perth. The Labour Party was represented by Hugh Gaitskell, James Callaghan (MP for South Cardiff, 1945–1950, and for South-East Cardiff since 1950) and James Griffiths.]

The Prime Minister asked Mr. Gaitskell whether he and his colleagues had been able to carry further forward their consideration of the ideas that had been under discussion between the Government and the Opposition over Whitsun about the Central African Federation and the proposed Advisory Commission.

Mr. Gaitskell said that the main difficulty as it appeared to them was that it was almost inconceivable that the Government scheme could be made acceptable both to African opinion and to the Governments concerned. The Opposition agreed that a preparatory Commission should be set up but thought that this should be appointed by the United Kingdom Government and be responsible to Parliament. If they, the Opposition, had to choose between the Government Scheme and no preparatory Commission at all they would go for none. *The Prime Minister* ran over the main argument for a joint Commission. It would help to use the time between now and 1960 to bring about a common mind and a common sense of responsibility. It would have considerable long-term possibilities. The Opposition must not lose sight of the fact that the Government scheme allowed for African representatives assisted by panels of Africans, amongst whom might be included all shades of African opinion. *Mr. Gaitskell* thought that it might nevertheless be boycotted by the African National Congress, and would it not of itself prejudice the 1960 review—and certainly if it were boycotted by the Africans. *The Commonwealth Secretary* thought the Governors of the Northern Territories had advised that such a Commission would not necessarily be boycotted.

Mr. Gaitskell went on to say that the real solution might be what the Prime Minister had referred to as 'Blundellism'.¹ This was a very long way removed from Sir Roy Welensky's ideas. The former accepted the principle of one man, one vote, with

¹ A reference to the policy of the 'moderate' Kenyan settler leader, Michael Blundell.

the State eventually becoming African. This fundamental divergence of view was reflected in the lack of confidence between Africans and the local Governments. The Government scheme seemed to pre-suppose that there was a state of confidence between them. For example, what was the position of Dr. Banda? He was now in jail but would he not come out on top in the end? Were we not in danger of making the same mistake here as we had elsewhere? Namely, in trying to negotiate with non-representative moderates and throw the real leaders into jail. *Mr. Callaghan* added that 'Blundellism' must come from within and he had never thought there was any desire to achieve this state of mind in Rhodesia.

The Prime Minister thought that there was a mood growing in Rhodesia that there was a problem that had to be faced and that it was no good just going along the same old lines as before. *The Commonwealth Secretary* added that the danger of a Parliamentary Commission was that it might dissipate the incipient desire for co-operation. *Mr. Callaghan* observed that in the last Elections Mr. Garfield Todd had not won a seat. He had previously agreed that it was useful to try to find a common approach but by this he had meant a common approach within the United Kingdom. He had never thought it possible to try to find a common approach within the Federation.

Mr. Griffiths thought that whereas for the 1960 review the Africans would want to give evidence they might well boycott the joint preparatory Commission. This was extremely likely in view of the fact that the African Nationalist leaders were in detention and any other Africans purporting to speak for the African peoples would be regarded as traitors. The only way round this would be to have members of the African National Congress on the joint Commission.

Lord Perth thought that the difficulty about getting representative African opinion was not perhaps very great in Northern Rhodesia. Nyasaland was a difficult case but the Legislative Council was not the sole arbiter. *The Prime Minister* added that it was part of the Government plan that at the same time that the Commission was announced there would be a statement by the United Kingdom Government reaffirming the pledges, which were contained in the preamble of the 1953 Constitution, from the United Kingdom to the two Northern Territories.

Mr. Callaghan thought that if any progress was to be made in 1960 it would have to be then accepted that in the end the peoples concerned must have the right to settle their own destinies. *Mr. Gaitskell* added that it was not only a question of African opinion within the territories immediately concerned. We had to remember Ghana and Tanganyika and so on. Would these not regard the Government scheme as being loaded in favour of Sir Roy Welensky's opinions, whereas a United Kingdom Parliamentary Commission, which would not in any way at all purport to represent African opinion could give no offence. *Mr. Callaghan* added that Sir Roy Welensky had made very little effort to mobilise African support during the period 1953 to the present day.

Mr. Gaitskell said that it would be wrong to try and do the work of the 1960 Conference in advance. He thought that at previous meetings it had emerged that there was a considerable area of agreement between the Government and the Opposition on this matter. He had thought that both sides were moving towards a kind of fact-finding body at not too high a level. The Government argued that their plan sought to alleviate frictions and to bring all concerned to a reasonable point of view. The Opposition thought that it was wrong to try and aim so high. A small fact-

finding Commission with some Parliamentary representatives, and possibly some Commonwealth participation, to take evidence would be the right answer (Owen Dixon and Alister McIntosh were among the names mentioned).

The Commonwealth Secretary said that this approach ignored the fact that Sir Roy Welensky had said that any Parliamentary Commission would savour of an inquest and would be totally unacceptable to him. *Mr. Gaitskell* said that this in its turn ignored the fact that it was the United Kingdom's responsibility. *Lord Home* replied that Southern Rhodesia had been more or less an independent State for some 30 odd years.

The Prime Minister suggested that it might turn out for the best if the 1960 review sought to engineer very little immediate change. Thereafter a slow extension of the franchise in the Northern Territories might be brought about. *Lord Perth* added that it would be desirable to do something in 1960 as to do nothing would disturb the Africans. *Mr. Gaitskell* said that having himself just visited West Africa he realised how fast things were moving: Nigeria, Guinea and so on. There would be rapid expansion in the number of African nation States in the next 5 years. It was most necessary to try and make the Europeans in Rhodesia face these realities.

It was agreed that both sides should give the matter further thought and that the Prime Minister would let Mr. Gaitskell know how the Government's minds were working. The meeting then broke up.

194 CO 1015/1704, no 180

16 June 1959

[Federal review commission and Nyasaland secession]: minute by J C Morgan

Briefs on the attached papers are requested by the Private Office. The paper marked 'B' is the revised draft message to Sir Roy Welensky on which I minuted on the papers yesterday.

2. The paper marked 'A'¹ is a letter from Mr. Grimond, M.P. Leader of the Liberal Party, in which he states the *conditions* on which his Party would agree to co-operate with the Advisory Commission:—

(a) As regards X/, Mr. Grimond seems to be quoting from a rather earlier version of the proposed membership of the Commission, including panels to be advisory to the Commission. If the Commission comes out in something like the form which is now proposed in 'A', it looks as if the Liberal Party might agree. It could also be assumed that they would agree to a 'Commonwealth only' Commission as appears to be suggested in the p.s. to 'A'.

(b) The crucial point here is at 'Y'. The words 'if any' appear to me to mean that the Liberal Party would only cooperate if the terms of reference made it clear that

¹ 'A' clearly refers to a letter from Liberal Party leader, Joe Grimond, to Home, 12 June 1959, setting out the conditions under which the Liberals would be prepared to participate in the advisory commission. Although a copy of this letter survives in the file, it is not marked up with 'X' and 'Y' in the way indicated in Morgan's minute. From the internal evidence, however, it is clear that 'X' refers to Grimond's description of the likely composition of the commission, and 'Y' to his stipulation that the commission 'should be free to recommend what form, if any, association between the three territories should take'.

the Commission could include a recommendation for *secession* of the parts from the Federation. As we know, Sir R. Welensky is precisely pressing to the effect that the terms of reference or accompanying announcement should make it clear that secession is not to be considered. I do not see myself how the eventual review of the Constitution in 1960 can avoid considering the possibility of secession of parts as one of the possible solutions of the whole question; and from that it would follow that any Commission advisory to the Review Conference could also consider secession. But I am equally sure that if the Government insisted on including the possibility of secession in the terms of reference of the Advisory Commission, there would be absolutely no hope of agreement from the Federal Government, and the only alternatives left would be either for the United Kingdom to send out its own small Commission to the Northern territories (and to Southern Rhodesia on condition that the Southern Rhodesian Government would permit it) or alternatively to drop the whole project and to rely solely on the 1960 review, supported by some gathering of officials of the five Governments concerned.²

² Lord Perth commented: 'I agree "if any" looks worrying. Lord Home when I talked to him about it yesterday did not take it too seriously & thought we could "fudge" this point if others were overcome' (minute, 16 June 1959).

195 CO 1015/7513, no 408

17 June 1959

[Nyasaland constitution]: letter from Mr Lennox-Boyd to Lord Home

David Perth tells me that he had a brief word with you on Monday 15th about the proposed interim Constitution for Nyasaland, to carry over the review of the Federal Constitution in 1960, and that you were in general sympathetic to our ideas. As the matter is so important, however, I thought I should set out the present position pretty fully.

The emergency in Nyasaland has created a 'political vacuum', which it is necessary in some way for us to fill between now and the review of the Federal Constitution in 1960, in other words, we cannot simply go on with the present constitutional arrangements, particularly since two of the African members of the Legislative Council, Mr. Chipembere and Mr. Chiume, (who is at present in the United Kingdom), are respectively under detention and subject to a Detention Order. On the other hand, the same conditions make it inconceivable that new elections could be held in Nyasaland at present. We have as a result to provide a kind of interim Constitution.

We propose therefore to make provisions (by amendment of the Royal Instructions) so that (a) the seats at present held in the Legislative Council by Mr. Chipembere and Mr. Chiume will become vacant, (b), they will then be filled by two other Africans nominated by the Governor, and (c) certain other seats will be provided to be filled by Africans nominated by the Governor: the question of how many is the point still at issue and I refer to this below. At the same time, in order to give evidence of our intention to give general political advance to Africans, the Governor will be instructed to nominate to the Executive Council two African members of the Legislative Council (they are likely to be two of the new nominated members). Finally, in announcing this interim constitution I would make clear that,

while it was thought in-expedient to make permanent arrangements involving elections in present circumstances, it will of course be necessary before the interim constitution can be replaced by a permanent one to reach decisions on arrangements for common roll elections on a qualitative franchise. This announcement will be necessary to balance the advances which it is proposed to give to the Africans in the interim Constitution.

The point which we still have to settle is whether, on the unofficial side of the Legislative Council there should be two, one or no additional Africans. Neither the Governor nor I think that it would be right to have no additional African, and leave six non-Africans and five Africans on the unofficial side; and I do not intend to pursue this possibility further.

The Governor, on the basis of the majority opinion in his Executive Council, which includes two European members, has strongly recommended that there should be one additional African, thereby producing parity between non-Africans and Africans on the unofficial side. I feel however that there are serious objections to this. First, it fails to give any clear indication to the Africans of the future hope for an eventual African majority; second, by conceding a seat to the Africans it precludes any claim by the Nyasaland Government that they have resisted concessions forced on them by violence; and third, there is a danger that it will freeze a racial pattern in politics in a manner deliberately avoided in the constitutional arrangements for Northern Rhodesia and thus undermine the arguments used by the Governor of Northern Rhodesia and ourselves in that connection.

I am clear therefore that we should go for two additional Africans. The Federal Government would, I imagine, prefer no increase in African representation in the Legislative Council on the ground that the Africans should not be encouraged to think they can extort constitutional advances by violence. But though I understand this view, I feel sure we should add the two Africans so as to give them a majority among the unofficials. (The set-up in the Council would then be 14 official members and 13 unofficials of whom 7 would be Africans.) I believe that, if this course is adopted, it may make all the difference to the many 'moderates' in this country who, while not heeding extremists on either side, do feel uneasy about the position in Nyasaland.

I hope you will agree with me not only as to the general features of the interim Constitution as described above, but also that we should now tell the Governor that we consider it essential to have the seven Africans in the Legislative Council. If so, it will then be necessary to consult the Federal Government in accordance with the arrangements laid down in paragraph 38 of Cmd. 8753 of 1953. But, before we do that, I shall want to tell Sir R. Armitage of our conclusion about the 7 Africans and try to secure his agreement to it.

This brings me finally to the question of timing. The Governor will be opening a new Session of the Legislative Council on 29th June, and has told me that he would like to make the announcement of the interim Constitution then (the necessary Instruments can be prepared afterwards). This programme might however need to be adjusted according to whether or not it will be possible between now and then for us to make the announcement for which we are hoping relating to the appointment of the Advisory Committee; and on that point we shall have to consult together again.

196 CO 1015/1578

19–22 June 1959

[Nyasaland and the Federation]: minutes by J C Morgan, W L Gorell Barnes and Lord Perth

Mr. Gorell Barnes

One of the points made to Lord Home and Lord Perth by the delegation from the Africa Bureau recently was the suggestion, particularly as put forward by Sir Jock Campbell¹, that the situation in Nyasaland and the Federation generally would be improved by an announcement by HMG, or alternatively some adjustment of the Federal Constitution after 1960, to the effect that any of the territories of the Federation would be able to secede from the Federation at some future time, say in 10 years, when they had become ripe for internal self-government themselves. Lord Perth was interested in this suggestion and wanted to examine it further. I therefore asked the C.R.O. to express their views and the result is at No. 5.

2. A similar suggestion was made by the delegation of the British Council of Churches which saw the two Secretaries of State last week. In answering this point, our Secretary of State said that it was possible that such a 'deferred secession' would cause less difficulty than the grant of the right to secede now. But Lord Home made it quite clear to the delegation that he had been convinced by contacts with Liberals such as Mr. Todd in the Federation that the least whisper or hint that secession even in the future was to be permitted could only have the result of keeping agitation alive, and of ultimately breaking up the Federation.

3. This is the view expressed in No. 5 here. My opinion is that once you admit the possibility of secession of any part of the Federation in the future, there is no defence against a demand for secession in the immediate future. In stating this opinion, I do not however say that it will be possible in practice for the Federal Constitution Review Conference of 1960 to avoid discussion of the possibility of secession or of breaking up the Federation. What I do say is that Ministers now, in advance of the Conference, cannot publicly say anything to give the impression that secession of the parts is a possibility, even in a more remote future.

4. Lord Perth will wish to see No. 5 and this minute. I should be grateful for confirmation that the idea of secession even in the future should continue to be scouted.

5. I am sending a copy of this minute to Mr. Scott, C.R.O.

J.C.M.

19.6.59

Minister of State

I agree with Mr. Morgan that any admission by Ministers now that secession, either in 1960 or later, is regarded as a possibility would almost certainly ring the death knell of Federation.

I also agree that it will not be possible for any body which is set up to consider the future of the Federation—whether a preparatory commission or the 1960 Conference itself—to refuse altogether to discuss the possibility of secession. Sir Jock Campbell's suggestion is an attractive one and is favoured by many intelligent people. For instance, Professor Harlow² recently urged it upon me in a letter which I showed to

¹ Chairman of Booker-McConnell.

² Vincent Harlow, Beit Professor of the History of the British Commonwealth at the University of Oxford.

the Secretary of State at the time. It is a logical suggestion and the only one which makes it possible to keep Nyasaland in the Federation for the time being without violating the principle of consent. On the other hand, we all know that logic seldom works in Africa and I myself am inclined to agree with the view attributed to Mr. Todd that provision for any part of the Federation to leave it, if it so wishes, even if only after 10 years, would be liable to weight the dice so heavily in favour of those who want to break up the Federation that the Federation would have very little chance of survival.

I think my summing up on this would be that an option to Nyasaland to secede at the end of 10 years (which might well have to be accompanied by a similar option to Northern Rhodesia or parts thereof) is to be avoided if at all possible, but would be better than the immediate break-up of the Federation, and might turn out to be the best we can do.

W.L.G.B.
19.6.59

I think that any public acknowledgement on the right to secede even at the end of a specific period of years would kill the chance of Federation succeeding. On the other hand it may be the only way to keep it going. Many good friends believe that if we did say now that we can secede then the African would no longer demand it: an analogy with Ireland is sometimes drawn. Personally I do not think we would be warranted to take such a gamble.

In our talks with the deputation from the Africa Bureau I was most anxious to try and see whether we could find some basis of proceeding which would meet with their approval and this is the explanation of pages 8 and 9.³ Colvin asked that the question of secession must be on the agenda. Jock Campbell then followed up the thought that I had thrown out but showed signs of being willing to try and find a compromise on the secession issue. Hennings subsequently said why not take the gamble as did the French⁴ and I turned that one down but continued to want to keep Jock Campbell as it were in play.⁵

I am wondering whether more and more thinking should not be given to the dilemma in which the Federation finds itself. They cannot get independence and full Dominion status unless the Africans approve. In the foreseeable future it is hard to see the Africans approving and therefore federation is condemned (if that is the right word) to H.M.G.'s control indefinitely. I wonder whether in view of this a formula could not be devised in a sense the other way round, namely that at a time H.M.G. might get tired of its responsibility, and if ever that time arose, consideration would have to be given to all types of constitutional solution, from full-blooded independence [as a] federation through various types of association to splitting up into three territories, i.e. secession. But—and this is the important point—the initiative would not come from the Federation or its constituents but only from the United Kingdom. The advantage of such a line would be that it might go quite a way

³ This is a reference to a meeting with a delegation from the Africa Bureau on 28 April 1959 at which Home and Perth were present. 'Hennings' is presumably a reference to Lord Hemingford, chairman of the executive committee of the Africa Bureau. Another member of the delegation was the Rev T Colvin.

⁴ A reference to Guinea leaving the French Community after the 1958 referendum.

⁵ During the meeting with the Africa Bureau delegation, Home floated the idea of Nyasaland becoming an African state within the Federation with African rights guaranteed by the British government.

to remove African fears. It may be objected that it would be as damning to chances of a successful federation as anything else, as Nyasaland for example would go out of its way to show how they could not and would not work within its ambit.

P
22.6.59

197 CO 1015/1704, no 197

24 June 1959

[Federal review commission and Nyasaland secession]: minute by W L Gorell Barnes to Mr Lennox-Boyd

In the talks which Ministers will have early in July with Sir R. Welensky, the main subject for discussion will presumably be the proposed preparatory commission. I shall be making a separate submission on that on the file.

I imagine, however, that there is bound to be at any rate some shadow-boxing with Sir R. Welensky about the sort of result which it might be desirable to try to get out of the 1960 review, if a Conservative Government results from the next U.K. election. Clearly Ministers could take no kind of commitment but there is always a possibility that some kind of 'atmosphere of expectation' might be created.

I have the impression that Sir R. Welensky now realises that he has no chance of obtaining either independence or a firm date for independence for the Federation as a whole in 1960. I also have the impression, however, that he is still hoping for changes which would both strengthen the Federal Government *vis-à-vis* the Territorial Governments and weaken H.M.G.'s control over the Territorial Governments. I also have the impression that Lord Home may be thinking in terms of some redistribution of powers which would, on balance, be in favour of the Federal Government and possibly also of a pace of advance towards independence in the Northern Territories which we would not consider either prudent or indeed practicable in the present state of race relations and of African confidence.

My own feeling is that recent movements in public opinion here and the effect of these and of other outside influences on African opinion in the Northern Territories have now definitely put the continued existence of Federation in danger; that we shall do very well if we succeed in keeping the Federation together; and that the least we shall have to do if we are to succeed in that is considerably to loosen up the Federation by way of a substantial redistribution of powers in favour of the Territorial Governments. (Information recently received from the Northern Governors which will shortly be coming forward suggests that in their opinion it may be necessary to do even more than this—i.e. in addition to insist either on a considerable liberalisation of the Federal franchise or on a complete change in the composition and methods of appointment of the members of the Federal Assembly. I myself would, however, not at present wish to commit myself to an opinion on the necessity for changes of this kind.)

It would be unprofitable to go into greater detail at this stage. The only point I wish to make is that I hope that you may feel, and be able to persuade your colleagues, that one of our main objects during Sir R. Welensky's visit must be to persuade him that we shall be hard put to it to keep the Federation together; that therefore there will be no question of further concessions in the direction of either

independence or of greater strength for the Federal Government; and that on the contrary it may well be necessary to loosen up the Federation a bit by a redistribution of powers in favour of the Territorial Governments without any compensating redistribution in favour of the Federal Government.

I imagine that awkward questions about whether or not Nyasaland should be allowed to secede either in 1960 or at a specified later date are likely to arise. It seems clear to me—and I gather that Ministers share this view—that it is not possible for H.M.G. to make a firm statement, at any rate at present, to the effect that secession is ruled out for all time. There are many intelligent people who consider that, if the Federation is to be held together, it is essential that Nyasaland should be given an option to secede at some date in the future, say, 1970. If that were the only way of obtaining the minimum degree of African consent which is presumably necessary if the Federation is to be held together, such a commitment may be inescapable. I consider, however, that it would be exceedingly dangerous and helpful to the African racist politicians and that it should be avoided if at all possible. I would certainly hope that Ministers would be able to avoid it, at any rate until the actual conference in 1960.

On the question of the method of consulting the people of the Northern Territories should there be any question of changes which would end U.K. protection or reduce its effectiveness, I assume that Ministers would insist that, whether a preparatory commission is set up or not, a statement at least as favourable to the African point of view as the last version put forward by the Prime Minister in his correspondence with Sir R. Welensky must be made very soon now. Indeed I think you had it in mind that your speech on the 14th July might present an occasion for making such a statement.

I am sending copies of this minute to the Minister of State, Sir J. Macpherson and Mr. Morgan.

198 CO 1015/1704, no 220

6 July 1959

[Federal review commission]: minute by Lord Home for Mr Macmillan. *Annex I*

The Colonial Secretary and I put informally to Sir Roy Welensky yesterday the two alternative plans for a Central African Commission.

In general he likes the idea of a Commission even less than before. He doubts whether it will really have the educational value on British opinion we suggest. He suspects that any Commission, however sensible and well intentioned would be a hazardous affair, succumbing to some extent to the initial unfavourable impact of the racial problem in Central Africa and liable, even in a well meaning way to reach conclusions that would lead to the undoing of the Federation. He would prefer to await the results of the Devlin report. He is convinced that Sir Edgar Whitehead, with a parliamentary majority of only two and his eye on a possible election, would not contemplate anything in the form of an inquest. He looks on the idea of a Commission mainly as a device to appease opinion here in an election year: and does not appear to see the danger that, without such a body, Federation itself might be brought to an end by the British Parliament after the 1960 Review.

Against this background he made it clear that his first preference would be for no Commission at all. In any case our second alternative—a parliamentary fact-finding Commission visiting each of the territories and reporting on each was, so far as he was concerned, completely out of the question.

However, late last night, he eventually came back to our conception of a Commission with more black faces and some Commonwealth figures including two from the 'new' Commonwealth. You will have to listen to a lot of talk about 'inquests' but if you constantly bring him back to composition we may get somewhere. He is, for instance, willing to include an African in the Federal contingent if it can be raised to four. He had also not closed his mind to the idea of Commonwealth representation though he was obviously doubtful whether any really suitable Commonwealth people could be produced and seemed sceptical about some of the names we mentioned.

If, after thinking further about it, Sir Roy Welensky is still prepared to contemplate something like this, we shall be fairly close to one of the alternatives we wanted from him. We should have to be ready to persuade the Northern Governors not to press for an increase in their contingents to three each. (Not only would this probably be unacceptable to Welensky: it would also tend to make the total body unmanageable). We should have to ensure that the total U.K.-cum-Commonwealth team balanced the total local team. We should, at the same time, have to prevent the whole Commission becoming too unwieldy. And, if when it came to making an announcement we could not actually specify names, we should have to be in a position somehow to give a rough indication of the total number of non-Europeans we hoped to include.

I attach as Annex I a statement setting out the terms of reference (already agreed) and a possible revised membership, taking account of the factors in the preceding paragraph. The only footnote I should add to this, is that the idea of numbering the Privy Counsellors outside the total of the rest of the Commission arose from the assumption that we intended to proceed with the establishment of the Commission even if the Opposition refused to participate. If however that promise were abandoned we could of course slightly increase the U.K.—Commonwealth contingent (e.g. to 12) to include the Privy Counsellors within it.

Although Sir Roy Welensky appeared ready to negotiate further on the composition of a Commission of this kind, he repeated several times that his own strong preference was to do nothing before our election. We said that would be very difficult for us and that the only way we might hope to achieve it would be to say that we would send out a Parliamentary delegation later in the year and that Sir Roy Welensky and Sir Edgar Whitehead would agree to invite it to Salisbury.

I am copying this minute to the other members of the Africa Committee.

Annex I to 198: Advisory Commission

1. *Terms of reference*

'In the light of the information provided by the Committee of Officials and of any additional information the Commission may require, to advise the five Governments in preparation for the 1960 Review, on the constitutional programme and framework best suited to achieving the objects contained in the Constitution of 1953, including the preamble.'

2. Membership

Federation	4	(Mr. R. M. Taylor, Mr. V. L. Robinson, Mr. A. E. P. Robinson, and one African)
Southern Rhodesia	2	(Mr. Ellman-Brown and a judge)
Northern Rhodesia	2	(including one African)
Nyasaland	2	(including one African)
United Kingdom	6	(including Chairman)
Commonwealth	4	(including 2 from 'New' Commonwealth)
	—	
	20	
United Kingdom		
Privy Counsellors	4 or 5	
	—	
	24 or 25	

Notes

- (1) *Possible U.K. members*: Sir Oliver Franks, Sir Thomas Taylor, Professor Wheare, Mrs. Huxley, Professor Paish and a Trade Unionist.
- (2) *Possible Commonwealth Members*: Sir Leslie Munro, Mr. MacDonald, Mr. Abbott, Mr. Sherlock, Mr. de Silva.

199 CO 1015/2062

9–20 July 1959

[Unrest in Northern Rhodesia]: minutes by J C Morgan, R N Posnett,¹ O H Morris, Sir J Macpherson, and Mr Amery on the Ridley Report

[The government of Northern Rhodesia commissioned one of its officials, a barrister named N A C Ridley, to produce a report on the circumstances leading to the arrest of nationalist leaders in the run-up to the territory's general election. The report was published in Northern Rhodesia in Aug (*Northern Rhodesia: Report of an Inquiry into the Circumstances which gave rise to the making of the Safeguard of Elections and Public Safety Regulations* (Lusaka, 1959).]

Mr. Posnett

Mr. O. H. Morris

No. 1 and enclosures. To save time I arranged for Mr. Musgrove to send Mr. O. H. Morris a copy of No. 1 and of Mr. Ridley's report to read in advance of the arrival of the file: but there is only one copy of the top secret summary of secret information. If Mr. Posnett could perhaps read that in advance and send it over for Mr. Morris to see, it might also save time. The last sentence of No. 1 asks for a very early reply.

2. My views on Mr. Ridley's report and the comments of the Governor are very brief as follows:—

- (1) Mr. Ridley has produced, with great despatch, a clear, judicious and conclusive report.

¹ Richard Posnett, who had served in the colonial administration in Uganda, was currently seconded to the to the Intelligence and Security Department at the CO. Earlier in the year, he had been sent to Nyasaland to assess the accuracy of the intelligence reports indicating a 'plot' by Congress (C Baker, *State of emergency: crisis in Central Africa, Nyasaland 1959–60* (London, 1997), p 20).

(2) The report vindicates both in general and in detail the action of the Government of Northern Rhodesia in bringing into force under the Emergency Powers Ordinance: the Safeguard of Elections and Public Safety Regulations 1959: and subsequently and by virtue of those regulations restricting the movements of a number of Zambia leaders.

(3) The report is convincing even without reference to the top secret annex of secret information supplied by the Special Branch. Anyone who reads that annex would be absolutely convinced that the Northern Rhodesia Government was compelled to take the action which it did, or alternatively to declare a general state of emergency.

(4) It is therefore unfortunate that for security reasons and the protection of sources the substance of the top secret annex cannot be published. I am sure that this must be accepted. Nevertheless it may be possible to make use of parts of this annex in disputing any particular points which may arise.

3. On a particular point, I note (top of page 2 of No. 1) that both the Northern Rhodesia Government and Mr. Ridley in his report have not attempted to make too much of the Accra Conference, and the resolution about 'non-violence' there made.

4. We must recognise the force of what Sir E. Hone says in the penultimate paragraph of No. 1, that there will be inevitable criticism both that this enquiry should have been conducted by a Government officer, even one so 'judicial' as Mr. Ridley, and that the top secret evidence provided to Mr. Ridley as the Commissioner cannot be published. Nevertheless I think we can certainly argue that independent Commissioners from the U.K., working on precisely the same evidence, would have been bound to reach the same conclusion.

5. There is only one point on which I think we may have to advise the S. of S. to vary from the attitude adopted by Sir E. Hone, that is (also penultimate paragraph of No. 1) that the report should be dealt with on an 'entirely local basis'. From the constitutional point of view there are very strong arguments for this, but on the other hand there is considerable Parliamentary interest in the circumstances of the rusticating of the Zambia leaders, and it would therefore be advisable, if only from respect to Parliament, to see that there is simultaneous publication in the U.K. of the report. I have also another reason for thinking that it would be advisable to get this report given a wide distribution in the U.K. in the near future. We are shortly to have the Devlin Report on the Nyasaland Emergency. The most recent calculations indicate that the earliest date at which this could be published is 21st July, and it may be later. We naturally do not know what the report will say, but we have some idea that it may throw doubt on the reality of the 'murder plot' in Nyasaland, even if it also says that nevertheless the declaration of the state of emergency was justified. It seems to me that such a conclusion, if drawn by those Commissioners, would seem rather doubtful to anyone who had recently read Mr. Ridley's report, which shows so clearly the existence of a 'plot' less serious in intention, but more cunningly and carefully organised, in Northern Rhodesia, and with a definite connection through the 'summit meeting' with events in Nyasaland. There would therefore be an advantage in getting the Ridley report published both in Northern Rhodesia and U.K. about the 21st July.

6. If this conclusion is accepted we should advise that Sir E. Hone should be asked to assist in the following arrangements:—

(1) Simultaneous publication of report in Northern Rhodesia and U.K. on given date, say 21st July.

(2) Owing to printing difficulties here, Northern Rhodesia to send us 200 (Mr. Morris please say how many) copies for distribution to press in U.K. and others.

(3) Legislative Council in Northern Rhodesia to debate report as soon as convenient after publication. If any Parliamentary move arises to debate report in U.K., Ministers may, according to the Devlin Report and general circumstances, either welcome opportunity of making the most of the Ridley report, or alternatively say that they do not think it should be debated in Parliament until Parliament can be told what the Legislative Council has thought about it in Northern Rhodesia. One special advantage of this is that Mr. Nkumbula, who was evidently going to be bumped-off by the Zambia, will probably say something in the Legislative Council to point out the constitutional nature of his own Congress contrasted with the utterly unconstitutional and violent methods of the Zambia.

7. If we three can agree on this general line of submission to the S. of S., if necessary after a short meeting, I would embody the general comments as above, and the programme which I have just outlined, in a draft telegram to be submitted as soon as possible. Meanwhile I am sending a copy of this minute to Mr. Morris. If Mr. Gorell Barnes is back, he will certainly have to see these papers, and I should be glad if Mr. Posnett would say whether Mr. Carstairs should also see them, whether or not Mr. Gorell Barnes is back.

J.C.M.
9.7.59

Mr. Morris

I am sending this file over for you to see the T.S. document opposite.

I am not so sanguine as Mr. Morgan at paragraph 2(3) of his assessment.

(a) Mr. Ridley relied to a considerable extent on the evidence of S.B. records and on that given by its Commander. This is inevitably very different from taking Oral evidence from the informer himself and asking him questions to probe his veracity and his motives.

(b) S.B. is a police organisation and however good (and in Northern Rhodesia the organisation is very good) they will tend to ask questions and record answers in a way which may reflect preconceived opinions. Similarly they will tend to believe evidence which is untrustworthy from a judicial viewpoint, and they may underestimate the effect on a man's testimony of his motives and other influences. The T.S. paper must be read in this light.

Having sounded this note of caution I agree that the justifications for Government's action was clear and is clearly set out in the Report. This is not however to say that it will convince those who are inclined to be sceptical let alone the disbelievers. The effect of the juxtaposition of this report and the Devlin Report is difficult to judge. The comment upon them is likely to be political, and the Government's opponents will find room for criticism of the Ridley report, whether justified or otherwise. But on balance it certainly will lend support to the Govt.

R.N.P.
13.7.59

Mr. Morgan

I am returning this file to you in view of Mr. Gorell Barnes' continued absence.

We discussed on Friday and you sent the telegram at (2) to which there is now a reply at (3), ruling out the possibility of publishing the Report before the end of the month.

The Report obviously has a bearing on the situation in Nyasaland and the Devlin Report. As I told you, I think that it reads very convincingly, but Mr. Posnett has called attention to the usual criticisms of a report which relies on material from secret sources. I have only two observations:—

(a) However much reports such as this justify the *administrative* actions taken by colonial governments to maintain law and order, they tend to build up a picture in the public mind, exploited of course by politicians, of unrest in East and Central Africa which has basically a political origin; and the uninformed, and especially the politically minded, are disposed to ask why political remedies are not proposed for this malaise. We have had, after all, to come to terms with an insurrectionary movement in Cyprus which perpetrated ghastly atrocities. If one turns a blind eye to the plans for violence set out in the Special Branch report, the discussions in the numerous meetings read very like the heady intrigue of any nationalist movement. I think therefore that in considering publication we should set out very carefully the pros and cons of providing this justification of an *administrative* action while furnishing yet further evidence of political unease in Central Africa.

(b) Paragraphs 71. and 73 of the Top Secret Annex illustrate very clearly the real damage which, in my view, the Accra Conference did in Africa. It introduced this 'double talk', to which I have called attention elsewhere, that violent reaction to the efforts of colonial powers to maintain law and order is not to be regarded as violence. I think that we should consider urgently in the Office how we can expose this dangerous doctrine. I think it calls for some communication with Governors, who may have to deal with this situation, and I think we could talk with a few selected journalists, with a certain amount of chapter and verse with the hope of running a few articles rather on the lines which, for example, Mr. Crankshaw has run (with heavy Foreign Office briefing) on Soviet double talk. I should like Mr. Carstairs to see on this aspect when convenient.

O.H.M.
14.7.59

Sir J. Macpherson

I feel sure that, before this weekend and the Chequers' discussion with Sir R. Armitage², I ought to draw your attention and that of Ministers to the Ridley Report, about the circumstances of the Northern Rhodesian Government's emergency regulations under which the Zambia leaders have been restricted, which was received here under cover of No. 1 on 7th July. The Report itself is not long, and is extremely clearly set out. Nevertheless, Mr. Webster has prepared a summary which is at No. 5. The top secret annex is rather long, is most interesting and convincing, but it is not necessary to read the whole of it for the appreciation of the particular point which I

² See 201 & 202.

need to raise in this minute. It is also not necessary to read the whole of Sir E. Hone's covering letter, which generally endorses Mr. Ridley's report, although on the question of timing it should be read from 'X' on page 5.

2. As to the general assessment of Mr. Ridley's report, please see paragraph 2 of my minute of 9th July. I accept the gloss by Mr. Posnett on paragraph 2 (3) of that assessment. I am afraid that the trouble is that, while any reasonable person would be convinced by the evidence and arguments set out by Mr. Ridley that the Government was fully justified in the action which it took, those who are 'invincibly ignorant' will pretend not to be convinced, and will scoff at the fact that a certain amount of the evidence is derived from Special Branch, and that some of that evidence cannot be divulged. I must therefore agree that the publication of this Report cannot be relied upon as an absolute bull-point in favour of the Northern Rhodesian Government and therefore of HMG. Nevertheless, on balance its publication is bound to do good rather than harm, as Mr. Posnett says. This is certainly the view which Mr. Morris and I share.

3. In the exchange of telegrams with Northern Rhodesia, Nos. 2 to 4 inclusive, we have succeeded in clearing the decks on the question of simultaneous publication in Northern Rhodesia and in the United Kingdom, and possible dates. We shall have 300 copies of the Report available here on Monday 20th July. On that date the Report is to be discussed in the Northern Rhodesia Executive Council. The earliest possible date for laying it in the Leg. Co. is 21st July, the date on which the Prime Minister here may be making a statement about the Advisory Commission. Sir Evelyn Hone agrees to simultaneous promulgation at both ends, and is also completely agreeable (see No. 3) to hold up the laying of the report until any time after that, including up to the end of July. The way is therefore clear for Ministers to choose between having the Report laid before the Leg. Co. and published in England on 21st July; or on any date thereafter which they might choose up to the beginning of August.

4. If the Report is published on 21st July, or at any time during that week, it will coincide with the publication of the Hola disciplinary enquiry and the Devlin Report, and will therefore tend, as Mr. Morris has pointed out, to produce a kind of indigestion in the Press on colonial matters generally; in fact it will draw attention to the fact that there have been troubles in Northern Rhodesia as well as in Nyasaland. We have therefore to consider whether the merits of this Report are so great as to provide a really useful antidote in comparison with the grievous demerits of the Devlin Commission Report. My conclusion, as indicated in paragraph 2 above, is that it is not quite good enough for that purpose. I therefore conclude that Ministers will be best advised to arrange for this Ridley Report to come out both in Northern Rhodesia and the U.K. at the end of July, and in fact after the end of the session.

5. In the debate which we are expecting, questions may well be asked about this Report, which is known to have been delivered to the Governor. It may even be suggested that the publication of the Report is being deliberately held up. My own opinion is that the impact of the Devlin Report is likely to throw everything else into the shade; but if the questions to which I allude arise, they can be answered by stating that the Governor is still studying the Report with his Executive Council.

6. I therefore recommend that we now telegraph to the Governor saying that the date proposed for simultaneous publication should be Friday, 31st July.

J.C.M.
15.7.59

Mr. Amery
Minister of State
S. of S.

Preceding minute, with references.

We are in danger of being choked ourselves with documentation—quite apart from our tactics vis-à-vis Parliament and the Press!

2. It is rather tempting to recommend publication, at the same time as the Devlin and the Hola reports, of a report which endorses the preventive action of a Colonial Government in Africa, but I am disposed to agree with Mr. Morgan's recommendation in para. 6 of his minute above. Apart from the critics who will attempt to discredit the impartiality of the Commissioner, and to make much of the fact that a good deal of the evidence was from Special Branch, and cannot be published, there are complaints of discriminatory practices recited in paras. 133–136 of his report. The Commissioner got the impression that there was substance in some of them. We know that, as explained by Sir E. Hone at page 4 of 1, much has already been done by the N. Rhodesian Government to remove grievances and eliminate discrimination. And more will be done. But critics will fasten on the recital of grievances.

J.S.M.
 16.7.59

I have read the Report and Sir E. Hone's covering letter and the summary of the Special Branch information.

2. The Report is undistinguished but very satisfactory. The Commissioner took most of the evidence in public. He paid due regard, after investigation, to Special Branch sources and he found entirely in favour of the Northern Rhodesian Government. He also made one or two constructive criticisms and suggestions as to ways of relieving African frustration in Northern Rhodesia.

3. The question is, should we try and publish this Report this week along with the others?

4. The arguments against publication would seem to be:—

(a) We are in danger of choking the printing press, the newspapers and Members of Parliament with African reports;

(b) Although the Report is satisfactory it will remind the public that Northern Rhodesia has also been disturbed.

(c) In so far as the Report is a success story its favourable impact may be rather lost in the wider issues raised by Devlin and Conroy.³

5. The case in favour of publication would seem to be:—

(a) It will to some extent serve as a counter-blast to Devlin. It is not as distinguished or authoritative but it deals with very much the same kind of plot organised by people who were in touch with Banda. It arrives at different conclusions all along the line from Devlin and, unlike Devlin, pays proper regard to secret sources.

³ A report by the solicitor general of Kenya, Diarmaid Conroy, into the Hola camp 'massacre' of Mar 1959. This was published in *Further Documents relating to the Deaths of Eleven Mau Mau Detainees at Hola Camp in Kenya* (Cmd 816, July 1959).

(b) In so far as it is a further reminder of unrest in the Colonies there is something to be said for getting it all over at the same time.

(c) In so far as it is a success story the time to exploit that success would seem to be now before the House rises.

6. The Department, on balance, lean against publication. On purely political grounds I am inclined to favour it.

7. If we do decide to publish, Sir E. Hone's covering letter to Mr. Gorell Barnes could easily be adapted into a despatch. It would be important to do this to keep in line with Armitage's despatch on Devlin. I do not know whether the printing press could get the paper out by Thursday evening, I should have thought they might.

8. All this would seem to call for an early decision.⁴

J.A.
20.7.59

⁴ The Ridley Report was not, in fact, made public until 7 Aug when it was tabled in the NR Legislative Council. It was not published in the UK.

200 PREM 11/2783

13 July 1959

[Devlin Report]: note by T J Bligh of a ministerial meeting at 10 Downing Street

[The Devlin Commission had concluded its inquiries with four days of evidence in London, ending on 26 June.]

The Prime Minister held a short meeting at 10 Downing Street at 4.30 p.m. on July 13, with the S/S Colonies, Lord Perth and Sir Norman Brook. The Commonwealth Secretary joined the meeting at about 5 p.m.

Lord Perth said he had been to see Mr. Justice Devlin, who had told him that his Report set out to deal with two important points of principle:—

(a) it was necessary for this country, or any other colonial power, to choose between benevolent despotic rule or else be prepared to release responsibility to the natives;

(b) colonial administration does not seem to concern itself with Law as such.

He (Devlin) agreed that these were important points and that the Government would need some time to produce a considered reply.

He (Devlin) recognised that there might be some difficulties about publishing the Report especially in view of the time required by the Government for a considered reply, and he said he would be very happy to consider an exchange of correspondence between himself and the S/S Colonies to help present this point.

He (Devlin) would be prepared to consider some changes in the Report, although he would not be ready to delete the last sentence of Appendix I.

He (Devlin) was also ready to agree to some statement being made about showing the Report to the Government before it was published in order to make sure there was no breach of security.

In general discussion, the point was stressed that by far the best step would be for the Report to omit Appendix I altogether. It was very difficult to summarise the

Report; indeed, any condensation was apt to be misleading, especially so in this case. If people wanted to see what was in the Report, they could read it. Any summary, especially a short one, would be the only part read by the Press, and it contained sentences that would be picked out to the exclusion of everything else in the Report.

Lord Perth indicated that Mr. Justice Devlin had been prepared to consider the possibility of leaving out the Appendix altogether, and it was agreed that he, Lord Perth, should take up the discussion again that evening.

After the Commonwealth Secretary joined the meeting, discussion passed on to a possible timetable. There were three African subjects which ought to be debated in Parliament before the Recess, namely the Central African Federation, Hola, and the Devlin Committee. It had been provisionally arranged to have the Central African Federation Debated on July 23. Perhaps Hola could be published on July 24 (no doubt the Opposition would press for a debate). Devlin and the Government's short reply could then be published on the 27th and debated on the 29th.

The S/S Colonies was not too happy that the Devlin Report should not be published until the 27th. The Observer had on Sunday, July 12, mentioned that he had had a copy of it. There would be much speculation if the Report was held as long as a fortnight without being published.

The Prime Minister said he would take up the timetable late that night with the Chief Whip, and would have a meeting on Tuesday, July 14 with the Commonwealth Secretary, S/S Colonies and the Chief Whip.

201 CO 1015/1545, no 5A

13 July 1959

[Devlin Report]: outward telegram no 561 from Mr Lennox-Boyd to Sir R Armitage

I am sending a personal letter to you by courier who will be bringing advance copies of Devlin Report. As I think we both expected, it is a very hostile report. My colleagues and I will discuss urgently our next step. One possible line may be to hold up publication of report until we have a very full counterblast ready, but you will easily realise the difficulty in this course of action and I do not think it is likely to be a starter. But if we have to publish before the Parliamentary recess as I think we will it will be essential to have clear, concise comments issued at same time.

2. We shall need your help in London and I would be grateful if you and Roberts could arrange to arrive here by Saturday. I realise how little time this gives you to study the report on the spot, but impending rising of House makes this drill I fear inescapable. In addition to Roberts, I think that Finney should come too and possibly Mullen.

3. In light of foregoing I have had to consider urgently whether it is now possible to make statement we had in mind about Constitution. Background is that it is generally known or supposed that I have now already been able to read Report, although it is being made clear that Commission have not yet formally presented it. In these circumstances small adjustment of Constitution which we contemplated is likely to seem very small beer, and/ or to have been forced out of us by the Report. Banda is to all intents exonerated by the Report. I have considered whether damage could be limited if we announced solely the increase to seven Africans on Legislative Council and contemplated appointment of two to Executive Council, without making

any mention of unseating of Chipembere and Chiume. Fortunately, Report is generally condemnatory of Chipembere's actions, but hardly anything is said about Chiume. Subject to your views, such announcement would be lopsided, and in any case we should be faced with questions as to whether or not Chipembere and Chiume would be able to take their seats. Apart from that, we are very doubtful whether in light of Report's findings and certainly if Chipembere and Chiume were not unseated, any Africans could be found to accept nomination to Legislative Council or Executive Council. Conclusion to which we seem to be forced is that constitutional announcement must be postponed until some time after Report and counter-statement have come out.

4. If constitutional announcement is frozen in this way, I think we shall also have to postpone any announcement about decision relating to federalisation of non-African agriculture or other matters.

5. I will keep you informed of course of discussion with my colleagues, but please confirm by telegram that you will be able to reach London on or before July 18th.

202 PREM 11/2783

14 July 1959

[Devlin Report]: note by T J Bligh of a meeting at 10 Downing Street

[This meeting took place at 10.30 am. Present were Macmillan, Home, Lennox-Boyd, Edward Heath (chief whip, 1955–1959), Brook and Bligh.]

The meeting considered the Parliamentary timetable. There were eight sitting days left before the recess, of which one would be taken up by adjournment debates, and of which five belong to the Opposition. The Prime Minister thought that the aim should be to finish up with a general debate of two days on all African matters outstanding, i.e. Central African Federation, Hola and Devlin.

The plan should be, therefore, to aim to get the Devlin Report together with any counter report printed and in the Vote Office by 6.00 p.m. on Wednesday, July 22. Copies should go to the Press at 9.00 a.m. that morning with an embargo until 6.00 p.m. It might be necessary for the Chancellor of the Duchy to see what he could do to keep the T.V. news objective that night. It was expected that the actual report, duly signed, would be delivered to the Secretary of State for the Colonies by tonight or tomorrow morning, and it was for consideration whether a statement should be issued that it had been received and would be published perhaps within a week.

On the Central African Federation the Prime Minister said it would be necessary for him to see Sir Roy Welensky tomorrow, Wednesday, July 15. He would tell him that he would be seeing the Leader of the Opposition on Monday, July 20, and would be making a statement in the House after Questions on Tuesday, July 21, dealing with the proposed Commission.

It might also be desirable to publish the Conroy Report and the two despatches on Wednesday, July 22, in order to have all the necessary documents available for the debate the following week.

Turning to the counter-report on the Devlin Report the Prime Minister thought this should take the form of preliminary observations by the Governor of Nyasaland. This could be quite a short document which should be got to the printer by Tuesday, July 21. The Governor would be arriving in this country on Saturday morning, July 18. The best plan would be for the S/S Colonies, to take him to Chequers to have a

working weekend. The Chief Whip was asked to arrange for the Lord Chancellor to make himself available to the Colonial Office and for the Chancellor of the Duchy to be asked to help in the presentation.

The Prime Minister thought the plan should be for the Governor's reply to be of a robust nature. All the counter-attack should come from him, but we should start preparing a draft of this document now that would be ready for him to see on Saturday morning. It would be helpful if this could follow, paragraph by paragraph, the actual Devlin Report to make it easier for the Press to take note of on the day of publication. The Prime Minister thought there was a lot of material in the Devlin Report that was suitable material for vigorous comment and criticism.

The position of the S/S Colonies, would then be that he would have the Devlin Report and some tough critical preliminary observations from the Governor and he could then deal with the matter in a balanced way.

203 CO 1015/1545, no 24

14 July 1959

[Devlin Report]: minute by J O Moreton to Sir J Macpherson

The Secretary of State made the following points after his meeting with the Prime Minister this morning.

1. The Prime Minister has decided that the Report should be vigorously contested by the Government. He wishes the Lord Chancellor¹ to be closely associated with the handling of the Report. Mr. Amery is to make the handling of the Report his first priority in the Office. The Prime Minister has directed that we may call in any Civil Servant who could help in preparing an effective reply. The Prime Minister's P.P.S., Mr. Barber, is to attend meetings as his liaison officer.

2. The Secretary of State will be lent Chequers next weekend for discussions on the report. The following will be asked to be present:—

The Lord Chancellor
 Lord Perth (unable to stay the night but will attend during the day).
 Mr. Amery
 Yourself.
 Sir Robert Armitage
 Mr. Roberts (Nyasaland)
 Mr. Morgan, and
 Myself.

Others from the Colonial Office may be invited to stay or be asked to attend certain sessions.

3. There are seven sitting days in the House after this week, excluding Wednesday, 29th, which will be taken up with Adjournments. The Opposition have five of these as Supply days and they may try to repeat their tactics at the time of Suez and have an African Debate on each of these days. The Government intends to prevent this by not publishing the Devlin Report or the Conroy Report until it suits them. The Prime Minister has in mind making a statement on Tuesday, 21st, on the proposed Central Africa Commission after seeing Mr. Gaitskell on the previous day.

¹ Lord Kilmuir, lord chancellor, 1957–1962.

4. He would ask for it not to be debated immediately. 4. On Wednesday, 22nd, the Devlin Report would be published at 6 pm in the House of Commons, the press having had it at 9 am embargoed until publication. It would thus be available by the business statement on Thursday, 23rd, when the Leader of the House would be prepared to concede a Debate on East and Central Africa on Monday, 27th, and possibly also on Tuesday, 28th.

5. The Conroy Report will be published on the same day at the same time and debated in the same Debate.

6. The Secretary of State would see back-benchers in the Commonwealth Affairs Committee at 5 pm on Thursday, 23rd, or possibly (but less likely) in the 22 Committee at 6 pm on that day.

7. With the Report would be published a short letter from the Secretary of State to the Governor asking for his comments on it and regretting the shortness of notice and explaining that were it not for the House rising he would have given much longer. The language to be used should make it plain that the Secretary of State thought that the Governor was having an unreasonably short time for his comments. The Governor's reply to this letter would also be published at the same time and should also state that he had only received the report on . . . and that these were only his preliminary comments. The Governor's despatch should be a robust reply to the Report drawing attention to reality and distinguishing between the role and responsibility of an Administrator with that of a Judge. The report should be subjected to the sort of merciless ridicule F.E. Smith would employ where appropriate.

8. The reply to the general criticisms in the report of paternalism should be made in the House rather than in the Governor's despatch. The same applies to the continued detention of Dr. Banda.

9. After the Report has been officially presented to the Secretary of State, Press Section may announce that it has been received.

10. A telegram should go to the Governor in robust form which I am drafting.

11. The Secretary of State discussed with you certain details of staff for handling all this.

204 PREM 11/2783

c 14 July 1959

[Devlin Report]: minute by Sir N Brook to Mr Macmillan

I have now been able to read, quickly but calmly, the final version of the Devlin Report. It is not as bad as we were led to suppose. It may have been improved in final revision—there is not much philosophising about paternalism and the rule of law; and some of the more extreme wording in the earlier draft seems to have been modified.

2. The Governor's action in declaring the Emergency is firmly vindicated (para. 149). Indeed, in their handling of the whole affair up to that point the Government of Nyasaland come out pretty well. It is shown that they had ample ground for apprehending violence (para. 165); and that they were not unduly influenced by the intelligence reports of the 'murder plot' (paras. 174 and 177). Nor were they influenced by the Government of the Federation (para. 160)

3. By contrast, Colonial Office Ministers seem to have attached too much importance to the 'murder plot'; but this is handled pretty lightly in the Report (para. 176).

4. The Report is much more critical of the action taken, by police and military, *after* the declaration of the Emergency. Thus:—

(a) Unnecessary violence was used in the initial round-up of the Congress leaders (para. 254).

I think it will be difficult to rebut this finding.

(b) The policy that every crowd must be dispersed, if necessary by shooting, was precipitant [sic] and ‘an unacceptable act of aggression’¹ on the part of the Government (paras. 255/6).

This certainly is debatable. Even in a highly civilised community the preservation of law and order rests on the respect for authority. The need to enforce that respect is infinitely greater in places like Nyasaland, where a handful of white men are controlling hordes of primitive people. If crowds are once allowed to get out of control anything may happen; and arguments in support of this can be found in the Report itself. For example, the long account of the incident at Nkata Bay (paragraphs 226 and 239) suggests that greater firmness in dispersing the crowd in the early stages might have averted the heavy casualties which were eventually inflicted.

The Report does at least uphold the sincerity of the motives for the actions taken by individual officers in the riots—‘each man did what he did because he honestly felt that he could not discharge his duty in any other way’ (paragraph 257).

(c) The suppression of the Congress Movement and the assertion of Government authority were undertaken in a tough and punitive spirit.

On this the Report has some pretty stiff comments—e.g. about the use of force in villages, burning of houses, and confiscation of implements (paragraph 285) and it finds that the general policy of toughness was authorised, expressly or impliedly, by the Government of Nyasaland (paragraph 285).

The defence here will presumably be that, if action has to be taken to re-assert authority, it had better be sharp, firm and strong from the outset. There is then a better chance that peace will be restored quickly. If the process is prolonged, the suffering will probably be greater.

¹ Para 256 of the published report actually uses the phrase ‘inexplicable act of aggression’.

205 CO 1015/1754

4–18 Aug 1959

[Future of Hastings Banda]: minutes by Lord Perth, J C Morgan, W B L Monson and Mr Amery

[The *Report of the Nyasaland Commission of Inquiry* was formally presented to the government on 16 July, and was published as Cmnd 814 on 24 July. Armitage’s despatch on the report was published the same day as *Nyasaland: Despatch by the Governor Relating to the Report of the Nyasaland Commission of Inquiry*, Cmnd 815. On 20 July, having seen both documents prior to publication, the Cabinet endorsed the decision of the Nyasaland government to declare the emergency (See Hyam and Louis, part II, 494). Nevertheless, when the two reports were debated in the Commons on 28 July, the actions of both the British and Nyasaland governments were subjected to fierce criticism.]

I have been thinking some more about any possible approach to Banda.

I think the first important thing is to see what has been said in Parliament over the last week or two as re-assurances to Nyasaland and Northern Rhodesian opinion in regard to the Federation. For example, apart from the Prime Minister's statement that as at present constituted the Legislative Councils would not alone constitute a body competent to decide the issue, there has been a good deal more about pledges and the building up of the two territories to self-government. Further there was the point (which frankly I had forgotten), which was noted by the Observer on Sunday about there being African majorities in the two Houses (said by Lord Home).

My suspicion is that it will all add up to something which is pretty complete and adequate, but it does need a good deal of digging and delving to get it all together. I think consideration should be given to the issuing of a statement in a complete form. How it should be issued would be for consideration—perhaps by the Governor at the time he announces his nominations as a result of the proposed constitutional reforms, which in themselves have been announced as Interim measures. Probably before anything came out it would need to be cleared with Welensky, although I am not sure on this.

Now Banda may or may not have the Devlin Report and Hansards of the debates in the Commons and Lords. Off hand I would have thought there might be advantage in seeing that he does have these to study.

And then comes the next problem—an approach to Banda on whether the safeguards so outlined in the comprehensive statement or the debates sufficiently removes his fears and enable him to renounce violence. I suspect, if he is a reasonable person—and certainly the Devlin Commission fell for him—he might say two things:—

1. What about his Congress colleagues; and
2. He couldn't commit himself under duress i.e. while detained. (This is the same point as Makarios made, and I can see the force of it vis-à-vis his followers).

This perhaps leads to the conclusion that he should come to this country without strings attached, and then have some of his friends to work on him. Alternatively perhaps one of his friends whom we know well and trust (I don't know who it might be) should go out as an envoy to sound the ground with him.

I personally am a bit nervous at the thought of a ministerial approach at this moment. It seems to me that it would invite rebuff and then we might be in a very difficult position.

All the foregoing is written without of course taking into account the important problem of local reaction in Nyasaland and what the Governor might face in the way of unrest or judgment amongst the Africans that he had now abdicated. It is all very difficult, but sooner or later I suspect we have got to work with Banda and in a sense the Devlin Report, which gives him the benefit of the doubt, may be helpful.

One other thought. The Observer said that we would have to announce readiness to allow Nyasaland to secede. I have great difficulty about this and I would have hoped that possibly the line taken by the Prime Minister plus the complete statement would anyhow for the time meet the case. What I have in mind is when the Prime Minister, I think in reply to a question or in his speech, said that of course it would not be possible for any Commission to stop those who wanted to talking about secession. In other words in practice it would not be ruled out whatever might be the case under the terms of reference of the Commission.

Mr. Monson

You should see the attached minute by Lord Perth, if you have not already done so.

2. Apart from getting together now into one place all the recent 'reassuring statements' (see X),¹ it is certain that no move on this should be made without previous consultation with Sir Robert Armitage. The present position is that Sir Robert is saying in response to any enquiry, and on lines recently agreed for a PQ, that Dr. Banda will be treated no differently from any other detainee but that he (the Governor) is constantly reviewing the cases of the detainees with a view to considering the possibilities of their release. We understand that it is likely that Dr. Banda and the leadership of the Congress would be the last to be released; and in any case we know that Sir Robert would really like to have powers which would enable him to lift the State of Emergency but to continue to detain Dr. Banda and others. If we were to approach Sir Robert on the lines indicated by Lord Perth, I feel sure that his reply would be that if an offer of negotiation, wherever it was to take place, were made to Dr. Banda, the latter would immediately impose a precondition (in the African manner) that before negotiations opened the right of secession should be given to Nyasaland, coupled with a promise of an overall African majority in the Leg. Co.; it would be impossible to grant these conditions.

3. Further Sir Robert has already made it clear to us, and to the S. of S., that he does not envisage any forward movement being possible in Nyasaland until either or both of two events have taken place (1) the U.K. General Election, possibly this autumn and (2) the review of the Federal Constitution in October 1960.

4. I do not therefore think myself that there would be any value in suggesting to Sir Robert Armitage that any kind of negotiations should be opened up with Dr. Banda. Nevertheless, perhaps we should first get together the 'reassuring statements'—which I will have put in hand—and then consider again on the narrower point as to whether those statements, plus the Devlin Commission, *plus the Governor's despatch*, plus the Hansards, should be posted to Dr. Banda in Gwelo.

J.C.M.
5.8.59

Mr. Morgan

I should be interested to see the collation of 'the reassuring statements' which you are putting in hand and agree that this is the first step on Lord Perth's minute. The work will have to be done with some speed, however, if it is to be fitted into the timetable envisaged by Lord Perth, i.e. used by the Governor at the time he announces his nominations to Leg. and Exco., which will be about the third or fourth week of the present month.

2. If we pursue this idea will it be necessary to clear the statement first with the Federal authorities?

3. As regards B² in Lord Perth's minute it would appear from reports in last Sunday's 'Observer' that Dr. Banda is pretty unrestricted in his reading matter anyway and probably has had both the Devlin Commission Report and the Governor's Despatch if not the Hansards. Nevertheless there would be advantage in consulting the Nyasaland authorities on this point.

¹ X is a reference to the first two sentences of paragraph 3 of Perth's minute.

² B is a reference to the fourth paragraph of Perth's minute.

4. As regards C³ in Lord Perth's minute, I read the minute as suggesting negotiations with Dr. Banda to get him to make a firm renunciation of violence as a means of political activity and I doubt whether Dr. Banda would get himself into the position that he would only openly renounce violence if he was given the two points suggested at the end of paragraph 2 of your minute. The more specific question to consider in my view is whether any declaration of this kind by him stood a fair chance of being honoured or whether it would have any effect in practice. One must have doubts about both of these possibilities, having regard to the sort of picture given of Dr. Banda even in the Devlin Commission Report. This is a matter on which I should have thought the Secretary of State would wish to be consulted before further soundings were made of the Governor.

5. As regards D, the last paragraph of Lord Perth's minute, I appreciate that the Prime Minister went pretty far in saying that in practice secession might well be brought within the ambit of the Advisory Commission's considerations, but haven't we a pledge to Sir Roy Welensky that they would not be allowed to deal with the subject in their report?

W.B.L.M.

5.8.59

Mr. Monson

We are now considering Lord Perth's suggestions at No. 32 in the light of your and my minutes of 5th August.

2. Draft 'A' opposite is a useful compendium of the recent 'reassuring statements'. It can be copied and used for this and other purposes.

3. On the question whether there is a commitment by HMG to the Federal Government not to permit the Advisory Commission to consider at all the possibility of the secession of Nyasaland or Northern Rhodesia from the Federation, please see the minutes of 10/8 and 11/8 above.⁴ I am certain myself that no such commitment exists, or could exist. The agreement between HMG and the Federal Government as regards the terms of reference of the Advisory Commission is to the effect that neither amalgamation nor secession should be either specifically mentioned or specifically excluded; and, as indicated by Mr. Webster, the Advisory Commission, and in consequence the officials, are to operate in the knowledge that the present accepted policy of both HMG and the Federal Government is 'no amalgamation and no secession'. The position is therefore very much as you put it in paragraph 5 of your minute. But, in any case, I consider this point to be marginal in relation to the main issue now raised.

4. This main issue is as to whether or not, and if so how, some negotiation should be opened up with Dr. Banda with a view to his making a firm and reliable renunciation of violence as a condition of either his release, or possibly his release and permission to return to Nyasaland. I do not personally think it probable that the Governor will wish to take this matter an inch further until the first of his 'question marks' has been removed by the holding of an Election in the U.K. this autumn. But we should clearly prepare to take up this question with the Governor, and I suggest that we might now proceed as indicated in the two drafts herewith. While I agree

³ C is a reference to the fifth paragraph of Perth's minute.

⁴ These were by Birch and Webster respectively. Webster responded that he knew of no such pledge and did not think that even an 'off the record' assurance would have been given (minute, 11 Aug 1959).

with you that the questions in Draft 'B' should not be put to Sir Robert Armitage without the knowledge and assent of the Secretary of State, I suggest that clearance with the CRO can, and should, precede a submission.

5. The drafts therefore are Draft 'A', a compendium of reassuring statements (which we can use in any case for general purposes); Draft 'B', a letter for you to send to Sir Robert Armitage but (as suggested) only after submission to the Secretary of State; Draft 'C', a letter to clear this with Mr. Shannon, CRO.

J.C.M.
12.8.59

P.S. Lord Perth also suggested that we should consider the issue of a statement in a complete form, and you thought that this might be done when Sir Robert Armitage makes his further announcement about the Nyasaland Constitution about the 26th of this month. I think a brief statement which was well within the ambit of what has recently been said in Parliament could quite easily be devised, but I doubt whether the announcement of the Nyasaland Constitution would be the right occasion for it. I should like to consider this aspect further, and perhaps discuss with you, when you have considered first the suggestions embodied in the drafts herewith.

Mr. Amery

I have now received and incorporated in the draft opposite the C.R.O.'s observations on the action we had suggested should be taken on Lord Perth's minute at 32 about Dr. Banda.

2. You will remember that I brought the draft to your notice at an earlier stage in another connection (see (c) in my minute of the 14th August—copy at 36). I understand from Mr. Robertson that you decided not to hold up the letter you were yourself proposing to send to Sir Robert Armitage about the slightly different matters covered by your recent talk with Mr. McLachlan of the 'Daily Telegraph'. I therefore send forward the draft about Dr. Banda again and invite reference to Mr. Morgan's minute of the 12th August. I agree with Mr. Morgan that it would be advisable, if it were decided to take action on the lines suggested by Lord Perth in his minute, that the papers should be referred to the Secretary of State himself before any letter on the lines of the attached draft is sent to Sir Robert Armitage.

W.B.L.M.
18.8.59

Lord Perth

S. of S.

Please see the draft opposite.

I feel grave doubts about singling out Dr. Banda for special treatment at this stage.

I also doubt the wisdom of taking so detailed an initiative *before* we have heard the Governor's assessment. I have sent on to him McLachlan's suggestions—as we agreed—and as it might be well to await his comments on these.⁵

J.A.
18.8.59

⁵ A meeting on this question appears to have taken place on Thursday 10 Sept (minute by Monson, 12 Oct 1959). By that time, however, the issue had been overtaken by events. On Tues 8 Sept, Macmillan announced that the British general election would be held on 8 Oct. In the light of this, Lennox-Boyd directed that the matter would have to await the outcome of the election (minute by K J Neale, 15 Sept 1959). Nevertheless, he also directed his officials to explore the possibility of releasing Banda from jail but declaring him a prohibited immigrant from the Federation (CO 1015/1519, minute by Lennox-Boyd, 11 Sept 1959).

206 DO 35/7620**29 Aug 1959****[Views of Sir R Prain]: letter from M R Metcalf to Lord Home**

Ronald Prain arrived back here a few days ago for a ten-week visit. The other night after dinner with him he gave me an account of his latest thinking about the problems of the Federation and the contribution that big business could make to solving them. He said he had had a long discussion with Mr. Macmillan about the recent troubles in the Federation and perhaps you know his latest views already, but I thought I should nevertheless send you a brief account of our conversation.

2. Prain said that until recently he had believed that big business could make its best contribution by advancing the African economically and supporting Welensky and his middle of the road Party. But he had now come to the conclusion that this policy did not go far enough. What the Africans really wanted was to be brought into consultation at all points where their interests are affected and to be given a bigger share in the management of Federal, Territorial and Municipal affairs. The United Federal Party had gone some way in this direction but was moving much too slowly in relation to other parts of Africa. In the Southern Rhodesia Parliament, for example, there is still no African Member. Rhodesian Selection Trust were, therefore, pulling out of politics and both R.S.T. and Anglo-American had withdrawn their financial support to U.F.P. funds which in the case of R.S.T. was £5,000 per annum.

3. Prain went on to say that there were only two permanent factors in the Federation—the Africans (and their land) and big business. If the politicians could not make a bridge with the emergent African big business must do so.

4. Prain proposes, therefore, to devote the main part of his time here to building this bridge. He intends to appoint a new personal assistant who will concentrate on identifying the emergent Africans, whatever their politics, so that he, Prain, can get to know them and try to gain their confidence and co-operation by bringing them into consultation, wherever possible, and encouraging other European interests to do the same. Big business, he said, must always co-operate with the strongest political force and it was inevitable that political power would shift from the European to the African in the two Northern Territories fairly rapidly. Hastings Banda in Nyasaland and Kaunda in Northern Rhodesia might still end up as the two strong men in power in the North. Big business must, therefore, give evidence now while there is still time of their willingness to accept the emergent African on equal terms and not wait until they are forced to do so.

5. Time was running out and relations with the African could no longer be left to inter-racial clubs and occasional invitations to European official and social functions. Something much more dynamic was needed—Africans must be brought into the real business of organising and running the community.

6. Prain seemed very much in earnest about all this. He said that he was now going to leave to others the main job he had been doing of organising the world copper market and switch his attention to promoting true partnership in the business world at least. I am sure that any move in this direction is to be encouraged and Prain is likely to get results if anyone can. I am sure, too, that the climate of opinion for such a move is particularly favourable at the present time. I hope to deal in a separate report with the change in outlook that has taken place in the past few months.

207 CO 1015/1754

12 & 28 Oct 1959

[Future of Hastings Banda]: minutes by W B L Monson and J C Morgan

Sir John Martin

Now that the election is over it is necessary to send this file forward to Ministers once more. I am unaware whether anything passed in your discussions with the Secretary of State on this matter on the 10th September to which we should now once again draw the Secretary of State's attention. You will no doubt comment on this if comment is required.

2. The other main developments since the Secretary of State last saw the papers have been:—

(a) the Secretary of State asked that further consideration should be given to a suggestion arising out of his talk with Sir Malcolm Barrow (record at 41) that Dr. Banda could be 'exiled' from the Federation. I understand that papers were put up to the Secretary of State showing that no powers existed under which this could be done and that he accepted the position;

(b) the Labour Party made a good deal of play with Dr. Banda's position during the election. It was generally reported in the Press that they were pledged to 'release' Dr. Banda. Examination of the transcript of the television programme in which Mr. Callaghan first referred to this point however has shown that what he actually said the Labour Party would do was to bring Dr. Banda to this country to hold discussions with him and that if these discussions went well they hoped he would then be able to return to Nyasaland as a political leader. It may be significant in this connection that Mr. Howard, who is the General Manager in Nyasaland for Sir Jock Campbell's companies and whose telegrams to Sir Jock Campbell were quoted in the Devlin debate in the House of Commons by Labour spokesmen, said to me about a week ago that it would be 'absolutely fatal' to allow Dr. Banda to return unconditionally to Nyasaland at the present moment.

3. In the light of this it seems to me that Ministers really only have two possibilities to consider as regards Dr. Banda's future:—

(a) He can continue to be dealt with as Sir Robert Armitage proposes, i.e. that he will be treated no different from any other detainee but that the Governor will regularly review the cases of the detainees with a view to considering the possibility of their release. Sir Robert's latest despatch, of which a copy is at (45) opposite, confirms that within this policy it would be a long time before Dr. Banda's detention came to an end.

(b) The alternative choice is that suggested in Lord Perth's minute at (32)¹ on this file, viz. that he should come to this country and that discussions should then be opened with him to see whether he would renounce violence.

¹ Lord Perth commented: 'Of course my minute at 32 [document 205] was dictated in relation to a proposal of Mr McLachlan's that a Minister should then (several months ago) visit Banda. I think the question of what if anything to do re. Banda needs await (sic) this Orton Chirwa discussion, needs to be discussed with Lord Monckton & generally while not lost sight of demands no immediate discussion. Bring up in say a fortnight?' (minute, 14 Oct 1959).

This latter proposal has been put forward by some papers e.g. the 'Economist' which have not been unfriendly to the Government in the recent election. It would of course have to be cleared with Sir Robert Armitage and Sir Roy Welensky would have to be given an opportunity to comment. It is clear from para. 16 of the despatch at (45) opposite that Sir Robert Armitage at least would have grave doubts as to whether any confidence could be placed in a bargain struck on this basis with Dr. Banda. I am myself on record on this file as saying much the same sort of thing but I recognise that there may be circumstances in which it would be expedient in terms of world opinion or even opinion in this country for an attempt to be made to reach an understanding with Dr. Banda in this way.

4. I suggest however that the time has not come and that the proper decision is that for the time being we should continue to deal with enquiries about Dr. Banda on the lines on which we have been so far working. There are possible developments in the next few weeks which may affect the position e.g. if it is decided that Sir Robert Armitage can invite Mr. Orton Chirwa to join the Monckton Commission there may be less necessity in terms of meeting world opinion about doing some sort of deal with Dr. Banda. Similarly we do not know at present what is the reaction of Dr. Banda and his associates to the defeat of the Labour Party in the General Election. They will obviously be disappointed but we don't know whether as a result they will be more ready to come to terms with the Government or be more intransigent in their opposition to Federation. In fact their final reaction may not be clear for some time since it may be determined not so much by their initial reaction to the election as by their reaction to the reactions of Europeans in the Federation to the election.

5. The Secretary of State will no doubt wish to discuss this matter but I should draw attention to the fact that we owe Sir Roy Welensky a reply to his letter of the 9th September on the subject. It does not seem profitable to attempt to draft a reply until we have had an opportunity to discuss with the Secretary of State.

W.B.L.M.
12.10.59

Mr. Monson

From your minute of 12th October. You will see that Lord Perth minuted on 14th October suggesting that the papers should come up to the S. of S. again about today. They do not appear to have gone to him on the previous round.

2. As regards No. 42E, the unanswered letter from Sir Roy Welensky, the whole question of permanent legislation for Nyasaland and other Colonial areas to provide for detention without a state of emergency has, as you know, now been submitted to the S. of S. It will depend on the decision of Ministers on this whole matter of twilight legislation as to what reply can be sent.

3. On the question of the continued detention of Dr. Banda and his immediate African National Congress colleagues, I should like to add the following to the points made in your minute of 12th October. To have a negotiation with Dr. Banda about his renouncing violence as a condition of being permitted to return to 'normal' political activity in Nyasaland seems to me to be a completely self-defeating conception; Dr. Banda is bound to argue that he was completely exonerated by the Devlin Commission from having promoted violence, and that therefore there is nothing for him to renounce. Such a negotiation would in fact immediately lead on to a real negotiation with Dr. Banda, on the question of whether or not Nyasaland is

to remain in the Federation, or alternatively to be given the right to secede in a number of years time. As Sir R. Armitage's excellent despatch at No. 45 so clearly reiterates, this is the fundamental and crucial question, and indeed the only real question at issue. I suggest that to negotiate with Dr. Banda on this question is entirely inconsistent with the policy and programme of the Government in proceeding towards the review of the Constitution of 1960 through the method of an Advisory Commission, preceded by Officials' talks. If the Government were now to decide to open any kind of negotiation with Dr. Banda, it appears to me that this would be at the very least an insult to Lord Monckton. Either the Government must go on with its reasonable plan of approaching 1960 by getting the best possible opinions through the method of a Commission (though not necessarily the kind of Commission at present in view) or it can adopt the entirely separate and opposite course of negotiating with Dr. Banda, and presumably also Mr. Kaunda in Northern Rhodesia, on the question of whether or not the Federation should be kept together. What I wish to stress is that the two courses are completely incompatible with each other. And indeed, the following of the present course of moving towards 1960 through the Commission seems to me to involve the continued treatment of Dr. Banda as a detainee on the same lines as other detainees.

4. It appears that the Opposition intend to give no cooperation at all to the policy which the Government has adopted. In the debate on the Address yesterday Mr. Gaitskell spoke on Central African policy and said that it was important that the 1960 Review Conference should succeed, but that there were three conditions that must be fulfilled (these were in fact the same conditions as were mentioned in the July debate on the Advisory Commission). They were:—

- (1) a substantial extension of the franchise in Nyasaland and Northern Rhodesia to give Nyasaland a majority of African representatives in the Leg. Co. and in Northern Rhodesia at least parity between Africans and Europeans;
- (2) the right of secession should be put on the agenda (I presume this implies that secession might be voted on in five or ten years time);
- (3) that there should be a 'right approach' to the 1960 Conference 'the Opposition do not believe that a Commission of the kind suggested, with very nearly half its members appointed by the four Governments in Africa as they were at present constituted, could possibly win the confidence of the African peoples in these territories. The Government should think again about this.'

It therefore appears that the Opposition are very unlikely to cooperate in the Advisory Commission, or to nominate three members to fill the three places reserved for Opposition Privy Councillors.

5. Immediately it appears that the Opposition will not cooperate, I assume that the Prime Minister will wish to consider with his colleagues what adjustments to the composition of the Advisory Commission will be necessary, or whether to give up the whole idea and fall back on that of a Parliamentary delegation. At the same time there are I believe pressures even in the Conservative ranks for the release of Dr. Banda, at any rate by the method of letting him go to the U.K. or the U.S. I hope that before these discussions take place the new Secretary of State will have had the opportunity to read Sir R. Armitage's despatch at No. 45, which puts once again the attitude which he has consistently maintained since the time of the Nyasaland emergency at the beginning of the year.

J.C.M.
28.10.59

P.S. You will already have received the brief on Dr. Banda which I sent forward yesterday.

208 PREM 11/2784

13 Oct 1959

[Future of Federation]: minute by B StJ Trend to Sir N Brook on a visit to the Federation by a commission of officials. *Annex*: note on the visit

[Trend chaired a commission of officials from Britain and the Federation established to prepare the ground for the Federal Review Commission.]

I don't know whether you would care to glance through the attached note, which records my impressions of the three weeks which I spent in the Federation of Rhodesia and Nyasaland. It has been prepared very hastily and is not in any sense either a full report of what we did or a comprehensive analysis of the Federation's problems. It merely jots down the thoughts which have come into my head as I have looked back over the three weeks. I have not given it any circulation at all—partly because it records certain things which were told me in confidence, and partly because, if I tried to agree it with my colleagues in the C.R.O. and the Colonial Office, they would tell me—with the best of motives—that I had got it all wrong. (But their own interpretations would, of course, be diametrically opposed!)

There is one aspect of the forthcoming November discussions (mentioned on pages 11–12 of the note) on which I should be grateful to have your guidance when you have a moment to spare.

Annex to 208

I

Our terms of reference required us:—

- (i) to prepare a survey of developments in the Federation since 1953;
- (ii) to consider the constitutional adjustments (with the arguments for and against them) which might be desirable and practicable.

It had been agreed that we should attempt only the first task at Salisbury in September, leaving the second for the November discussions in London.

The Salisbury meeting went reasonably well. Our chief difficulty was to persuade the Federal team that the memoranda which they had produced on Political Parties in the Federation, African Opposition to the Federation and the Development of Partnership were not suitable for inclusion in a factual survey of the period since 1953. They abandoned the first two without much demur, obviously because they privately shared our own misgivings. They were more reluctant to drop the essay on Partnership; and they told me privately that, while their Ministers had given them a completely free hand as regards the rest of the survey, this subject had been the sole exception—Sir Roy Welensky had insisted that it must be thoroughly discussed in a

separate chapter of the Report. After a good deal of argument, however, they agreed that for the purpose of the September exercise, it would suffice if each of the chapters (where relevant) indicated how far the concept of partnership had been promoted during the last six years by Government action and that any attempt to provide a comprehensive examination of partnership, in the social as well as the political field, should be left over for reconsideration—either by officials in November, or, preferably, by the Monckton Commission (who should be better constituted to discuss highly arguable matters of this kind).

Once these difficulties were out of the way, it was mainly a matter of reducing to manageable compass the vast mass of material which had been produced and of trying to hold an even balance between the Federal and the three Territorial contributions to the Report. The latter was the more difficult task, partly because the Federal team themselves had not done justice to their own achievements during the last six years, partly because the Northern Rhodesian team had done more than justice to their own record over the same period and had managed, wittingly or unwittingly, to create the impression that this record had been achieved in spite of, rather than as the result of, federation. The tension between the Northern Rhodesians and the Federal team was very pronounced at the outset; but little by little it evaporated and by the end of the meeting a better atmosphere had been established.

The Report itself is very long and, despite some fairly ruthless pruning, still contains too much detail. (It was impossible to curtail the Northern Rhodesian contributions beyond a certain point.) It is also strictly, if not starkly, factual; and wherever 'value judgments' appeared in the original drafts, they were deleted (subject to a few exceptions). The result is not quite the 'success story' which was Sir Roy Welensky's original conception. But it was something to achieve an agreed record of the history since 1953. And if there are some obvious omissions from the Report (as there are), the intelligent reader will soon spot those for himself and be able to draw his own conclusions. What the Report says, and what it does not say, are both, in their different ways, significant signposts for the Monckton Commission. I am convinced that, if we were to produce a Report within the allotted time, no other course was practicable. I am also convinced that, having reached this conclusion, we were right to get the job done within a fortnight. Ideally, we could have devoted several months to it; and the result might have been appreciably better in shape and proportion. But the argument would have been interminable and, if we had tried to incorporate 'value judgments', we could only have recorded disagreement—whereas, working under pressure and confining ourselves to indisputable facts, we reached the maximum of agreement with the minimum of friction. And, personally, I regard the goodwill which was established as probably more valuable than the Report itself.

II

When we had finished our work in Salisbury, the Colonial Office member of the U.K. team (Mr. Morgan) had to return to London. Mr. Scott (C.R.O.) Mr. Roseveare (Cabinet Office) and I stayed for another six days to pay a brief but intensive visit to Northern Rhodesia and Nyasaland. We were accompanied by Mr. Bass, the Deputy High Commissioner in Salisbury. In Northern Rhodesia we stayed the night with the Governor (Sir Evelyn Hone) and had a very frank and useful discussion with him and some of his staff after dinner. We also paid flying visits to the copper belt (which

employs a very large African labour force), to the National Park at Kafue and to a rural development project at Kasama. From Kasama we flew to the northern province of Nyasaland where we spent the night with the District Commissioner. (We were told that we were probably the first people ever to attempt this cross-country journey by air; and by the time we reached the end of our flight I was very ready to believe this.) We then travelled south through Nyasaland to Zomba, where we had a useful discussion with the Governor (Sir Robert Armitage). We returned to Salisbury, where I had short interviews with the Federal Prime Minister and the Prime Minister of Southern Rhodesia and visited the new University College of Rhodesia and Nyasaland.

III

The main impression which I received from three weeks in the Federal territory was that the Federation suffers from three handicaps:—

- (1) The machinery of government;
- (2) The reluctance of the Territorial Governments to make federation effective;
- (3) The opposition of the Africans to federation.

(1) The machinery of government is extremely complicated. Functions are divided between the Federal and the Territorial Governments on the basis that some are discharged wholly by the former, some wholly by the latter and some by both or either. One feels that efficiency is bound to suffer and that Parkinson's Law must be working overtime. This is the more unfortunate in that all four Governments suffer, inevitably, from a shortage of skilled and experienced administrative manpower. The Federal officials themselves are extremely good at the top. In some cases they are fully up to Whitehall standard (I hope that this does not sound too patronising!). But one senses that the administrative apparatus beneath them is not of the same calibre; and I suspect that the machine creaks and groans if it has to face sudden pressure. The original Federal contributions to the draft Report were, in some cases, sketchy and unconvincing (including, almost incredibly, the chapters on the Kariba dam and the brave experiment of the new multi-racial University); and it was only under U.K. pressure that the Federal team agreed to redraft them—but then they were much better than anybody else's.

These deficiencies are aggravated by the fact that, apart from Sir Roy Welensky himself, there is no outstanding Minister who is capable of taking the machinery of Government by the scruff of its neck and shaking it into shape. (Federal officials admitted to me privately that one of their acutest anxieties is the situation with which they would have to deal 'If anything happened to the P.M.')

Moreover, Sir Roy is divorced from the departmental machine to an extent which is rather startling to somebody bred in Whitehall. This is partly the result of his preoccupation with the complicated politics of life in the Federation. But it also reflects the fact that the link between himself and the officials who serve him is (for personal reasons) unsatisfactory—in the sense that it tends to hold the administrative machine at arm's length and, by encouraging Sir Roy to be almost too accessible to the general public, makes him too inaccessible to his official advisers. The latter feel that they are excluded from Sir Roy's confidence and that they do not know what is going on; and their efficiency suffers proportionately. (Hugh Parry recently threatened to resign.)

These administrative defects are not confined to the Federal Government's own machine. They extend to the relations between the Federal Government and the three Territorial Governments. In the most favourable circumstances federation is a difficult type of political system to work; and in the circumstances in which the Central African Federation came into existence it was bound to be more than usually difficult. One would have expected the effort towards co-operation to be the greater. But the reverse seems to have been true. The various organs of co-operation which were to have been established in 1953—the Economic Advisory Council, the Planning Unit and so forth—were either never created or have functioned only spasmodically; and the four Heads of Government—the Prime Ministers of the Federation and Southern Rhodesia and the Governors of the two Protectorates—have met, since 1953, only four times.

Sir Roy Welensky is well aware of these deficiencies and is doing his best to remedy them. But it is an uphill task, made even more difficult by the lack of co-operation both from the other members of the Federation and from the African peoples.

(2) The reluctance of the Territorial Governments to make federation effective varies from one Government to another. The Southern Rhodesian officials are second-rate and ineffective people by comparison with their Federal colleagues. They probably do quite well so long as the book of rules is at their elbow; but when it comes to taking an initiative or exercising any personal judgment, they are hesitant and unsure of themselves. Within these limits they seem prepared, though not over-anxious, to co-operate with the Federal Government. But they do not appear to receive much encouragement from their Prime Minister, who keeps his cards very close to his chest; and they are inhibited also by the Press (wholly controlled from the Union) and by the force of public opinion, which is more anti-African than elsewhere in the Federation and is well aware that, in the last resort, Southern Rhodesia could cut adrift and sail its own canoe. The Land Apportionment Act and the licensing laws are major obstacles to the growth of the concept of partnership; there is still no multi-racial hotel in Salisbury; and the new multiracial University (a magnificent enterprise, in beautiful buildings) labours under very severe handicaps. Students who live and work side by side within its boundaries must travel in separate buses once they are outside its gates; and the devices which have to be employed in order to procure a modest amount of drink when they give a multi-racial dance or party are almost incredible. Our lunch in one of the Halls of Residence was marred by the fact that one of the students had lost his temper with a telephone operator a few days before; and the operator, correctly judging that the speaker was an African, had not contented himself with reporting him to the Principal but had denounced him to the police. The latter had promptly arrested him; the magistrate had found him guilty that morning; and he was in danger of being heavily fined. The Principal was very distressed by this incident—the man was a third-year student, approaching his final examinations; and it now looked as though his University career would end under a cloud, and racial relations in the University would suffer a setback, as the result of an act of sheer spite. The atmosphere in Southern Rhodesia is not a happy one; and the Colony's selfish preoccupation with the maintenance of the white man's complete social dominance is one of the greatest obstacles in the way of Sir Roy Welensky's more enlightened policy.

Northern Rhodesia is a different proposition. As a country it is vast, bare and bleak—one can fly for hour after hour over desolate scrub or evil-looking marshes

without seeing any sign of life or activity. Then one comes down to land to be greeted by the sort of District Commissioner who appears in the story books about pioneers—large, competent men, recruited from such sources as the Indian Army and the Sudan Police; gentle, kind and firm; and desperately anxious to do the best they can for the African with the very limited resources at their disposal. But they are not very conscious of the Federal Government. When they need guidance or direction, they tend to look back—naturally enough—to the Colonial Office in London rather than to the Federal Government in Salisbury. And when one asks them how federation has affected them, they think deeply for a moment and then indicate, with a cheerful grin, that it is just one more complication in their daily life which has to be dealt with, like all the other innumerable obstacles which confront them, with the minimum of fuss. The shadow of Sir Arthur Benson still lies heavy over this country; and even the new Governor (in himself a charming man and a most delightful host) is non-committal about federation. He said relatively little during our discussion at Lusaka, leaving most of the talking to be done by his staff. But he did betray emotion on two occasions. The first time was when I said that I had gained the impression in Salisbury that, on the whole, Federal officials were a good set of people, anxious to make a success of federation and to co-operate with the Territories. The Governor observed that that might be so; but that, if it was, it was a pity that, whenever the beginnings of co-operation seemed to be appearing, some maladroit public statement by Sir Roy Welensky would set everybody at odds again. The second time was when some reference was made to the Monckton Commission. The Governor said forcefully that he only hoped that the U.K. Government would pay attention to the warnings which he had repeatedly sent to the Colonial Office, i.e. that, if the Africans boycotted the Commission but the U.K. Government persisted in sending it out, he would be forced to declare a state of emergency within a very short time. I left Northern Rhodesia feeling rather uncomfortable. The work being done to promote African development is wholly admirable; and the energy and determination with which it is being prosecuted are very striking. But the attitude of mind behind them is, fundamentally, an old-fashioned, backward-looking attitude. The administration of the Territory is still based on a philosophy of paternalism rather than partnership; and federation is a nuisance to be tolerated rather than an ideal to be translated into practice. There is a barely concealed resentment that the largest and richest member of the Federation should be controlled (however ineffectively) from Salisbury and that the vast wealth of the copper belt should have to be shared with the Federal Government and the other two Territories instead of being available exclusively for Northern Rhodesia's own purposes. And, finally, there is a certain tension in the air, a certain wariness of attitude towards the African, which suggests that the Government are waiting for what happened in Nyasaland to happen in Northern Rhodesia.

The atmosphere in Nyasaland is, therefore, all the more surprising. It is a lovely country of mountains, green trees and water. And the difference from Northern Rhodesia is not merely physical. Despite (? or because of) the recent riots, the administration in Nyasaland is, in some indefinable way, a more relaxed affair than in the sister Protectorate. The District Officers seem to go about their job in a perfectly serene and untroubled way; and they are not the less efficient for enjoying life in the course, and particularly in the intervals, of their official duties. It would be an oversimplification to say that they are Epicureans as opposed to the Stoics in Northern

Rhodesia; but one cannot fail to be struck by the difference between their relatively easy-going approach to life and the almost puritanical outlook of their colleagues across the border. They are less self-consciously dedicated to carrying the white man's burden. And their minds are more flexible. To some extent these differences can be accounted for relatively easily. In Nyasaland the disturbances are over (at least for the moment); and one feels better after bloodletting than before it. Moreover, Nyasaland has no copper belt and, therefore, no overriding concern to safeguard great material wealth. Finally, the ultimate outcome is clearer in Nyasaland than in Northern Rhodesia—the disparity of white and black population is so much more marked that—no reasonable person doubts that Nyasaland must become a 'black State' in the not too distant future, whereas in Northern Rhodesia they have some grounds for suspending judgment on this issue. Nevertheless, the basic impression remains—that, quite apart from differences of circumstance, the Nyasaland Government have a more tolerant and balanced approach to their difficulties, including the existence of the Federation; although they clearly find it difficult to fit the Federal concept into their daily lives, they are prepared to do the best they can to make it work.

But, having said all this, one is bound to record that, allowing for all the differences between the three Territories, they are alike in that they are largely *unaware* of federation as an effective principle in their daily lives. In the northern areas there is little feeling of 'belonging' to Salisbury or of sharing a common burden of responsibility. When I mentioned this to Sir Roy Welensky, he nodded agreement.

(3) The African opposition to federation is still, to all appearances, absolute and universal. But it seems to be the result not of any active conviction that federation is bad or wrong but of a lack of comprehension of what federation implies. The roots of this probably go back to the beginning in 1953. Looking back, one feels that it was a pity to adopt a title (Federation) and a concept (Partnership) neither of which can be translated into the African vernacular. It was perhaps interpreting trusteeship too literally to leave the African to make his own choice without guidance and to abstain from any attempt to persuade him that federation would be to his benefit. And it was surely unfortunate to locate the Federal capital in Salisbury. The only result has been to make the Europeans in the northern Territories jealous of the money and prestige which have automatically accrued to Southern Rhodesia and to convince the African that federation is no more than a means of handing him over to the control of the white man in Southern Rhodesia, who will bully him, insult him and steal his land. (One of the most illuminating stories which I heard related to the old African chief, who said in 1953 'But what have we done wrong? How have we sinned that the great Queen should wish to withdraw her protection from us as a punishment?'). These initial faults (which Sir Roy Welensky freely admits and attributes wholly to Lord Malvern) have been aggravated by the lack of any subsequent attempt to 'sell' federation to the African. Throughout the whole of the two vast northern Territories I saw hardly any visible signs of the Federal authority—no tangible evidence of the Federal presence, which could catch the African's imagination and make him seek to understand what it was all about. The schools appear to confine themselves to teaching the historical facts about federation; and the information services—the responsibility for which is shared between the Federal and the Territorial Governments, with no clear or definite line of demarcation—do not appear to do much more to enlighten the adult African. Perhaps this is right. Perhaps it would be

a mistake to remind the African too openly and obviously that he is now governed from the white man's capital in Southern Rhodesia. But one cannot help wondering if we are missing an opportunity.

Of these three handicaps from which the Federation suffers, only the first—the defective machinery of Government—is, strictly, within the competence of officials. And even that is not easily insulated from political implications. In November we shall try to redefine the distribution of functions on a more rational basis. The Territorial Governments will press for a greater measure of devolution, a loosening, rather than a tightening, of the Federation. And although this may result in there being even less direct contact between the Federal Government and the African, Sir Roy Welensky may be prepared to accept it since his eyes are probably on a rather different objective. His officials, at least, have indicated that they will be primarily concerned to secure the progressive removal of the elements of 'subordination' in the Federal Constitution, i.e. those of its provisions which require certain questions, or certain types of Bill, to be reserved for the final decision of the U.K. Government. Sir Roy Welensky has probably recognised in his own mind (although he has been careful not to admit this openly) that there can be no question of the total elimination of these provisions in 1960 or of the Federation's becoming a fully independent member of the Commonwealth in that year. But the Federal team are likely to be under instructions to press for the maximum advance in that direction that they can achieve. It is here that our task will become particularly difficult. Officials can properly examine a redistribution of functions as a matter of administrative efficiency, i.e. they can properly suggest what functional pattern, considered objectively and on merits, would enable a federal system of government to work more effectively than at present. But it is a rather different thing for them to consider how far the 'subordination' of the Federal Legislature to the U.K. Parliament can now be reduced, if not eliminated. That is primarily a political issue; and we shall have to be careful how we tackle it. It involves the type of social and psychological consideration which I have touched on under (2) and (3) above; and my own impression is that, in order to resolve those complexities, nothing short of a new political approach will really suffice.

The root cause of all the trouble is that federation, as it exists in Central Africa, is not federation as it exists elsewhere. Normally the term implies a voluntary surrender, or merging, of separate powers and authorities by states which are broadly comparable in racial composition, in social structure and, perhaps above all, in political sophistication. But in Central Africa none of these conditions obtained. The settlement was not a voluntary or agreed one; it was imposed against the wishes of the Africans, as they expressed them at the time and still express them. And the component parts were not broadly comparable, least of all in political sophistication. The result was an attempt to combine, without subordinating one to the other, two forms of Government which in the last resort are as incompatible as oil and water—i.e. a system of Parliamentary government at the Federal centre (and to some extent in Southern Rhodesia) and a system of direct government by the Crown in the two northern Territories. In the end one of these two systems must prevail—or the Federation must break up. It is perhaps natural for somebody trained at Westminster to suppose that it would be right for the Parliamentary system to win the day. But the Colonial Office are bound to oppose any closer assimilation of the two northern Territories to the Federal authority, on the ground that the existing arrangements in

those Territories are the only ones which enable us to discharge our responsibilities to the Africans as British Protected Persons; that the Africans are passionately determined not to forfeit that status; and that we are pledged not to deprive them of it until they themselves are prepared to forego it. At that point the deadlock becomes complete; and only a major political act can resolve it. What that act should be it is almost impossible to say. And it may be only wishful thinking which leads one to believe that it may yet be possible to discover it. But it is perhaps significant that, while many people whom I met were doubtful about the wisdom of creating Federation in 1953, far fewer were doubtful about the wisdom of maintaining it now—if only because the consequences of destroying it would be even worse. Admittedly, this is only the white man's view—and the white man may be simply whistling to keep his courage up: he has far more to lose from the disintegration of the Federation than the African. If I could have put the same question to Africans, the answer would have been very different—in the two northern Territories they would have been virtually unanimous in pleading that the Federation should now be dismantled. But if it is true that their opposition to the principle of federation derives more from ignorance than from obstinacy, it may still be possible to resolve it—provided that the process of convincing them is bold, simple and easy to understand. Perhaps the most powerful single act of this kind would be to appoint a member of the Royal Family (particularly the Queen Mother) as the Governor General of the Federation. This would be a visible demonstration that The Queen's writ ran impartially through all the component parts of the Federation, and that, by accepting Federal citizenship (which they have so far resolutely refused to do) the Africans would still remain, albeit in a rather different sense, under The Queen's protection. There are obvious objections to this proposal. It might be thought to involve the Crown in a situation which is the subject of acute political controversy. It might fail to allay African suspicion; and to play so powerful a card and yet lose the game would be very damaging—both to British prestige generally and to the Crown in particular. Moreover, a gesture of this kind would not, of course, suffice alone—it would need to be preceded by a sound and workable political settlement, (which must be provided either by the Monckton Commission or by some other means); and such a settlement will not be easily achieved. But when it is finally agreed, it will lose half its value if it is not ratified by some symbolic act of the kind which I have suggested—some striking, dramatic act of unity and 'belonging together', in a setting of pageantry and ceremonial of the type which the African mind instinctively understands.

These haphazard impressions must be read with every reservation. It is dangerous to generalise on the strength of a brief visit, of only three weeks, to a strange country. It is short-sighted to forget that the Federation has only existed for six years. And it is uncharitable to ignore the speed with which the situation is already changing and the recent acceleration of the advance towards a greater recognition of the African's place in society, which Sir Roy Welensky's leadership is imposing on the public consciousness. If this note has concentrated on the negative aspects of the Federation and has adopted a critical view of its shortcomings, it has done so only because it is essential that those shortcomings should be remedied quickly. A Provincial Education Officer said to me 'Only give us time to educate the African; and the logic of the facts, as he gradually learns them, will do the job for us'. But he was a lone voice; all the other members of the administration whom I met were convinced that the Federation could not long survive the conflicting pressures of apartheid in

the Union and the emergence of Black Africa on the Equator unless its status and its destiny were redefined, with certainty and authority, very soon. They pray for 1960 to be over and the present uncertainty to be resolved.

These jottings may also have erred in painting too gloomy a picture of the future. If so, they merely reflect the awareness, which dawns on one when one is on the spot, of the tremendous gamble on which we have embarked in trying to create a unity from three so disparate components, particularly at a time when the political and social forces which are now loose in the rest of Africa are working against us. But it would be equally wrong to ignore or underestimate the factors which are on our side—the increasing recognition that the African has rights and needs of his own; and the belief, among the majority of the handful of white men who really govern this vast area, that federation can be made to work (if only because it must be made to work) and that it is not folly to suppose that the Federation can become the permanent home of white and black alike. But this belief sometimes seems to lack the ring of ultimate conviction; and one's final impression is that the future of the Federation will depend not on any intellectual analysis of problems and their solutions but on an act of will. It is a matter of nerve as much as of brain. If the Federation is to survive, we must not merely adjust its constitution and improve the opportunities for African advancement. We must say—loudly, clearly, convincingly and repeatedly—that we intend that it shall survive and succeed; and we must do something—something simple and striking—to show that we mean what we say.

209 DO 35/7558

10 Nov 1959

[Southern Rhodesian constitution]: CRO note of a discussion between Lord Home and Sir E Whitehead

[This was the first of a series of meetings on Southern Rhodesia's constitutional future held during Whitehead's visit to London. Also present were Alport, Metcalf and CRO officials, and, representing Southern Rhodesia, the attorney-general, the secretary in the Department of the Prime Minister and the Cabinet Office, and the high commissioner in London]

The *Secretary of State* said that he had studied Sir Edgar Whitehead's memorandum and would be grateful if Sir Edgar would expand on it. In particular he would welcome Sir Edgar's views firstly on the timing of the proposed changes, and secondly on the nature of the new safeguards for Africans which might be devised.

2. *Sir Edgar Whitehead* said that at the time of Federation Southern Rhodesia could reasonably have expected the remaining restrictions in its Constitution to disappear very shortly, but had realised that Federation must impose some delay. His predecessor had raised a similar request to the present one, but had been told that it would be necessary to wait for the 1960 talks. Since then, however, the position had changed because constitutional changes had been implemented in Northern Rhodesia and, to a lesser extent, in Nyasaland, in advance of the 1960 talks. After 35 years of self-government, during which there had been no serious criticism of the way successive Southern Rhodesia Governments had exercised their powers, opinion in Southern Rhodesia had no doubt that the remaining restrictions were unnecessary and largely formal. With the 1960 talks ahead, he thought that it was

essential to get these restrictions cleared away and believed that, if he returned without having secured agreement to this, the strong secessionist feeling which had of late grown up in Southern Rhodesia would be greatly reinforced, and the whole outcome of the 1960 talks would be prejudiced. He had consulted the Federal Prime Minister and Minister of Law, who agreed with his approach. As regards the Northern Territories, he could not concede them any right to express views on the internal affairs of Southern Rhodesia; he and his colleagues had refrained from comment on constitutional changes in Northern Rhodesia.

3. With regard to safeguards, the best was Southern Rhodesia Government's record over 35 years. No safeguard which could be devised could freeze the Constitution for all time. But there were devices which could delay precipitate action. He thought the most effective could be a second chamber elected on a different basis from the existing Assembly, with powers to delay legislation during a Parliament. He could not accept a power of veto or of delay beyond a general election, because a second chamber could not be allowed to overrule the electorate.

4. The *Secretary of State* agreed that it was possible that Southern Rhodesia might have achieved full membership of the Commonwealth by now but for Federation. He did not feel that the constitutional affairs of Southern Rhodesia and of the Northern Territories were comparable in all respects. Nor could he view the abandonment of the existing restrictions as being a purely formal or minor matter. If the United Kingdom Government agreed to give up its present powers to safeguard Africans, it must assure itself that adequate alternative safeguards were built in. For instance, would Sir Edgar Whitehead envisage African representation in the second chamber?

5. *Sir Edgar Whitehead* said that, though racial representation as such would be a departure from the normal practice in Southern Rhodesia, and could not be accepted in the lower chamber, he felt that the second chamber could take any form which might seem appropriate. In the long run, substantial African representation in the lower chamber was inevitable on the basis of the present franchise; until then he could accept special representation for Africans in the second chamber. But he stressed that the African was not so much concerned with these constitutional forms as with such solid benefits as education, and that the main problem of his Government was to carry the European tax-payer with them in the heavy and increasing expenditures of the Southern Rhodesia Government, almost all of which must in the nature of things benefit Africans. Continuing consent of the European to be taxed in this way was essential, and a Government which passed no differentiating legislation but cut its expenditure on African education would be doing real harm to Africans.

6. In reply to further questions as to his proposals, *Sir Edgar Whitehead* said he opposed the imposition of a special duty on any members of the second chamber to look after African interests; he regarded it as essential that all members should take an interest in all the aspects of Government. But it might be possible to give them the duty of protecting all minorities—the Eurasian and Cape Coloured (the minorities who at present most need protection), and eventually even perhaps the Europeans. But he had not reached finality in his thinking on this question and agreed that further study would be necessary. He thought he could assume the support of his electorate for an upper chamber consisting at this stage of perhaps five Africans, one Asian, one Coloured and eight Europeans, so elected as to ensure that

they would carry out their special charge of protecting minority rights. Both chambers should be elected and dissolved together. The parties in the lower house might each nominate members to the second chamber, thus ensuring that the eight Europeans would be unable to form a solid voting block. The second chamber should deal with all classes of legislation except financial Bills. The *Secretary of State* suggested that further thought should be given to the question of safeguards and discussion resumed at a subsequent meeting.

7. The *Secretary of State* turned to the timing of the changes. The memorandum put the case for making the changes before the 1960 review. The feeling here was that it would be as well to see the future pattern of Federation in the light of that review before deciding how changes should be effected in Southern Rhodesia, and therefore that it was at present impossible to set a date for Southern Rhodesia changes. But it would of course not be the task either of the Advisory Commission or of the 1960 review to examine the Southern Rhodesia Constitution.

8. *Sir Edgar Whitehead* considered that the Southern Rhodesia electorate wanted to dispose of the changes in the Southern Rhodesia Constitution before they were called upon to express their attitude on the shape of Federation after 1960, which they realised must have differences from the present shape. If this were not done, or even if it were simply announced that changes were being considered but would not yet be implemented, Southern Rhodesia opinion would assume that changes in their Constitution would follow in a pattern of Federal changes which might be unacceptable. This would poison the whole atmosphere for the 1960 talks, and perhaps precipitate a general election in Southern Rhodesia.

9. The *Secretary of State* suggested that, if the United Kingdom were to relinquish its power over the Southern Rhodesia Constitution, whatever alternative safeguards might be devised, African opinion in the Northern Territories might feel that there could be no guarantee that the safeguards for African interests in the Federal Constitution would not also be abandoned after 1960.

10. *Sir Edgar Whitehead* said that there was no comparison between the Federal and Southern Rhodesia Constitutions in this respect, and that he did not believe that African opinion in the Northern Territories was concerned about the form of the Southern Rhodesia Constitution.

11. In further discussion it was suggested that a distinction could be drawn between safeguards concerning differentiating legislation and the reservation of measures to amend the Southern Rhodesia Constitution; and that, as regards the latter, *Sir Edgar Whitehead's* proposals would mean that any safeguards put into the Constitution could be removed by action in Southern Rhodesia after one general election.

12. *Sir Edgar Whitehead* said he could not accept that anything should be retained in the Southern Rhodesia Constitution which made Southern Rhodesia affairs in any way dependent on the course of party politics in the United Kingdom.

13. It was agreed to resume discussion of these issues at 10.30 a.m. on 11th November.

210 PREM 11/3070

3 Dec 1959

[Macmillan's African tour]: letter from Mr Amery to Mr Macmillan

I have just been looking at the Central African section of your programme and think it may just be worth putting one additional suggestion to you.

The Colonial Office had hoped that the Paramount Chief of Barotseland could be brought to meet you at Lusaka or Salisbury. He is, as you know, by far the most important of the African Rulers and the only one with whom H.M.G. has a proper treaty. Unfortunately the Chief's soothsayers seem to be against his travelling by air; and Barotseland is pretty well inaccessible at this time of the year except by air. The Colonial Office would naturally be delighted if you wished to fly out to Barotseland, but they have not felt that the political advantage of doing so would be great enough to justify cutting into your weekend at Victoria Falls, which seems to be the only break you have while in Central Africa.

I certainly would not press the idea of your going to Barotseland on political or departmental grounds, but I would recommend your going for the fun of it. The Paramount Chief's capital, Lealui, is about 2 hours by air up the Zambesi from Livingstone. The country between is filled with game and strange birds; and, flying in a small plane—as you have to—you can get a very good view all the way. The Paramount Chief keeps barbaric state in Lealui, in very much the kind of royal Kraal that Lobengula and other Chiefs lived in in Livingstone's and Rhodes' day. The dynasty is an old one, and the Paramount Chiefs forefathers are buried in tombs around Lealui, where they are supplied with regular libations of beer and offerings of meat! You would get tribal war dances of an unsophisticated kind and, altogether, see something of what is perhaps the last bit of the old tribal Africa in the Commonwealth.

I want to stress that there is no need for you to Barotseland from the Colonial Office point of view; but Catherine and I went there when we were in Central and South Africa a few years and thought it much the most entertaining part of our tour. We felt that you and Dorothy ought at least to have it in mind.

I know how strenuous your tour will be and you may well not want to make up your mind beforehand whether you want to go up to Barotseland or not. But if the idea attracted you we could always lay on the plane and warn the District Commissioner. If at the last moment you preferred to stay and rest, one of your party could always fly up and take a message from you to the Paramount Chief.

P.S. I should add that the Paramount Chief is completely loyal to us & has never opposed Federation.

211 DO 35/7564, no 264A

3 Dec 1959

[Release of Nyasaland detainees]: minute (PM(59)60) by Mr Macleod to Mr Macmillan

Nyasaland is probably the most difficult single problem that we will have to discuss at the Colonial Policy Committee. I think you are familiar with the general movement of my thought on this matter, but as I am leaving next Tuesday for my East African visit I felt I should send you a summary of my thinking. No doubt you would like me

to expand this when I return for discussions in the Colonial Policy Committee, which might usefully be preceded by a detailed talk with myself and Alec Home.

2. There are now about 470 men detained under Emergency Powers, 380 of them in Nyasaland and 90 in Southern Rhodesia. The leaders are at Gwelo in Southern Rhodesia. There has been a fairly swift release of detainees until a short time ago, but the rate of releases has fallen and indeed, to my disappointment, the number of persons in detention has started very slowly to rise again. I am sure we must do everything we can to achieve a substantial reduction very swiftly. For myself, I do not believe that we can possibly justify for long the continuance of the Emergency. We would have no chance of defending our action if we could be brought before the Human Rights Commission. Even in the case of Cyprus, with all the murder and violence that went on there, we only secured endorsement of the necessity of detention by a close majority and we would have no sympathy at all for the continuation of an emergency which keeps hundreds of people in detention, the vast majority of whom could only be convicted of minor violence, if that. Again, there is no question, as there was in Kenya, of these people being of the Mau Mau type, nor of an elaborate process of rehabilitation before they are acceptable to their own communities. Not only are they acceptable now, but they are also their accepted leaders.

3. I aim, therefore, to move as swiftly as possible towards a reduction of this figure to the true hard core, which might number perhaps 50. If this can be achieved before Monckton arrives in February it would transform the situation and give him a real chance to operate. But partly because these men are in Federal prisons the Governor feels he has to go slowly. I intend to concentrate the hard core in one of the prisons and to release the more moderate detainees as soon as possible. I have let the Governor know my thoughts on these points and it is my present intention to ask him to fly up to Dar es Salaam during my visit to East Africa for a personal discussion with me.

4. The hard core will unquestionably include Chipembere and Chisiza, but in my view it does NOT include Banda. The Devlin Report draws a clear distinction, and in my view a correct one, between Banda and his young extremist lieutenants. I hope, therefore, that it may be possible to improve his circumstances of detention and then at an appropriate moment order his release.

5. I have no doubt at all that some time we will have to deal with Banda. It will make it all the more easy to deal with him if we can separate him from the 'C.s'.¹ We have proved so often that more moderate men do not arise to take the place of the leaders who are detained and in any case there are no more moderate leaders likely to emerge than Banda himself. Indeed, I am convinced, although this may sound paradoxical, that Banda is the most likely African Nyasa leader to keep Nyasaland within the Federation. When I asked Orton Chirwa, the leader of the Malawi Party, if he contemplated forms of association with the Rhodesias his answer to me was: 'If you ask me that question my answer must be No. The only man who could compromise and give you a favourable answer on this is Dr. Banda himself.'

6. You will remember we discussed with Prain yesterday the question of constitutional advance in Nyasaland, and again I am quite convinced that as soon as possible we must move here. David Perth was to have gone to Nyasaland early this

¹ The leading Congress activists H B M Chipembere, D K Chisiza and M W K Chiume.

year to make soundings about constitutional advance which had been sadly delayed, but the emergency intervened. My present intention is that I should go (perhaps in May) to Nyasaland as soon as the Monckton Commission has finished taking evidence and explore the possibility of constitutional advance. I am sure that if we are to hold Nyasa opinion we must do this.

7. I believe that Federation is the best, indeed at the moment the only real solution for these territories. But I am sure we must not underestimate the strength of the forces that at the moment are speaking against it. It is not right as far as the Africans are concerned to think that this merely represents vocal African political opinion in Nyasaland. It is a conviction very deeply and widely held.

8. I believe, then, that our best chance lies in proceeding along the following lines:—

- (a) a swift concentration of detainees down to the hard core before the Monckton Commission arrives;
- (b) in our receiving in due course from the Monckton Commission imaginative proposals about the position of the Northern Territories which may do something to allay their fears;
- (c) the promise of early constitutional advance for Nyasaland;
- (d) a true period of stability after the 1960 Conference during which we must try by every means in our power to see that federation works.

9. It would probably be of advantage if I made a statement when the House reassembles after the Christmas Recess which would concentrate on (a) and (c) above. This would give the Monckton Commission the right atmosphere in which to work. It is also important to consider, in view of your coming visit to the Federation, what you should say in any public speech about the pledges we have given and also which, if any, of the leaders of African thought in the Northern territories you should meet.

10. Naturally there are risks in this policy, but there are risks in all the policies that we will have to follow in all the Colonial territories. I am certain myself that this line represents the most hopeful possibility of advance.

11. I am sending a copy of this minute to the Secretary of State for Commonwealth Relations.

212 CO 1015/1754, no 67

7 Dec 1959

[Release of Nyasaland detainees]: minute by Lord Home to Mr Macmillan

I agree with the Colonial Secretary¹ that the faster the releases of ordinary detainees in Nyasaland can proceed the better the political prospects will be.

I should, however, wish to have much more information before I would feel justified in supporting the proposal for an early release of Dr. Banda.

The main test here must be the effect which his release will have on the Africans in Nyasaland. It might easily tip the balance in favour of violence and make matters worse.

¹ See 211.

I cannot answer whether or not that would be so. Nor do I think that anyone can other than those who like the District Officers are living among the Africans or like the Governor who has access to intelligence officers who are working among Africans.

I think we shall need a very careful and up-to-date assessment before a decision can be taken.

213 DO 35/7564

14–16 Dec 1959

[Release of Nyasaland detainees]: minutes by D J Kirkness and Mr Alport

The Colonial Secretary's minute at (264A)¹ was considered in a discussion in the Secretary of State's room on 11th December. The Secretary of State, Mr. Alport, Sir A. Clutterbuck, Sir H. Lintott, you and I were present.

Arguments for and against the Colonial Secretary's suggested policy were considered. On the one hand, there was much to be said for making a gesture, which might ease tensions and help the atmosphere for the Advisory Commission and for the 1960 Conference, by releasing as many detainees as possible and showing the Africans in Nyasaland that they could look for constitutional progress. Advance towards self-governemnt was speeding up in Africa as a whole; practically every territory in Africa was taking a leap forward and it would be difficult to hold the position in Nyasaland until the Advisory Commission had reported. Nyasaland could reasonably expect a rate of advance comparable with that in other Colonial territories were it not part of the Federation.

On the other hand, it might present the Advisory Commission with a difficult and fluid situation, and might even be regarded as prejudging its work, if we were to make constitutional changes in Nyasaland now. There had already been several instances of our first detaining or imprisoning political leaders and then releasing them and negotiating with them as such. The repercussions in the rest of the Federation had also to be considered. The Government of Northern Rhodesia had been assured recently that there was no intention of making any further constitutional changes there in the next five years; and Sir Edgar Whitehead had just been told that we could give no undertaking as regards self-government of Southern Rhodesia until after the 1960 conference. If we were now to put in power in Nyasaland forces hostile to Federation (which must be the consequence of any substantial constitutional advancement) Europeans in the Federation would regard it as an indication that we intended to give away their position and this too would have a serious effect on the 1960 Conference.

The Secretary of State thought it important to distinguish between the release of Dr. Banda and his closest colleagues and that of less important detainees. He did not see how we could agree to release Dr. Banda without an assurance from the Governor and his District Officers, who were in close touch with feeling in Nyasaland, that there was no unacceptable security risk in doing so. But it was recognised that it was impossible to keep Dr. Banda locked up for ever and that it was unrealistic to think that by doing so we should encourage the emergence of alternative leaders in Nyasaland.

¹ See 211.

The Secretary of State concluded that further thought was necessary before a decision could be reached; but he must be ready to advise the Prime Minister when the Colonial Secretary returned from Africa, especially in relation to the likely impact of the proposed moves on the Federal and Southern Rhodesia scene. He thought it was particularly important that the timing of the statement should be right. It would be best if it could be made after the return of the Prime Minister. If it came before his visit it would make things difficult for him in the Federation; it would be even worse if it came while he was there. There would be the advantage in holding it back that the Prime Minister could put the proposals to Sir Roy Welensky and seek to gain his agreement.

It was also generally felt that if there were to be any substantial advance in Nyasaland in 1960 it would be necessary also to give Sir Edgar Whitehead what he wanted for Southern Rhodesia.

The Secretary of State felt that he ought to put the point about timing to the Prime Minister without delay; I attach a draft of a minute.

D.J.K.
14.12.59

Secretary of State

However many detainees are released we should not release Banda and the hard core until such time as we are quite certain of the policy we intend to carry out in Nyasaland for the period ahead. This should be accepted by the Government as a whole and we must not get into a position in which we find that in six months' time or less we are negotiating with Banda because the Colonial Office has come to the conclusion that there is nobody else to talk to. If that were to happen, we would soon find the situation disintegrating again.

It would be much more difficult to confine Banda's subsequent activities once he has been let out. We could not put him in goal [sic: gaol] again.

I think it is difficult to agree on a long-term future for Nyasaland until we see the outcome of the Monckton Commission. Indeed, with Banda's release we are going to be in the position of having to make up our mind about long-term policy regardless of any recommendations which the Monckton Commission may make. Once we have shown ourselves unable or unwilling to wait until the Monckton Report, then the general expectations of the Commission will largely be falsified.

I am sure you are right in emphasising to the Prime Minister the importance of not committing ourselves on these matters until he and the Colonial Secretary have returned from Africa and we have had a reasonable time to agree our line. I accept that it may be quite impossible to wait for the Commission's Report, but I am becoming increasingly alarmed at the tendency to deal with Africa piecemeal. I think I should tell you that some of my colleagues in the House are beginning to talk about Africa as being likely to occupy in this Parliament the same role as India did in the 1930s. It may well be that no one will arise to lead the right wing of the party and therefore the disintegrating effects of the controversy may not be as great, but the danger is, I am certain, very definite.

C.J.M.A.
16.12.59

214 DO 35/7564, no 11E

21 Dec 1959

[Release of Nyasaland detainees]: minute by Lord Home to Mr Macmillan

I am sure we should not take any final decision until you have returned from Africa but meanwhile I have been trying to weigh the implications of the Colonial Secretary's paper on Nyasaland in relation to the future of the Federation and of our general interests in Africa.

The three units of the Federation

It is widely accepted that the future will bring African majorities on the voters roll in Nyasaland and probably in the long run in Northern Rhodesia. The aim must be Party as opposed to Racial Governments but the result will be African control. I think it is now privately if not publicly conceded in the Federation that Territorial self-government on a representative basis with all its risks must come fairly rapidly and that the date at which British Protection might be withdrawn (if the inhabitants so desire) would be put at not more than 10–15 years. I have therefore felt sure that although the 1960 Review will not directly involve the Territorial governments one of the results would be a programme in definite stages for self-government for the two Northern Territories and the immediate removal of the remaining United Kingdom restraints on the government of Southern Rhodesia. We should then have to devise machinery to safeguard individuals and minorities after the United Kingdom Parliament is out of the picture. We ought to get some useful guidance on this from the Monckton Commission.

Action on timing

One very difficult question which we will have to decide is whether or not to name a final date for self-government. There are very strong arguments against this:—

- (1) Dates are always telescoped, and
- (2) Once a date is known any incentive to cooperation by the natives is removed.

A better way would seem to be to name two or three intermediate dates—marking stages of constitutional advance and promise that *provided there is cooperation* by the Africans these will be honoured to the letter and on the appointed day and will be followed when the time comes by a constitutional conference to name a final date. The advantage of this procedure is that it brings the African into the machine of government so that when we do give up our protection there are at least some Africans trained in government.

If that is the position ought we to make any constitution move in Nyasaland before the 1960 Review starts? I would certainly see no objection to opening talks after the Monckton Commission has left the territory and as Nyasaland is so to speak due an instalment of constitutional advance it might be possible to give a definite indication of the first stage which would operate simultaneously with the findings of the Review. There would be two repercussions:—

- (1) I should have to give a similar assurance to Sir Edgar Whitehead on which I have hitherto stalled but on which I am hard pressed. That would tend to increase the Africans fear of Southern Rhodesia and
- (2) It might stimulate Sir Roy Welensky to start up a number of awkward proposals as for instance the take over of European agriculture in Nyasaland which

I have been able to resist on the grounds that it is undesirable to make any move until the Monckton Commission has reported and the Review begun. However, I do not consider either of these difficulties insuperable and am in favour of renewed talks.

Dr. Banda and his lieutenants

This raises the question with whom can we talk? I support the release of the maximum number of detainees and (although none but the Governor can advise on the security aspect) I would think that by confining them to their home areas in the country the majority could be let out without too serious an effect on law and order.

One is, however, at once brought up against the question as to whether we can find people with whom to negotiate while the leaders are in prison, especially if Dr. Banda is among those still detained. Here we have to take a calculated risk.

The familiar sequence violence—detention—release—parley has done us great damage in Africa. One individual after another has held us to ransom and got away with it and our prestige and that of the white man has been severely damaged. If we wish to retain any semblance of control (and we must for the sake of the Europeans in the Federation) we need a plan and the determination to stick to it absolutely. Provided it is just that should be possible.

I am inclined therefore to think that the Colonial Secretary is right in proposing to release Dr. Banda but that he must be absolutely clear on the terms of his release and we must be clear on how we mean to manage matters thereafter. I suggest that our object should be to try and use Dr. Banda to further our constitutional plans and ruthlessly to destroy his apparatus of violence.

This would mean:—

- (1) The release of Dr. Banda on the absolute understanding that if he acted unconstitutionally or in ways calculated to promote violence or influenced others to do so he would be banished for life.
- (2) The continued imprisonment of Chipembere and his lieutenants (and I should be inclined to include Chiume) for as long as necessary. We should certainly contemplate 10 years or even more. If banishment is possible that should be considered.
- (3) The strengthening of the police force so that it is competent to deal at once with any lawlessness. There would be a strong reaction against the release of Dr. Banda from the Federal Government but there are, I think, convincing arguments to show that this plan would give the best chance of a settled period of 10 or 15 years and thus the best chance for the continuation of Nyasaland within the Federation.

I cannot say that I trust Banda or Orton Chirwa. I think that at best they wish to make the white man the servant of the black but they might decide it would pay to co-operate on a definite plan for the foreseeable future. They would know that this was their last chance, that if they forfeited it they would be off the stage and that direct rule would continue until others more reasonably minded came along to take a hand.

Conclusion

I am therefore in general agreement with the Colonial Secretary but at present we are on the run and the rot must be stopped and that can best be done by a definite

programme of constitutional advance—by firm administration—by absolute insistence on political action within the law and following the Monckton Commission report by an all out and sustained effort (especially by the Federal Government and the three Territorial governments) to make Federation work and to make it acceptable to Africans and Europeans alike.

As I said at the beginning, I am sure we should not move (beyond hastening the release of detainees) before you return from Africa. A fresh start on these lines and a firm policy for the future would need a lot of selling to the Federal Government and the best way would be for you to start the process with Sir Roy Welensky and Sir Edgar Whitehead. All the publicity too would need to be most carefully thought out in all its aspects.

In these comments I have three thoughts very much in mind. First we must be seen to be just towards the legitimate political aspirations of the African.

Secondly, we must test everything we do so as to be certain that it does not make the position of the Europeans untenable in the continent of Africa. That would deal a deadly blow at British interests and at the security and influence of the free world.

Thirdly, if we are to retain any sort of authority we must have a definite plan and stick to it. If it is seen to be reasonable we can sustain it.

The timing of any announcement we might wish to make if we decided to go ahead with a plan such as the Colonial Secretary suggests will need consideration in relation to the Monckton Commission and its report.

I am sending a copy of this minute to the Colonial Secretary.

215 CO 1015/1518, no 432

24 Dec 1959

'Nyasaland Emergency': draft Cabinet memorandum by Mr Macleod¹

The attached paper² on Nyasaland is the result of my discussions with Sir Robert Armitage at Dar es Salaam and represents the highest common factors of agreement.

First, I feel the programme is too slow, although the release rate represents twice the rate Sir Robert Armitage first suggested. There are no rehabilitation problems in the Kenya sense, and the rate of release is simply based on judgment of the security risk and can be increased or decreased as the situation requires. No serious problems so far have arisen following releases and Intelligence and Security reports are not alarming. I hope therefore to step up the February and March releases and reach the hard core position by about the end of April, when the state of emergency might be ended.

Secondly, I feel that fifty hard core is much too high and doubt if we could justify more than about twenty, if that.

Thirdly, Dr. Banda: Sir Robert Armitage now agrees we must discuss, some time, constitutional matters with Dr. Banda. If Dr. Banda could be freed as soon as the Monckton Commission leaves Nyasaland (the Queen Mother's visit may be a conflicting factor) I could see him during the week's visit I contemplate to the Northern Territories in June. Again, I would prefer to consider his release earlier but the suggested timing may be convenient. The Chief Secretary of Nyasaland is going to see and sound Dr. Banda this week and I will report orally to the Cabinet.

¹ This was submitted to the Cabinet on 29 Dec 1959 (see CAB 129/99, C(59)191).

² Not printed.

216 PREM 11/3065

15 Jan 1960

[Nyasaland and the Federation]: outward telegram from Lord Home to Mr Macmillan (Enugu) on comments made by the prime minister in Lagos

Following for Prime Minister from Commonwealth Secretary.

Guardian 14th January under headline 'Nyasaland will be free to decide' reports you as having told Press Conference in Lagos on 13th January that, 'There was no question of forcing Nyasaland to remain in a fully independent Central African Federation. When the time came it would be for the people of Nyasaland themselves who would decide whether or not they wanted to stay in the Federation.' Correspondent comments, 'This is by far the most important statement that Mr. Macmillan has made on his tour of Africa so far. It indicates that full self-government for the Federation of Central Africa will not be contemplated until Nyasaland has itself attained sufficient self-government as to be able then to decide which way it wants to go'. Other papers have also taken your remarks as implying that Nyasaland will be able to choose whether or not to stay in Federation.

2. This puts a meaning on your words which goes further than what has been said before. Preamble of Federal Constitution envisages that constitution will enable the Federation when the inhabitants so desire to go forward towards attaining full membership of the Commonwealth. In your speech in Commons on July 22 you said, 'When all the units are in a position to agree and are agreed that British govt. protection is no longer needed—then and only then can the whole Federation go forward to full independence and full Commonwealth membership'. In other words eventual choice that we have contemplated up to now would be between dependence and independence for Federation as a whole and not a choice for component territories whether or not to stay in Federation.

3. As you will certainly be questioned about this as soon as you reach Salisbury it might be well to have a form of words ready for use. This might be on lines that you were indicating that as constitution provides and as you said in July Federation would only go forward to independence when the inhabitants of Nyasaland and Northern Rhodesia so desire.

217 PREM 11/3065

16 Jan 1960

[Nyasaland and the Federation]: minute by D W S Hunt¹ for Mr Macmillan (Enugu) on comments made by the prime minister in Lagos

I have discussed with Sir Norman Brook the message below from the Commonwealth Secretary.²

We have a transcript of what you said on this subject (flag C). We telegraphed this to London but it will have crossed with the Commonwealth Secretary's telegram. As you see, the Guardian has gone distinctly beyond what you said. This is given most

¹ Assistant under-secretary of state at the CRO, 1959–1960, Hunt (later Sir David) accompanied Macmillan on his African tour of Jan-Feb 1960, as did Brook.

² See 216.

explicitly in the sentence beginning 'I want to make it clear . . .' and your words imply, I submit, nothing more than that before the Federation can become independent all three territories must agree to this step. You did not say that they had to decide whether or not Federation should continue. This being so, I think you would be entirely justified in using the form of words suggested by the Commonwealth Secretary. You are bound to be questioned. The reply is that you were conveying the fact that, as the Constitution provides, and as you said in the House in July, Federation would only go forward to Independence when the inhabitants of Nyasaland and Northern Rhodesia so desired.

I think it would be as well to add that, immediately after this passage, you went on to speak as follows:—

'If we were to announce our intention now to disband the Federation, or form a new one, or to divide it into different units without waiting either for the Commission or for the 1960 Review; if we were to tear up, without further thought, an experiment which is only seven years old and which was started with a good deal of good will on all sides, and an experiment which has made very considerable progress, we should be guilty of an act of treachery towards the high ideals and purposes which we set ourselves.'

218 PREM 11/3065

17 Jan 1960

[Monckton Commission]: outward telegram from Lord Home to Mr Macmillan (Kaduna)

Personal for Prime Minister from Commonwealth Secretary.

Thank you for your message on the point of protection of witnesses on which we will comment at meeting today.

I agree that there should be no more messages from us to Welensky as he is in a very happy mood and is best handled by you.

You will see that he has twice proposed that the Monckton Commission should not proceed. He has stuck his toes in absolutely about the protection of witnesses before the Commission who may have to give evidence in public, although I agree he has a point which we must try to meet.

On the 'Shawcross' television interview¹ he rejected an explanation I sent him and a suggestion he should talk to you about Shawcross and only a strong intervention by the High Commissioner prevented him from asking publicly for the withdrawal of Shawcross from the Commission. The public request had in fact already been drafted by Whitehead and accepted.

I may be wrong but it seems possible that Welensky and Whitehead are out either to get us to abandon the Commission altogether, or failing that to tie it in a

¹ Questioned in a television interview as to whether the Monckton Commission would be able to recommend the abolition of the Federation, Commission member Lord Shawcross reportedly replied, 'I would certainly feel I was completely free in that respect. If I felt that was the right conclusion I should not have the slightest hesitation in saying so and I have made that very clear' (J R T Wood, *The Welensky papers* (Durban, 1983), p 167).

procedural strait-jacket even at the cost of making its work almost impossible, if not ridiculous. They could of course carry this obstruction into the Commission by instructing their delegates to question every item against the terms of reference.

I find all this very disturbing and although Walter is extremely patient I see signs that he is very worried about his prospect of handling the situation successfully.

You will judge the temper and mood when you see Welensky but I fear you may have to have a showdown.

Welensky cannot bring himself to admit that the fate of Federation lies with the United Kingdom Parliament but it is a fact which he must be made to understand. He believes that our Government can bulldoze the next instalment of Federal constitution through Parliament and when I have told him of the difficult atmosphere and doubts of the younger Conservatives he has quite plainly thought them excuses for lack of political decision and guts.

He must be made to realise that the more he takes up attitudes which seem unreasonable and makes speeches like that on New Year's Eve, the more he puts himself out on a limb here and our public becomes more and more doubtful as to whether their Government is backing the wrong horse. I am very uneasy about our Parliamentary position following the 1960 Review as largely because of their inept public relations Southern Rhodesia and the Federation are becoming more and more classed with South Africa in the public mind. It is unfair but it is increasingly so.

Once he accepted the Commission with its admitted risks I should have thought his tactics were clear, namely to welcome it and show himself fully co-operative and reasonable, and arrange to flood it with pro-Federation witnesses. His public case ought to be that Federation is so overwhelmingly successful that the Commission are bound to recognise that it is the right answer. As it is he is in danger of losing his case even before the Commission meets.

I am sorry to be gloomy and he is of course much easier to handle in conversation but I have now had long contact with him and I thought I ought to tell you that I have never known him so difficult, indeed almost hostile. Whitehead is partly but only partly to blame.

I think that if he was to wreck the Commission or to stultify its work through procedural restrictions and obstructions it would do him and his cause untold harm and I do hope you can persuade him where his true interests lie.

I am so glad that the tour has gone so well and I hope you and Dorothy are well and enjoying it all.

219 CO 1015/2442, no 2

23–24 Jan 1960

[Future of Hastings Banda]: Federal Intelligence and Security Bureau summary of conversations between D Foot and H Banda

[Banda's prison cell in Gwelo appears to have been bugged by the Security Branch of the British South Africa Police (BSAP). Transcripts of his conversations on 23 and 24 Jan with the Labour MP, Dingle Foot, who acted as Banda's legal adviser, were passed to Whitehead and to Welensky (B G Spurling, 'The British South Africa Police: a history', unpublished manuscript, Rhodes House Library, Oxford, Mss Afr s 2125, file 3, f 71). The summary reproduced here appears to have been compiled by the Federal Intelligence and Security Bureau. A copy of this report was given to Home by Welensky during the Commonwealth Secretary's visit to Central Africa in Feb 1960. N D Watson commented:

'There seems to be little privacy in the place where Banda is detained' (CO 1015/2442, no 2, Watson to Monson, 26 Feb 1960).]

Mr. Dingle Foot informed *Dr. Banda* that he was going to Nyasaland for the trial of *Flax Musopole* but that was not the sole purpose of his visit. *Dr. Banda* told *Mr. Dingle Foot* of the recent visit to him of *Mr. Footman*¹, and that he, *Dr. Banda*, had refused to give evidence before the Monckton Commission as long as he and the 400 were detained. *Mr. Footman* had also spoken to *Dr. Banda* about the form the new constitution should take.

2. *Mr. Dingle Foot* remarked that *Lord Monckton* was, in his opinion, not going to be restricted by the terms of reference. Further there was no doubt at all that *Mr. Macleod* and *Lord Monckton* were extremely anxious to release *Dr. Banda* but it might happen that *Dr. Banda* would be the only one released at this juncture. He inquired of *Dr. Banda* the conditions under which he would be willing to give evidence. He felt *Lord Monckton* appreciated the difficult position caused by the fact that so many persons were detained and was 'entirely sympathetic'.

3. *Mr. Dingle Foot* discussed the desirability of sending a petition from each of the three territories and the pros and cons of a petition to the Queen as opposed to a petition to the British Houses of Parliament. *Dr. Banda* was in favour of petitioning the Queen. *Mr. Dingle Foot* would consult *O.E. Chirwa* as to the practicability of this.

4. *Mr. Dingle Foot* raised the question of possible action being taken under habeus corpus. He explained to *Dr. Banda* that as it appeared likely that before long *Banda* would be released, it seemed to him that if they embarked on legal proceedings they would be protracted ones and they probably would not succeed in the end and *Banda's* time in detention might, in fact, be prolonged by the proceedings. He had therefore advised against a writ of habeus corpus.

5. *Mr. Dingle Foot* said that *Macleod* was an improvement on *Lennox Boyd*.

6. At this stage they were joined by *H.B. Chipembere* and *D.K. Chisiza*. *Mr. Dingle Foot* reiterated some of his remarks and said that *Macleod* intended to put a different face on colonial policy and that *Monckton* was going to stretch his terms of reference just as far as he wants and was quite capable of a breach with the other members of the Commission. *Monckton* was extremely anxious for Africans to give evidence. Both he and *Macleod* were very anxious for *Banda* to be released.

7. Discussion then took place on *Shawcross's* television interview in the United Kingdom and on the members of the Commission and their capability, and the African boycott of the Commission and the protection of witnesses. *Dr. Banda* said that although the terms of reference were not what they wanted, they would be willing to give evidence on release of all detainees. The question of the petition was again discussed.

8. As regards *Manoah Chirwa*, *Mr. Dingle Foot* made it clear that it was *Manoah* who had taken the initiative and had asked to see the Colonial Secretary, not the reverse. *Mr. Dingle Foot* remarked that in his view *Macmillan's* visit to the Federation was a mistake. The interview for the first day ended.

¹ C W F Footman, chief secretary, Nyasaland 1951–1960.

9. On the next morning the interview again started with *Banda* alone. *Banda* explained why he felt he, as leader, could not be released alone. It would cause misunderstandings amongst the people. *Banda* inquired about the political situation in Nyasaland. He stated that the only way to get any movement going in Nyasaland at the present time was to use his, *Banda's*, name, as the people of Nyasaland wanted only him as leader. *Mr. Dingle Foot* put forward the many advantages of *Banda* going to the United Kingdom, and the great propaganda value that could be obtained from all the publicity through television etc.

10. He reminded *Banda* of what had happened with Archbishop *Makarios* and went on to suggest that a letter might be sent to *Mr. Macmillan* in Nyasaland setting out conditions under the Monckton Commission. *Mr. Dingle Foot* suggested that if *Banda* agreed to this, he would see the High Commissioner, *Mr. Metcalf*, and inform him that he had a letter to *Mr. Macmillan* and wanted to see *Macmillan* while he was in Nyasaland.

11. In answer to a question, *Mr. Dingle Foot* denied that *Macleod* had hinted to him about *Banda's* possible release to the United Kingdom—it was *Dingle Foot's* own idea put forward from his experience of Government methods. *Dr. Banda* agreed to composing a letter to *Mr. Macmillan*.

12. At this stage *Chipembere* and *Chisiza* were called in. A discussion ensued on *Mr. Footman's* visit and a talk about the new constitution. Both *Chipembere* and *Chisiza* said they were in line with *Dr. Banda*—if all detainees without exception were released, they would reconsider their stand. *Dingle Foot* again took pains to explain to *Chipembere* and *Chisiza* the advantages of *Dr. Banda* being in the United Kingdom.

13. At this stage, a document, the petition which was to have been presented to the United Nations, was produced by *Dingle Foot* who explained it had been drafted by his junior in Chambers. *Dingle Foot* then dictated a letter which *Chisiza* typed, which all agreed to and later signed. This set out the conditions under which *Dr. Banda* would be prepared to give evidence before the Commission and to advise all his followers to do the same, i.e.:—

- (a) A state of emergency would be declared at an end and the detainees released.
- (b) An assurance that ex-detainees would not be further detained or restricted under the present statutory powers of the Nyasaland Government or any similar powers on the grounds which led to their detention or on account of their evidence before the Commission.
- (c) The same assurance to witnesses.
- (d) Evidence to be the subject of absolute privilege.
- (e) All witnesses who wish to give evidence to be allowed to do so.
- (f) Each witness to have the option of deciding whether his or her evidence would be given in public or in private.
- (g) All witnesses to be able to express any view they might wish without restriction from terms of reference.

14. *Dingle Foot* then said he would seek an interview with the Prime Minister in Nyasaland and send copies to *Macleod* and *Monckton*. In reply to a query, *Dr. Banda* and the other two said that the letter was not to be shown to any one in Nyasaland and certainly not to *O.E. Chirwa*. *Dr. Banda* emphasised that *O.E. Chirwa* was organising the party in *Dr. Banda's* name because he knew he could not do anything

without his name. Although he was 'with them' they would not tell him anything because they did not trust him. *Dr. Banda*, however, authorised *Dingle Foot* to tell *Chirwa* that he could inform the press that *Dr. Banda* and the other detainees stuck to their view that the question of giving evidence before the Monckton Commission cannot be considered until the state of emergency was brought to an end and detainees released.

15. *Dingle Foot* asked whether he might show the letter in confidence to a few, a very few, individuals in the United Kingdom, and mentioned David *Astor* and the Africa Bureau. *Dr. Banda* and the others refused to permit it to be shown to any one in the Africa Bureau. *Mr. Dingle Foot* mentioned that this was somewhat difficult as he had appeared before the Devlin Commission on instructions by the solicitors for the Africa Bureau.

16. Finally, the question of a petition was left until *Dr. Banda* was released and it was decided to keep it as a weapon in reserve.

220 PREM 11/3075

27 Jan 1960

[Future of Hastings Banda]: inward telegram from Mr Macmillan (Pretoria) to Mr Macleod

[On 4 Jan, Macleod had obtained the Cabinet's approval for the release of Banda at the end of that month. Armitage maintained that he should not be released until 25 Feb. Macleod hoped that Macmillan would be able to persuade Armitage to accept a compromise date of 15 Feb.]

In my two immediately preceding telegrams I have given you my conclusions about Banda. This personal message is designed to give you something of the background.

2. I am sorry that my talks with the Governor were inconclusive. I was rather staggered to find, on arrival, the turn events which had taken and the entirely new proposal to remove Banda to London under restraint. As a result we had a lot of new ground to cover and I was not able in the time available to bring the Governor to a definite decision as between 15th and 25th February.

3. I suspect that the Governor was persuaded against his better judgement to accept the plan which you put to him at Dar-es-Salaam and I have little doubt that on his return he was reproached by his advisers and is now trying to find a course which they will support. But, however that may be, we must take it as a fact that the Governor and his Council now consider it an unacceptable security risk to have Banda at large in Nyasaland when the Monckton Commission is there. And we must take account of Hone's anxieties about the reactions on Northern Rhodesia.

4. If both Northern Rhodesia and Nyasaland exploded together, we should be in trouble. It looks as though we should then have to bring United Kingdom troops from Kenya.

5. On the other hand there are obviously great risks in hanging on without any positive policy. I have therefore tried to find a middle course by which we should appear to be taking some positive step towards constitutional advance. If we could get Banda to London as a free man we should be seen to be making an advance in that direction while at the same time meeting the Governor's fears about the security position in Nyasaland.

6. I should be glad if you would show this telegram to Alec and discuss the whole situation with him. Please let me know as soon as you can whether it would embarrass you if I sent Welensky a copy of my first telegram. I feel sure that we can bring him along with us so long as he is kept fully informed and not left to get his news by rumour, as too often he does. I attach great importance to this.

221 PREM 11/3075

28 Jan 1960

[Future of Hastings Banda]: outward telegram from Mr Macleod and Lord Home to Mr Macmillan (Pretoria)

We have discussed your telegrams Track Nos. 78–80.¹

2. We think it would be better not (repeat not) to send to Welensky or to Armitage a copy of your Track 78 although we agree that it is essential to keep Welensky fully informed so as to bring him along with us from now on.

3. We entirely agree with your conclusion that there is no choice between releasing Banda unconditionally as soon as possible or keeping him in detention throughout 1960 and we think that on every ground the arguments for the first course are over-riding.

4. This means accepting the security risks as assessed by Armitage, Hone and Welensky.

5. We also entirely agree that Armitage's proposal for removing Banda for a long period to the United Kingdom (which was in fact an attempt to avoid the security risk) is a non-starter.

6. Your suggestion that Banda might be brought home for a shorter period for constitutional talks very soon after release would have same objective; but we are doubtful whether it would achieve it or be feasible in other ways. We could not keep Banda in play here for more than two or three weeks at the outside; and he would certainly have to return before Monckton left the Federation, if not before he left Nyasaland. Furthermore to play it this way would give the appearance of deliberately obstructing Banda's access to the Commission. Moreover, to start talks in London would, as you suggest, involve calling some kind of formal conference since other interested parties including Europeans could not be excluded. We very much doubt whether we could either be ready for this in time or whether it would be wise to embark on this attempt to break through the political impasse in Nyasaland by a formal conference in London as the first move. We feel sure that a period of informal and separate discussions would be more profitable as the first approach so that ground can be prepared for more formal discussions later. Colonial Secretary could play it this way if he went to Nyasaland but could hardly do so by inviting people to London.

7. We think that the crucial period is going to be that immediately after his release and that we could go some way to reduce the dangers during that period if (i) the time between Banda's release and my arrival in Nyasaland is reduced to a minimum and (ii) we accept Armitage's proposal that he should predispose reinforcements within the territory with the object of containing from the start any sporadic local demonstrations.

¹ See 220 for telegram 80.

8. We should therefore like to seek your approval of the following firm plan:—

- (1) Announcement perhaps about mid-February of Colonial Secretary's visit to Nyasaland;
- (2) Banda to be released about February 25/26 in Nyasaland;
- (3) Colonial Secretary to arrive Salisbury February 27 and Nyasaland 29;
- (4) Meantime arrangements for reinforcements to be made by consultation between Armitage and Welensky.

9. Although Colonial Secretary's visit would be exploratory he would certainly go out as you suggest with some pretty firm ideas in mind on the lines on which constitutional progress might be made. We are working on this and will clear our ideas with the Colonial Policy Committee. If the preliminary talks with Banda went well and appeared to establish a basis for more formal discussions, it might at that point be useful to pursue your idea of a conference in London to be timed after Monckton's visit to Nyasaland. This would help to keep Banda in play and would have additional advantage of possibly inducing him to cooperate with Monckton Commission in the interval and meanwhile to keep his following in order. With this plan in mind initial announcement of Colonial Secretary's visit might say that one of purposes would be to see whether a basis existed on which constitutional discussions could be restarted.

10. If you agree with course proposed we would suggest that in putting it to Welensky it will be necessary to take the direct line with him that Her Majesty's Government recognise that any immediate initiative to break through the political impasse in Nyasaland demands that we must accept the security risks which he, Armitage and Hone have emphasised: that nevertheless H.M.G. consider it impossible to accept the alternative of allowing the impasse to continue until after Monckton Commission has reported and in pursuing this course with its attendant risks fully accept that they bear the responsibility for its outcome.

11. We hope you will give your urgent approval to this plan and if so we will let you have draft of a message on the above lines which you could send personally direct to Welensky. Colonial Secretary would simultaneously advise Armitage and Hone.

12. Meanwhile you might like to send Welensky interim message on lines that you are sorry that you did not have opportunity of fuller discussion with him of Nyasaland problem following your talks with Armitage but that you are now in touch with your colleagues and hope to let him have your thoughts in a few days.

222 PREM 11/3075

29 Jan 1960

[Future of Hastings Banda]: inward telegram from Mr Macmillan (Pretoria) to Mr Macleod

My immediately preceding telegram about Banda.

I agree that in logic there are only two alternatives—unconditional release soon or indefinite detention—and that of these the first is to be preferred. But I think I ought to make it plain to you that in taking this course we shall be acting contrary

to the view of the security position which is taken by the Governor and his advisers and shared by Welensky and Hone. This being so I am somewhat concerned about the way in which the Administration in Nyasaland may deal with such disturbances as may arise in consequence of Banda's release. To be frank, I was not favourably impressed with the Administration there. Even now they seem very quick to take repressive measures against demonstrators, etc. The recent incident during my visit to Blantyre is significant. If they are now ordered to take a course which they believe will lead to disorder they may well be pre-disposed to take a somewhat exaggerated view of such troubles as do arise and to react to them too strongly. In other words I think we must be prepared for a repetition of what Devlin thought they did last time.

2. I quite agree that these considerations should not deflect us from what we believe to be the right course. But I should feel very much happier if you were able to take immediate steps to strengthen the Administration in Nyasaland. I understand, for example, that Footman is due to retire in a few months' time. Could you not send a good man there to replace him now?¹ You may think that this would not be enough. If you would prefer to find a new Governor you could count on my full support.

In other words I think that the course you recommend is right, but I doubt very much whether you have got in Nyasaland the men to carry it through.

For obvious reasons I have sent this as a personal message to you, but I should be glad if you would show it to Alec Home.

¹ A decision had already been made by the CO at the end of 1959 to replace Footman with Glyn Jones, but Jones was not due to take over until 30 June 1960. Following this intervention by Macmillan, Jones was summoned to the CO on 1 Feb, and told that he was to take up his new post immediately (CA Baker, *Sir Glyn Jones: a proconsul in Africa* (London, 2000), pp 62–4).

223 CO 1015/2257, no 1 **9 Feb 1960** **[Boston Tea Party]: letter from Sir R Armitage to Mr Macleod**

Thank you for your telegram No. 76 sending me a personal message. I had hoped to receive your letter but it has not yet arrived. I know how pressed you are in every direction and there is often a rather longer delay than seems necessary in the case of letters sent by bag.

I am glad that the present situation which seemed to be building up to rather extravagant lengths, has been resolved by your invitation to Welensky to go to London next week. I think that perhaps the situation was caused by some confusion as to whether the Prime Minister would take the decision about the release of Dr. Banda or whether, as in everything else he did on his tour of Africa, he was here to look and listen and to get the background and a general appreciation of the situation against which he could formulate his own ideas. He made it quite clear to us that these matters were for your decision but it is possible that Welensky thought differently.

We are now able to put to N.I.C. today the whole programme as previously propounded by yourself, and in the light of their appreciation of the security

situation trends, possibilities and probabilities, then N.S.C. tomorrow will decide on the disposition etc. of the security forces. You should have all this in full detail about the 15th February.

There is one aspect of this situation which I may be bringing up quite unnecessarily and perhaps unreasonably. But ever since I have been here I have lived with the sort of atmosphere building up in Southern Rhodesia and to a somewhat lesser extent in the Copper Belt and line of rail areas in Northern Rhodesia, that in certain conditions there will be what one might call a 'Federal Boston Tea Party'. Lord Malvern made reference to this is one of his, as usual, provocative speeches and others have from time to time taken the cue from him. I therefore pose the question—what would in fact happen if the Federal Government decided to take over by force the governments of Northern Rhodesia and Nyasaland? It is probably quite impracticable for them to attempt to do so but on the other hand they may have some operational scheme worked out by which they would take control of our airfields, the Secretariat and Government House, Zomba and politely but firmly put myself and others under house arrest. We would have only the police force with which to defend H.M.G.'s interests in this country and I would not seriously like to commit that force to armed operations against the Federal military forces or even to conduct guerilla warfare in areas which would not be under Federal control.

I have never really considered this matter other than as a fancy or whimsy but I know that Arthur Benson must have had something like this at the back of his mind when a year ago he raised the question of bringing in British troops from Kenya rather than rely entirely on the Federal armed forces. A chance remark made in my hearing the other day brought the idea forward again in my mind. The remark was that this eventuality had been considered by the Colonial Office and that plans had been made to deal with the situation. The context in which the remark was made appeared to indicate that the line that would be taken would be to try and make the best of a bad job but that in fact there would be no question of H.M.G. embarking on a war with the Federal Government. It would be a matter of coming to an adjustment as regards the take over by the Federal Government of the powers now wielded by H.M.G. in respect of the northern territories.

You can probably very easily dispose of all this by saying that the eventuality has been considered, steps would certainly be taken in good time to prevent it happening and that in no circumstances would H.M.G. agree to letting her obligations go to the Federal Government as easily as suggested. But I just raise this issue because in these extremely anxious times one has to try and evaluate every situation before one is faced with it.

I am sending a copy of this letter to Evelyn Hone because he might be faced with this problem perhaps more easily than I would be.¹

¹ Beneath his signature, Armitage added in manuscript: 'Somewhat foolish for a Governor to write to a Secretary of State like this, but in these days of take-over-bids, anything can happen!' Poynton, the permanent under-secretary at the CO, described this letter as 'extraordinary' and suggested that it raised doubts as to 'whether Armitage is in a fit state of health to remain in post' (undated minute). By contrast, although he thought a *coup* unlikely in the immediate future, Evelyn Hone suggested that the possibility of such action should be taken seriously (Hone to Macleod, 20 Feb 1960).

224 PREM 11/3075

c 10 Feb 1960

[Future of Hastings Banda]: draft telegram from Lord Home to Mr Macmillan

[On 2 Feb, Home informed Welensky of the government's intention to release Banda around the time of Macleod's planned arrival in Nyasaland on 29 Feb. In response, Welensky warned M R Metcalf that discussions between Macleod and Banda would undermine the work of the Monckton Commission. He threatened to fly to London with Whitehead if Home did not come out to the Federation for talks. He also indicated that he might request that the work of the Monckton Commission be postponed until those talks had taken place (Wood, pp 744–745). Home's suggestion of balancing Banda's release with some concession to Whitehead was criticised by Sir N Brook who suggested that 'it would be a queer sort of deal to give more rights to the Africans in the north and to "balance" that by withdrawing protection from the Africans in the south' (Brook to Macmillan, 10 Feb 1960). Macmillan himself was currently making his way back from South Africa at a leisurely pace on board the *Capetown Castle* having delivered his 'wind of change' address to the South African Parliament on 3 Feb.]

You will have sensed the atmosphere of crisis in the Federation and you will have seen Welensky's suggestion that the Monckton Commission should be postponed and my reply. I think he will not pursue this idea now. But Welensky telephoned to me today and repeated his request that I should go out there instead of him coming to London.

He thinks the publicity surrounding a visit by him would lead press and opposition straight to Banda and to conclude that there is a crisis of relations between U.K. and Federation and that a break would be seen to be imminent.

He said on the telephone in guarded but clear language that his trouble was Whitehead. He wants me to talk to him. Welensky said that he sees a prospect of a settlement.

He thought our differences could be resolved if the release of Banda and constitutional advance in Nyasaland could be balanced by a concession to Whitehead. This would mean a promise that when Nyasaland got its advance the remaining restraints which the Secretary of State for Commonwealth Relations exercises over Southern Rhodesia would be lifted.

Iain and I had been working on a possible fall back position which included something very like this. If we got the release of Banda plus constitutional talks and the beginnings of political advance in Nyasaland we think this concession for Southern Rhodesia could be worthwhile. Of course there would be real difficulties in it. Here are two of them:—

- (1) the restraints were put in for the protection of Africans. Their removal would be criticised.
- (2) Whitehead has only a narrow majority in his Parliament, and there are no African members. Before we grant independence to Southern Rhodesia we may have to require evidence that the terms on which this is done are acceptable to all races.

These however are difficulties which we should almost certainly have to face fairly soon in any event, and they may be more tractable in the context of advance for Nyasaland.

I told Welensky that I would naturally have offered to come out if it would have helped but that I felt sure that these matters, so vital to the relations of the U.K. and

Federation, should be settled by you and by him in direct conversations. That would of course be best but for the atmosphere of crisis his visit would be bound to create. Rab, Iain and I have felt the cover story wouldn't hold and that with the best stage-management we might be right up against the crunch in our relations in a matter of days.

As you can realise I would not seek this mission and I would have to be armed with the most careful instructions after seeing you and have the authority of the Cabinet as to the limits to any plan I might put forward. But very reluctantly I feel that, because of Whitehead, with the new prospect Welensky has opened up, and the possibility of agreement without publicity and crisis, that this may be the best way to handle the matter.

The cover story for me would be that you were asking me to go out and continue discussions which you had not been able to complete about various matters of common concern. Rab and Iain are inclined to think this too and if I couldn't settle matters, Welensky and Whitehead could come later to London.

I would be very grateful for your advice and wishes.

225 PREM 11/3075

15 Feb 1960

[Nyasaland constitution]: outward telegram no 110 from Mr Macleod to Sir R Armitage (repeated to Sir E Hone)

My immediately preceding telegram.

Constitutional proposals.

In formulating ideas for constitutional development in Nyasaland, following appear to be main strategic considerations:—

- (i) Principal objective is to reconcile African opinion in Nyasaland to Federation by offering prospect of early constitutional advance in territorial sphere. To achieve this, offer must be substantial and stand comparison with constitutional advance in neighbouring territories outside Federation.
- (ii) As well as being presentationally attractive, any new constitution should involve African leaders sufficiently in day to day work of Government that they come to appreciate positive value, particularly on economic and financial side, of Federation to Nyasaland.
- (iii) Possible apprehensions of Federal Government. Welensky is on record as foreseeing Nyasaland's future as essentially an African state within Federation; but in short run he may well attach greater importance to not prejudicing principle of civilised and responsible control.
- (iv) Need to avoid upsetting the Northern Rhodesia constitution at any rate for next few years.

2. All this limits room for manoeuvre, but objectives might be achieved by following tactics:—

- (a) giving Africans preponderance over non-Africans in representative side of Government (which would set pattern for eventual African state and indicate line of future evolution broadly equivalent to that in East African territories);

(b) maintaining official majorities in Legislative Council and Executive Council (which could be presented to Africans as pattern in all East African Colonies and to Federal Government as meeting apprehensions in paragraph 1 (iii) above).

My ideas on how this might be applied in practice are set out in following paragraphs.

3. *Executive Council.* With object of education (paragraph 1 (ii) above) and general training of Africans for responsibility, we should retain and extend association of unofficial members with work of groups of departments. We should continue with five officials and four unofficials of whom three should be Africans and one non-African. Increase in African representation by one seems desirable in light of paragraph 1 (i) (ii). Reduction of non-African unofficial representation to one will no doubt cause difficulty, but we have to prepare for eventual Ministerial system and European community are, as you have often said, not prepared to take Ministerial office. However, if practical difficulties of manning a larger Council could be overcome and non-Africans were willing to accept some degree of responsibility I would not rule out additional two seats, one official and one non-African. I would not contemplate full Ministerial system at this stage but later, if it were means of clinching African acceptance of new Constitution, we might move towards it at least to extent of promising Ministerial responsibility after a reasonable period of trial.

4. *Legislative Council.* We should retain the official majority, as a guarantee of responsibility (paragraph 1 (iii)), and not rely on support of any group of unofficials. This in practice probably limits size of Council to about twenty-seven as at present. If official majority is maintained, actual numbers of representatives of particular interests becomes of less importance and might depend largely on convenient distribution of constituencies. Suitable balance might be obtained by arrangements which would return ten Africans and three Europeans. This would meet objective in paragraph 1 (i) above, and also enable us to counter possible African arguments in negotiation about basis of representation. Recommendation of Wild Committee in Uganda (which will be accepted) is that there should normally be one member for 90,000 population. Africans at Kenya conference had briefed themselves thoroughly on this point, although in end they have accepted one to 113,000. Similar arguments from Wild findings may be expected in Nyasaland and some move from position resulting from present ratio of African to non-African members (i.e. one African member to 307,000 Africans) will be desirable. As indicated below, however, we would propose at same time to get away from racial basis of representation.

5. Although power to nominate an official majority would be retained for present, this might be allowed to fall later into desuetude, as politicians became Ministers and bring their party supporters onto Government benches.

6. *Constituencies and franchise.* For election of three non-African representatives we might adopt higher electoral qualifications of the present Federal General Roll. There might be three constituencies (perhaps one covering Central and Northern Provinces and two together covering Southern Province), or one three-member constituency covering whole Protectorate. Latter arrangement, with each voter having a single non-transferable vote (a device with a respectable democratic history as a means of securing minority representation), might provide better opportunities in the long run for effective minority representation (presumably Asian now, but possibly European in time).

7. For the remaining ten seats, there must be a lower voting qualification. We start from the assumption that ratio of races alone makes it impracticable in Nyasaland to contemplate arrangements which would progress naturally, as intended in Northern Rhodesia, to truly non racial electorate in multi-racial constituencies. This removes one of main arguments for adhering, as was done in Northern Rhodesia, to something akin to qualifications of Federal Special Roll. Nevertheless, if something like the £120 qualification which we had contemplated before emergency could be maintained, it would obviously help with Federal Government and also Northern Rhodesia Government. But, in view of what has happened elsewhere in Africa, we very much doubt if we could insist on this figure without prejudicing major objective in paragraph 1 (i). We might well have to go as far as Tanganyika franchise, which has now been accepted by Kenya Africans, i.e.,

- (a) ability to read and write own language; *or* (or be over 40 years of age)
- (b) office holder in wide range of scheduled posts; or
- (c) income of £75 per annum.

But in preliminary talks with Banda, as suggested in paragraph 4 of my immediately preceding telegram, I would confine myself to saying that the franchise for these ten seats would be at a low level. I am commenting further on the franchise in a telegram to Hone repeated to you as my immediately following telegram.

226 CAB 128/34, CC 10(60)3 [Future of Hastings Banda]: Cabinet conclusions

18 Feb 1960

The Cabinet had before them a memorandum by the Colonial Secretary (C. (60) 27) on the release of detainees and constitutional developments in Nyasaland; and a memorandum by the Commonwealth Secretary (C. (60) 28) on constitutional developments in Southern Rhodesia.

The Prime Minister said that, as the Cabinet had already been informed, it had not been possible for him, during his visit to Salisbury, to reach agreement with Sir Roy Welensky, the Prime Minister of the Federation, on the release of Dr. Banda and on the opening of talks on constitutional advance in Nyasaland. The Government's proposals on these questions had been put to Sir Roy Welensky and Sir Edgar Whitehead, the Prime Minister of Southern Rhodesia, after he had left the Federation and they had then reacted very strongly against them. It had therefore been arranged that the Commonwealth Secretary should visit the Federation for personal discussions with them. While the constitutional responsibility for law and order in Nyasaland lay with the Governor and the Colonial Secretary, it must be recognised that Sir Roy Welensky and Sir Edgar Whitehead were entitled to be consulted, if only because they would be called upon to supply any reinforcements required to restore the situation if serious disorder broke out in Nyasaland.

The Cabinet had already agreed that it would become increasingly difficult to justify Dr. Banda's continued detention. Moreover, the best hope of regaining normal conditions in Nyasaland lay in opening discussions with Dr. Banda on constitutional advance in Nyasaland. Unless some constitutional progress were made there, the

Federation was unlikely to secure the degree of African confidence necessary for its survival. The Commonwealth Secretary would again put all these arguments to Sir Roy Welensky and Sir Edgar Whitehead. He would assure them that our proposals for constitutional development in Nyasaland would be modest: they would not in fact carry Nyasaland beyond the point already reached by Northern Rhodesia. Moreover, it was not intended that they should be brought into effect until after the Federal Review. He would try to avoid going into the question whether Dr. Banda would take part in that Review; that would depend on what happened after his release.

It was hoped that the Commonwealth Secretary would be able to report the outcome of his discussions by 23rd February. The Colonial Secretary would then begin his visit to the Federation on 29th February and during the course of his visit, on 8th March, Dr. Banda would be released. The Monckton Commission would, on present plans, arrive in Nyasaland on 21st March. Subsequently, discussions on constitutional developments in Nyasaland could take place in London at the beginning of June.

In order to reach an understanding with Sir Roy Welensky and Sir Edgar Whitehead, the Commonwealth Secretary might have to offer a conference to consider the withdrawal of the reserved powers in respect of Southern Rhodesia, on the basis that these would be replaced by adequate constitutional safeguards for Africans in the territory. This conference might also be held in London in June. This offer should be made only if satisfactory arrangements for the release of Dr. Banda and for constitutional development in Nyasaland were accepted. The Commonwealth Secretary would have to make it clear that the United Kingdom Parliament might find it difficult to accept these changes in the constitution of Southern Rhodesia unless they were accompanied by some improvement in the franchise and in land policy. The purpose of the constitutional conferences on Nyasaland and Southern Rhodesia in June would be to carry matters forward towards an agreement but not to complete it until the Monckton Commission had reported and the Federal Review was about to begin.

The Commonwealth Secretary's discussions might well be unsuccessful; for it was known in Salisbury that the Governor of Nyasaland, and to a lesser degree the Governor of Northern Rhodesia, shared the belief that the early release of Dr. Banda would involve an unjustifiable security risk. In that event the United Kingdom Government might be faced with a serious situation. They might be forced to choose between abandoning their plans for the release of Dr. Banda and the opening of talks on constitutional development in Nyasaland, and being seen to do so under pressure from the Governments of the Federation and of Southern Rhodesia, or taking the risk that Southern Rhodesia might secede from the Federation or that the Federal Government might make a unilateral declaration of independence.

The Commonwealth Secretary said that many Europeans in the Federation were seriously alarmed by recent developments which, as they thought, afforded too much encouragement to African nationalist aspirations. Sir Roy Welensky and Sir Edgar Whitehead might feel that in present circumstances they should resist any further concessions to African opinion. Nevertheless there was some chance that they could be persuaded to accept the proposals for constitutional advance in Nyasaland, particularly if they could be told that a conference would be held in the summer to consider the withdrawal of the reserved powers in respect of Southern Rhodesia. They would be much more reluctant to acquiesce in the early release of Dr. Banda.

The Colonial Secretary said that he recognised that it was necessary to do everything possible to meet apprehensions that the Government's plan would lead to disorder. Adequate precautions had in fact been taken. It was not now envisaged that reinforcements from the United Kingdom would have to be employed. It might be that Dr. Banda would refuse to give evidence to the Monckton Commission unless all detainees in Nyasaland were released; but it was likely that, if released, he would be willing to take part in constitutional discussions. It was essential that, in return for our agreement to hold a constitutional conference on Southern Rhodesia, we should obtain agreement to the early release of Dr. Banda. Without this there was little prospect of securing African co-operation in talks on constitutional development in Nyasaland.

In discussion it was suggested that, in view of the likely reactions of Sir Roy Welensky and Sir Edgar Whitehead, we should be ready to consider retaining Dr. Banda in custody until a date somewhat later than 8th March. The Commonwealth Secretary should be free to seek further instructions on this point, in the light of the progress made in his talks.

The Cabinet:—

Invited the Commonwealth Secretary to conduct discussions with Sir Roy Welensky and Sir Edgar Whitehead on the lines indicated in the course of their discussion.

227 PREM11/3076

21 Feb 1960

[Future of Hastings Banda]: inward telegram no 175 from Lord Home (Salisbury) to Mr Macmillan

[During talks with Home on 19 Feb, Welensky had set out the case against releasing Banda. Home felt that he had managed to allay some of Welensky's concerns, but anticipated that discussions with Whitehead would be more difficult (Home to Macmillan, 20 Feb 1960).]

I had four hours with Whitehead last night.

2. We were right when we anticipated that he was the main obstacle. When I had deployed the case he said, 'I tell you straight that if you release Banda in Nyasaland Southern Rhodesia will blow up and leave the Federation and I shan't be able to stop them'. Only two of his supporters had to cross the floor to put the Dominion Party in power. We should then by our own act have achieved not only the secession of Southern Rhodesia but to union with South Africa. He himself believed in Federation although in the short run the balance of advantage lay in breaking it. The reason why he was so utterly opposed to Banda loose in Nyasaland was that every loyal African—and there were many—would throw in his hand. Banda would have won a public victory over the British Government and the lesson which every African would learn would be that violence paid. No African would dare to co-operate because he would know that he would be victimised by the new leaders. Extreme African Nationalism would be in charge in Nyasaland and while Southern Rhodesia would certainly work with moderate Africans they would not be federated with the extremists. That was not the kind of contract they had envisaged when they accepted Federation in 1953. Southern Rhodesia Africans were moderate and co-operative now but with Banda, the leader of militant nationalism, their peace and prospects of order and partnership

would vanish. Partnership simply could not grow in those conditions. If Banda had to be released he must be released outside Federation.

3. In long argument which followed I suggested that much of Whitehead's case would have greater validity *after* Banda had been released and given a chance to prove himself. These general arguments about incompatibility of Federation could then be more appropriately raised at autumn review in light of events in Nyasaland. At first he took line that with investment declining and unemployment rising and since he was absolutely certain of disastrous outcome of Banda's release it would be best to make clean break now without waiting for review. But finally when I asked him whether he himself would take lead in breaking Federation now he said no but he could not guarantee his party would not do so.

4. I then asked whether European confidence could be restored if as part of a comprehensive plan the restraints could be lifted from Southern Rhodesia. He said that that would make 'all the difference in the world' but it must be done quickly and completely: 'the surgeons knife'. Later with mounting Opposition interest in Southern Rhodesia it would be more rather than less difficult for us to remove the restraints. What he wanted to do now was to get Southern Rhodesia into position where it could go forward safely either inside or outside Federation as circumstances required.

5. We then began to discuss his ideas of safeguards. He was difficult about suggestion that final approval of relevant clauses of amended constitution should remain with United Kingdom. Canadian analogy did not seem to make any immediate impact. But I am not sure that with his deaf ear he fully understood my point and I shall return to it later. Underlying his arguments was resentment of any remaining vestige [sic] of United Kingdom control (which tends to be obsession here) and fear that if Labour Party were returned they might be able to interfere. On land he indicated that he would be shortly transferring some 3 million acres from European to African areas. But he was adamant about not altering percentages main effect of which was to protect Africans. But there may just be room for a little manoeuvre on this. In other respects the prospects seemed not altogether unhelpful.

(a) It is fairly clear that under pressure Whitehead would agree to a Second Chamber half African and Asian and half European with an impartial chairman.

(b) Though agreement must be reached and announced in June he would be content if implementation were delayed till 1961.

(c) He had no objection to timing of announcements to fit in with Nyasaland developments.

(d) He thought he could arrange a delegation to the June conference including some Opposition Party representatives and Southern Rhodesia Africans from Federal Parliament.

(e) I should not have to say much more on leaving here than that I had 'asked Whitehead to resume talks in London'. (He himself might visit London in April prior to the June conference. Object would be to see in private over next few months whether we could find plan that would be mutually satisfactory).

6. Apart from this main gains from this discussion were:—

(i) Whitehead's admission that though he totally disagrees with our Banda policy he would not himself take the lead in breaking Federation before the review.

(ii) He has no objection to our plans for constitutional advance in Nyasaland.

7. Whitehead was at his best which is very good indeed. I believe his fear of political defeat on this issue is genuine and he was right and fair to stress it.

8. Gallons of beer flowed. I now return to Welensky and will get his line on Whitehead's fears.

9. One thing is now clear: there is little or no worry on Nyasaland constitutional matters. It is all Banda—the Messiah—the future Prime Minister of African nationalism recognised and preferred by the United Kingdom above the moderate and loyal Africans and their own kith and kin who have built the country and are working for partnership. Banda appearing so to speak with the British Secretary of State on the balcony on freedom day.

228 PREM 11/3076

23 Feb 1960

[Release of Hastings Banda]: telegram from Mr Macmillan to Lord Home (Salisbury)

[At the Cabinet meeting on the morning of 23 Feb (Hyam & Louis, part II, 498), Macmillan had reported on the vehement opposition of the governments of Southern Rhodesia and the Federation to Banda's release. He had recommended—on Home's advice—that it be delayed until the Monckton Commission had left Nyasaland ('course B'). Macleod, however, had threatened resignation if that course was accepted, and the meeting ended without a decision having been made.]

BEGINS. My immediately following telegram sets out the points on which we want you to reach agreement with Welensky and Whitehead before you leave. I do not (repeat not) however wish you to act on it with them until you receive a further message from me.

2. For your private, repeat private, information, we are having serious difficulties here and although the Cabinet—including the Minister most responsible—agreed that course B. was inescapable, we are going to have great trouble in persuading our friend¹ that he personally can honourably continue in view of his known attitude and public statements. It is vital—for obvious reasons—that you should keep this point entirely to yourself.

3. It will not be a bad thing for the Federation and Southern Rhodesian Governments to realise how difficult we are finding this decision. You should therefore tell them that we have had one meeting and will have others, but that you will certainly be able to give them the answer, together with all the consequential arrangements, before you leave.

4. I suggest that you should plan to stay on until Friday, or perhaps longer. I am sure that they will get you a booking. I think you can read between the lines enough to know that a little delay may help me here and not have an altogether bad effect over there.

5. Meanwhile, if you have any points on my immediately following telegram please let me know so that we can clear them up before you go into action. I hope you will also be able to clear the March date privately and hypothetically with Monckton and Armitage.

6. I will send you a single telegram saying 'act' when the time comes.

¹ Clearly a reference to Macleod.

229 DO 35/7694**4 Mar 1960****[Belgian Congo]: note by the Africa Department of the FO**

[Welensky had revealed to Rene MacColl of the *Daily Express* that he had had 'a huge file of correspondence' from 'certain interests' in Katanga suggesting that the mineral-rich Congolese province be associated with the Federation on independence (Patrick Keatley, *The politics of partnership*, Harmondsworth, 1963, p 454). Welensky subsequently refused to reveal the nature of these interests to the British high commission in Salisbury, but expressed no regret for the interview (inward tel no 251, Salisbury to CRO, 11 Mar 1960).]

The Belgian Ambassador is calling on the Secretary of State this afternoon. We believe he means to ask about statements alleged to have been made by Sir Roy Welensky in an interview with the Daily Express, published on March 2, to the effect that the Katanga Province of the Belgian Congo might join the Federation of Rhodesia and Nyasaland (cutting attached).¹ According to this article Sir Roy said that he had been receiving letters (from sources he declined to name) suggesting that the Federation should 'hold out the hand of friendship' to the Katanga when the Congo becomes independent. A misleading editorial comment in the same issue could be read as suggesting that this re-alignment of the Katanga 'should be the ideal of everyone in Britain who takes the responsibility of Empire seriously.'

2. A question about this was asked in the Belgian Lower House yesterday and the Belgian Prime Minister is reported to have replied that diplomatic steps had been taken both in London and in Salisbury to clear up the matter. The story has attracted some attention in the British Press this morning.

3. We do not yet know exactly what, if anything, Sir Roy Welensky said; the Commonwealth Relations Office are trying to find out. It may well be that Sir Roy Welensky has received letters from Belgian settlers in the Katanga, some of whom might favour joining the Federation. The Congolese inhabitants of the Katanga would presumably be against it. On the other hand there is considerable support amongst both Africans and Europeans in the Katanga for autonomy with the Congo, or alternatively for an independent Katanga state which would retain some association with Belgium. Katanga representatives were however at the Brussels Round Table Conference which agreed that the Congo would remain a unitary state after independence; and the Belgian Ambassador may refer to this.

4. The Foreign Secretary may wish to take the following line. We are making inquiries and no doubt the Belgian Government themselves are seeking clarification in Salisbury. But on the face of it the Daily Express article seems to be extremely speculative; he need hardly tell the Belgian Ambassador that we have no control over what the Daily Express publishes and that it is not a paper renowned for its accuracy. It is perhaps worth noting, however, that in the same interview Sir Roy Welensky was reported to have said that any move for a closer association with the Federation would have to come from the people of the Katanga themselves. The Belgians would of course know better than ourselves about the wishes of the inhabitants but for our part we have never given any consideration to the possibility of the Katanga joining the Federation.

5. If the Ambassador asks about the responsibility for the Federation's external

¹ Not printed

affairs the secretary of state could say that Her Majesty's Government have entrusted to the Federal Government the power to conduct their own external relations over a wide range of subjects, although the ultimate responsibility in all cases rests with Her Majesty's Government. Any decision involving an addition to the territories of the Federation would of course be for Her Majesty's Government to take. No such question has been raised with them.

230 DO 35/7565, no 178

8 Mar 1960

[Release of Hastings Banda]: minute by Lord Home to Mr Macleod

[On 25 Feb, in deference to Macleod's objections, a compromise deal was reached with Welensky: Banda would be released on 1 Apr, considerably later than had originally been planned but still in time to give evidence to the Monckton Commission as a free man. Macleod was due to arrive in Nyasaland two days before Banda's release.]

I have been thinking further about the handling, between now and your arrival in Nyasaland, of this question of Dr. Banda's release.

The starting point must be that there must be nothing said in public which could be construed as a hint that he would be released during your visit. If that happened the precarious arrangement with the Federal Government would collapse.

While in Salisbury we all assumed that the Governor would be making a statement soon after March 3rd. If that is necessary, then I think it should be in the terms of paragraph 4 of your telegram to him No.155 or perhaps just a bald statement with a reminder that the review is continuous kept for a supplementary question. If a statement is made, it should be after March 9th when Mr. Gaitakell is on T.V. and it might even be after March 15th, which is the Supply Day on which African affairs will be debated in the Commons. You will judge whether a statement before or after debate will be best for you.

It is very tempting to try and avoid any statement and it is true that interest in Dr. Banda seems temporarily to have waned, but I doubt if the Governor can hold it. There could be a build-up of speculation and pressure which would lead people to conclude that you were going out for this purpose and that the Governor was just stalling until then. The Governor has said the security situation is the test. Why then does he stall? Doesn't he know his mind?

I can see one possible way of playing this—namely, that you would say that you and the Governor would be discussing the whole emergency situation and that you would report to the House on the possibilities for the future when you return soon after April 9th. That would give a lead away from April 1st but it is possible that this formula would be more effective and more of a blind after a statement by the Governor.

I think that either way Walter Monckton will be able to control Chirwa and Co. It would be possible to put the two ways of playing the hand to the Governor and then to Welensky and get agreement to play the cards either way.

We will consider this again soon but these are my thoughts meanwhile.

231 CO 967/356

8 Mar 1960

[Party political broadcast]: minute (PM(60)13) by Mr Macleod to Mr Macmillan

[Home had written to Macmillan to complain about the Labour Party's plan to feature a number of prominent African nationalist leaders in a party political broadcast, among them M W K Chiume, the former publicity secretary of the Nyasaland African Congress. Home noted that Chiume 'was certainly one of the architects of the Nyasaland riots and would have been in prison with Chipembere and the hard core, if he had not had the luck to be out of the country' (Home to Macmillan, 7 Mar 1960).]

I agree that Gaitskell's choice for his party political broadcast is a very strange one, but I am sure we should make no protest about it. The election showed how little people really know or care about these matters and I would judge that the broadcast is bound to do him harm; indeed, it will probably be thought very odd at a time when Labour itself is so heated about their own affairs. You may have seen a Gallup poll of two days ago asking people about the release of Banda. All political parties had a majority for him being released, but over-whelmingly the largest vote was 'Don't know', and I suspect this means also 'Don't care'. I suggest, therefore, that we make no protest at all, but it might well be advisable for the Chancellor of the Duchy to arrange for a judicious letter to appear after the broadcast saying how strange it is, with appropriate quotations from the Devlin Report, that a man like Chiume should be included in a party political broadcast in this country.

2. I am sending a copy of this minute to the Commonwealth Secretary and the Chancellor of the Duchy of Lancaster.

232 CO 1015/2314, no 29

11 Mar 1960

[Activities of the Monckton Commission]: letter from Sir E Hone to W B L Monson

[Walter Monckton's vice-chairman on the Federal Review Commission was Sir Donald MacGillivray. The other British members were Sir Charles Arden-Clarke, Lord Crathorne, Aidan Crawley, Sir Lionel Heald, Elspeth Huxley, Prof D T Jack, Hugh Molson, Lord Shawcross and Rev R H W Shepherd. F G Menzies represented Australia and Prof D C Creighton Canada. Representing the federal government were G H Habanyama, A E P Robinson, Sir Victor Robinson and R M Taylor. The Southern Rhodesia members were T H W Beadle, G Ellman-Brown and Chief Simon Sigola. Representing Northern Rhodesia were J Woodrow Cross, Lawrence Katilungu and W H McClelland, and representing Nyasaland were W M Chirwa, E K Gondwe and G G S J Hadlow.]

This letter deals with the activities of the Monckton Commission during the period 27th February to 10th March—the period for which the Commission has again split into three parties to tour the several rural areas, conducted by Trevor Gardner, Len Bean and John Madocks. The contents of the letter are based on their reports.

The first party of Commissioners, under Sir Donald Macgillivray, went to the Northern and Luapula Provinces: this party was up to strength with the exception of Lord Shawcross who, as you probably know, has been suffering from a recurrence of back trouble due to a slipped disc and has been in Lusaka throughout this period,

part of the time in hospital. It seems probable that he may not be able to continue as an active member of the Commission. The second party, under Sir Charles Arden-Clarke, has been touring the Western half of the Territory; his party has been two short through the indisposition of Mr. Justice Beadle and Mr. Aidan Crawley. The former went home to Bulawayo direct from Ndola, and he is expected to join the Commission to-day now that it has reassembled in Lusaka. Mr. Crawley, who has jaundice, followed Lord Shawcross to Lusaka a day later and has spent much of the remaining time in bed. The third party, under Lord Crathorne, has toured Mkushi, Serenje and the Eastern Province; for the latter part of this tour the party has been at full strength, but Professor Creighton missed the Mkushi and Serenje trip due to indisposition for a couple of days at that stage.

There have been one or two minor incidents but generally speaking the tours have all gone very smoothly and Lord Monckton has been unstinting in his praise for the arrangements made for the Commission wherever it has gone. He told Gardner that he fears that the same standard will not be maintained in Southern Rhodesia, where the Commission is to be based on Salisbury and Bulawayo only and will therefore be dependent for seeing the Territory on such day trips as can be arranged from those centres.

The Commission is not now going to the Victoria Falls after the Nyasaland visit, but will go direct to Bulawayo and spend Easter in the Wankie Game Reserve—an arrangement which, rightly or wrongly, the Commissioners have decided has been devised to get the African members of the Commission out of the Bulawayo hotels over the Easter period.

There has been plenty of evidence but almost all of it has been of low quality and, as I mentioned in my last letter, the Commission has come to rely increasingly on informal evidence which has been called for from officials. Happily much of this has been of a high standard and Lord Monckton was particularly impressed by the evidence of Foster (Provincial Commissioner, Northern Province) and Thomson (Provincial Commissioner, Luapula Province) which he said was the best evidence he has heard so far and of which he took careful notes.

Group I, with Len Bean as conducting officer, visited the Northern and Luapula Provinces. It comprised Macgillivray (Chairman), A.E.P. Robinson, Taylor, Ellman-Brown, McClelland, Katilungu, Molson and Menzies. It was perhaps unfortunate that it contained a disproportionate number of European Rhodesian representatives. The balance would have been redressed to some extent if Shawcross could have accompanied the party, but fortunately Menzies provided a link between this group and Macgillivray, Molson and Katilungu. The latter, like all the Northern Africans, has done very well indeed and has been accepted by everyone.

It was expected that this party in particular would meet strong political opposition during its tour. However, apart from Fort Rosebery, the journey was comparatively uneventful and a great deal of evidence was heard. Lord Monckton accompanied the party to Kasama and Fort Rosebery. He was able to hear evidence from Native Authorities and individual Africans at both centres and there was a certain amount of European evidence at Kasama. African evidence at Kasama, where there was strong opposition to Federation, provided the pattern for the tour. Generally the evidence was emotional and not supported by logical arguments and many inaccurate statements were made. Nevertheless the Commissioners were most impressed by the weight of African feeling.

As a normal practice evidence was given in private, but the Native Authorities in the Kawambwa District requested that theirs should be given in public. A.E.P. Robinson objected strongly to this, maintaining that the Commission was being used as a sounding board for political opinions. It was, however, pointed out that according to native custom, Native Authority Councils met in public, and finally agreement was reached that the Chishinga and Lunda Native Authorities' memoranda should be read publicly but that the party should ask no questions of the Senior Chiefs or members of the Councils. This was done and the meetings with these two Councils were conducted in the normal manner in accordance with native custom. At both Fort Rosebery and Kawambwa it was obvious that a number of people who had intended giving evidence had been intimidated by members of the United National Independence Party and they did not come forward.

At Abercorn the Commission heard evidence from a number of European settlers, many of whom had lived in the Territory for a long time. The members of the party were not impressed by this evidence and felt that there was a great deal of special pleading by the witnesses who were obviously anxious to protect their own interests in the event of an African government being established.

The party spent a night at Shiwa N'Gandu, as guests of Sir Stewart Gore-Browne. They were interested but not unduly impressed by the feudal state which he maintains. Sir Stewart gave evidence on the evening of arrival but the reading of his memorandum amounted to a lecture and the Southern Rhodesian members particularly felt that they had gained little from his opinions. Sir Stewart also appeared as spokesman for a number of his employees, but the Commissioners felt that he was expressing his own beliefs and not those of the Africans he claimed to represent.

It became clear as the tour progressed that the Southern Rhodesia and United Kingdom members of the party were coming closer together in their opinions. The Southern Rhodesia members in particular were shocked by the inept manner in which the Federal Government had implemented its policy in this part of the Territory, its disregard for local opinion of all races, and its lack of co-operation with the local administrators. Taylor expressed the intention of seeing Sir Roy Welensky about this on his return to Salisbury.

McClelland, in an attempt to obtain closer integration within the Federation is canvassing the possibility of an amalgamation of Native Authorities into five divisions, each division to be under a Paramount Chief. He is, however, becoming less certain of the effects of this as he discovers that the Lunda, for instance, would not be prepared to accept the domination of Chitimukulu of the Bemba. He continues, however, to discuss possibilities with the various Government officers he meets and has raised the interest of other members of the party in his proposals. The majority have accepted the important part which the Native Authorities have to play in local government in the territory but are anxious to find a means of improving the quality of Native Authorities and a way of ensuring that their authority and status may be maintained if an African majority controls the Territory.

It is clear that those members of the party (particularly Molson) who began their visit to Northern Rhodesia with the firm intention of devising a way to give Africans greater responsibility in the government of the territory are becoming aware of the difficulty of finding Africans of ability and education to fill important posts. Their minds are exercised in an effort to find a solution to this problem but they are concerned about the time factor.

Menzies played an important part in the deliberations of this group. We are fortunate in having him as a member of the Commission and I feel that he will carry great weight in all its discussions.

Group II, with Trevor Gardner as conducting officer, had an uneventful, but thoroughly useful, tour of the North-Western Province and Barotseland, followed by visits to Mumbwa in the Central Province and Mazabuka and Monze in the Southern Province.

The group comprised Arden-Clarke (Chairman), Hadlow, Heald, Mrs. Huxley, Habanyama and Chirwa. It is perhaps unfortunate that, owing to the illness of Beadle, there was no Southern Rhodesian in the party. The party was, however, a very happy one and its members worked well together, and, as will be seen, achieved considerable unanimity of view.

During its stay of four days in Mongu, the group was joined by Lord Monckton, who accompanied it on a visit to Lealui and was present when Paramount Chief Sir Mwanawina Lewanika gave evidence in Mongu.

In both the North-Western Province and in Barotseland there was ample African evidence. This came from a large number of Native Authorities, the two local African Members of the Legislative Council and from private individuals, including teachers. The chief impression gained by the group during the whole of its tour was undoubtedly of the strength and unanimity of African opposition to Federation—an impression which was reinforced by the moderation and courtesy with which it was expressed and by the obvious sincerity with which witnesses declared their loyalty to the Crown and their desire to remain under the Crown's protection. One Chief, in particular, from a remote area of the Balovale District, who undertook a sixty hour journey through flooded country to put forward the views of his people, impressed the Commissioners by the directness and simplicity with which he stated his case for the maintenance of Colonial Office rule and the removal of Federation. In open air meetings of headmen in the Kalabo and Senanga Districts—one with over 1,000 people present—unanimity of opinion on the question of Federation was made completely plain.

Reasons given for opposing Federation were many—fear of the extension of Southern Rhodesian practices to Northern Rhodesia; the deterioration of health services, including the introduction of charges for ambulances; the general desire to stay fully under Colonial Office protection; increases in customs duties and in postal charges; reductions in development expenditure due to the transfer of Northern Rhodesia revenues to the other Territories; the unsympathetic attitude of Federal officials; and of course the fears created by statements made by Sir Roy Welensky and in particular by his demands for independence in the Federal sphere.

Paramount Chief Sir Mwanawina Lewanika, as was to be expected, advanced the case for the continued special treatment of Barotseland and for the preservation of its protectorate status under the Queen. The group discussed the special problem of Barotseland with the Resident Commissioner (Gervas Clay) and was obviously most interested in the matter.

It was also extremely interested in proposals advanced by Mr. Mulonda, Member of the Legislative Council for Barotseland for the substitution for Federation of a High Commission similar to that of East Africa. This interest is explained by the fact that, by the time they had reached Mongu, members of the group had all begun to think that the only solution lay in a very considerable loosening of the Federation. Arden-

Clarke was completely forthright about this. Lord Monckton, on the other hand, while expressing great interest in the High Commission idea, was at considerable pains to discourage anyone from arriving at conclusions at this early stage. He felt that it would be wrong to formulate firm views until all Territories had been visited and that there was a danger that divisions would be promoted in the Commission before it had time to settle down. (He is of course hoping for a unanimous report and is most anxious to avoid the emergence of cliques. For that reason the groupings are to be changed for the visits to Nyasaland and Southern Rhodesia).

At Mumbwa the group heard evidence from the Native Authority, from groups of missionaries and from a European farmer. At Mazabuka a large number (about 20) European farmers came forward apparently under the impression that the Commission would be impressed by the weight of their numbers. In fact they impressed the Commissioners only by their lack of political maturity. There was very little African evidence because of the Congress boycott but two farm Capitaos were sent in by farmers Allanson and Dabbs, ostensibly to give evidence for Federation. In one case at least this was so obviously a put-up job that it harmed rather than helped the Federal case.

A word about the accommodation of the Commission at Mazabuka. At an early stage the local organiser of the United Federal Party (Allanson) had made a bid to arrange the accommodation of all the European Commissioners by billeting them with local farmers who were United Federal Party members. The Secretary-General was unable to agree with this proposal (partly on security grounds) but it was eventually arranged for the European Commissioners to be billeted as follows—Arden-Clarke with Allanson (U.F.P.), Hadlow with Dr. Smith, Member of the Legislative Council (Dominion Party), Mrs. Huxley with the Federal Medical Officer and Heald with the Chairman of the Management Board (Silcox). They found these contacts instructive: Heald met some of our Afrikaans farmers at dinner and, after listening for a while in shocked silence to some of their views, ended by giving them a piece of his mind and assuring them that there could be no question of their receiving *carte blanche* to do what they liked in this part of the world. Commissioners were taken to see a number of European farms and found that the most interesting part of the visit to Mazabuka.

Group II achieved a considerable unanimity of view in favour of loosening up the Federation. Its African members have settled down well and Chirwa is undoubtedly a most useful member. Lord Monckton has said to Gardner that he sees no possibility that Chirwa could be brought in with the others on a unanimous report but Gardner is not sure that that would be so if another name for 'Federation' could be found. In this connection many members of the Commission appear to feel that, in face of the overwhelming African opposition to Federation, a change of name is inevitable.

Group III, with John Madocks as conducting officer, comprised Crathorne (Chairman), Creighton, Shepherd, Sir Victor Robinson, Woodrow Cross, Chief Sigola, Gondwe and Jack. It received a fair range of evidence but of variable quality. It did not, however, receive as much evidence in the Eastern Province as had been expected on the basis of earlier reports. Various influences had the effect of causing vacillation and changes of mind in a number of prospective witnesses. Thus, three of the seven Native Authorities did not in the end offer evidence. The boycott by African political organisations was complete and there were some minor demonstrations—exhibitions of placards and people fasting outside the premises where the

Commissioners were due to sit. On their last day, at Fort Jameson, a prospective trip by this party of Commissioners to the African Secondary School at Fort Jameson was cancelled to save them from embarrassment when it was learned that the students had 'gone on strike' for the day in protest at the Commission's proposed visit. The strike involved their turning up without their uniforms and refusal to attend the morning assembly. It was anticipated that had the Commission gone to the school they would have found the classrooms empty and the students hiding themselves but offering jeers and insults within the Commission's hearing.

The Native Authority evidence heard by this party has been generally sound and effective. One or two of the Native Authorities refused to be cross-examined on their evidence, yet thought it worthwhile to travel a considerable distance to present it in person. A frequent question of this party was to ask Native Authorities whether they would favour a link up of Northern Rhodesia and Nyasaland; another was to test the Native Authorities' views about allowing Africans from other Territories to settle in their areas. The answers the party received were mainly negative in both instances, but perhaps this is not entirely unreasonable, though some of the Commissioners appeared to think it was. There are, in fact, a number of Southern Rhodesian Africans settled in parts of the Territory, and not all Native Authorities would object to settlement of this kind. But, in general, they would more readily accept Africans from other Territories as workers than as holders of land.

Evidence given by African Welfare Associations and by United African Teaching Service teachers was in general diffuse and of a partisan nature. (I perhaps should say, in parenthesis, that members of this party had, during their visit to the Copperbelt, been most impressed by the evidence given at Luanshya and Kitwe by two African United Federal Party members of the Federal Assembly, Simukonda and Lewanika, both of whom represented themselves as the authentic voice of the African middle class, staunchly defiant of intimidation and determined to bear witness to the merits of the United Federal Party. Simukonda informed the Commission of several methods which had been adopted to intimidate him and we propose to check the accuracy of the statements. This made them particularly critical of some of the more extreme African evidence).

This group also heard R.L. Moffat, our European Nominated Member of the Federal Assembly representing African interests, who is, of course, a member of the African Affairs Board. Moffat made it clear that the African Affairs Board no longer served any useful purpose and was discredited in African eyes. A change was absolutely essential in the form of safeguard under the constitution and the constitution itself needed loosening up. The Commissioners were impressed by Moffat's evidence, though disappointed that he did not offer any definite suggestions for alternative constitutional safeguards.

The Commissioners heard useful evidence on health matters from the Matron of St. Francis Hospital at Katete, who expressed the view that health had been better administered under the Territorial Government and that it should again revert to Territorial control. Evidence heard at the same place from the Kidsons, father and son, was anti-Colonial Office and pro-Federal, but was put across in a way which did not further the cause the witnesses favoured, and was considered—in Lord Crathorne's words as 'rock bottom'. In contrast this group had heard evidence from a group of European farmers in Mkushi which included two Afrikaners. They put across a moderate viewpoint, condemned the colour bar, and wanted Federation to

continue in a looser form. Other evidence from Europeans has emphasised the widespread dislike and suspicion of Federation among the Africans with whom they are daily in contact.

To summarise what the Commissioners have learned from the evidence they have heard in the rural areas, the following would appear to be their major impressions:—

- (1) An overwhelming majority of Africans are completely opposed to Federation. The main reasons for this are the general fear of Dominion status and the extension of Southern Rhodesia practices to the Northern territories. Where particular criticisms are advanced they are of acts or omissions of the Federal Government rather than of the Federal system as such. The most frequent criticisms heard are of the health service, Federal marketing policy, and increases in customs duties and postal charges.
- (2) Most Africans are anxious to retain the protection of the Crown and to preserve for some time to come Colonial Office control in the Territory. This feeling is widespread but is especially strong in the rural areas—particularly in the North-Western Province, Barotseland and the Eastern Province.
- (3) Federal affairs have been badly mismanaged since 1953 and the Federal Government have made little attempt to win the support and confidence of Africans.
- (4) In regard to the boycott of the Commission by many Africans, Congress or United National Independence Party pressure has been greatly assisted by the provocative statements of Federal and Southern Rhodesia leaders and by the ineptness of Federal propaganda. The Federal pamphlet about the Monckton Commission was much commented on, particularly in the Eastern Province, and has had a harmful effect. (Lord Monckton spoke to Gardner about this last night; he said that he regarded the Federal hand-out as deplorable and that he considered the Nyasaland and Northern Rhodesia hand-outs to be excellent. The latter remark is particularly interesting in view of criticism of the Northern Rhodesia hand-out which has been voiced to the Commission by some European witnesses).
- (5) Many Africans in the Northern, Luapula and Eastern Provinces hope for a more liberal franchise (though not necessarily 'one man one vote') as a protection against European domination and advocate the reduction or abolition of the means qualification. Many oppose votes for women on the ground that women are not yet sufficiently educated and advanced to exercise the vote! By contrast in the North-Western Province and in Barotseland there is no general concern for the extension of the franchise provided Colonial Office protection can be assured.
- (6) Africans have claimed that money which should be used on Territorial development has gone to the Federal Government or Southern Rhodesia and Nyasaland Governments. Feeling on this is particularly strong in backward areas such as the North-Western Province and is generally strong everywhere in regard to expenditure on African Education.
- (7) Both Africans and Europeans are politically immature in Northern Rhodesia and the African in particular is vulnerable to fear and suspicion.

Finally, I am happy to be able to report that the Commission appears to be settling down well but is obviously apprehensive about developments which may ensue from the visits to the Federation of Lord Home and Mr. Macleod. It is holding meetings today to exchange reports prepared by each of the groups and it will be most

interesting to learn of the general opinion which begins to emerge from this interchange of ideas. Lord Monckton is himself very happy about the way things are going and feels that the size of the Commission (which looked at one time like being a handicap) is proving an advantage as it permits a wider coverage of the territory and avoids the difficulties which could otherwise have arisen from the temporary sickness of members.

As before, this is being reported to Armitage.

233 DO 35/7559, no 49

22 Mar 1960

[Southern Rhodesian constitution]: minute by Lord Home to Mr Macleod

[Whitehead had written to Home on 16 Mar 1960 suggesting that the decision to release Banda on 1 Apr would prove the 'last straw' for Southern Rhodesian morale, but that 'a great deal of public confidence will be restored' if agreement could be reached on the removal of the remaining restrictions from the Southern Rhodesian constitution (DO 35/7559). See also Hyam & Louis, part II, 499.]

You will remember that at the Colonial Policy Committee on 18th March I was invited to consider the terms of an announcement about Sir Edgar Whitehead's proposed visit to London. The suggestion was that this announcement should be aimed at bolstering Southern Rhodesian morale before the 1st April by containing a specific reference to discussion on the lifting of the restraints on the Southern Rhodesia Constitution.

I have thought carefully about this, but have reached the conclusion, particularly in the light of our talk with Walter Monckton on Friday, that we should be best advised not to mention the restraints at all in any announcement we make about Whitehead's visit. My reasons for this are:—

- (i) Walter is, as you know, having difficulty with two or three members of his Commission who are uneasy about our intentions in relation to constitutional advance in Southern Rhodesia and Nyasaland in advance of the Federal Review. Although I am sure we can deal with this, we shall not make things any easier for Walter, if we make the kind of announcement suggested at the present stage.
- (ii) We should be wise to avoid arousing Opposition interest in the Southern Rhodesian constitution until we are really clear in our own minds that we must and can reach agreement about the replacement of the existing restraints. This will not be until *after* your talks with Banda and my talks with Whitehead. Meanwhile, it will have made nothing but difficulty for ourselves and for Whitehead if we have stirred up premature suspicion and criticism before we are really ready.

At the same time we must recognise that the first three weeks of April are going to be a very difficult period in Southern Rhodesia. I suggest, therefore, we should ask our High Commissioner in Salisbury to keep us very closely informed about Southern Rhodesian opinion from 1st April onwards in case at any time thereafter and up to the time of Whitehead's visit it should seem necessary for us to make some further statement about the forthcoming talks in terms calculated to restore European confidence following Dr. Banda's release.

I am copying this minute to the Prime Minister.

234 PREM 11/3076

31 Mar 1960

[Hastings Banda and Northern Rhodesia]: letter from Mr Macleod (Zomba) to Mr Macmillan¹

Tomorrow morning early, if all goes well, I shall meet Dr. Banda and I thought I would send you a report on how things stand at the moment. I am enclosing extra copies which you might like to send to Lord Home and Lord Perth.

I saw Renison² in Nairobi for a short time on the way through and his main anxiety which we discussed at length was the acceptance of portfolios by African Ministers. This has now happily been resolved, although I am sorry Mboya didn't take the post of Minister of Labour. His personal future seems very obscure but, as you know, Michael Blundell and his party attached more importance to Africans taking Ministries than anything else and there should be a good chance now of slightly calmer water ahead.

There were strict security precautions laid on for me in Salisbury but, in fact, there wasn't a whisper of an incident the whole time and after an hour or two they were relaxed. I enjoyed my meetings with Sir Roy Welensky, who I have not met before, very much and I think we got on well. Indeed I have had reports from people who have seen him since to the same effect. He has asked me to spend an evening with him if I can in Salisbury before I return and I have arranged to fly back from here half-a-day earlier, which doesn't affect any of my Nyasaland arrangements. The meeting with the Cabinet followed exactly the same line as that with Alec Home earlier but they were clearly in a much better temper with us and Sir Malcolm Barrow who, as you know, is the fiercest critic, came with me the next day to Kariba and was extremely helpful about Nyasaland when we talked in the 'plane. As I said in a telegram home, the talks with Sir Edgar Whitehead were rather baffling. I really got the firm impression that he didn't care at all about Dr. Banda, although he intended to use the issue to press his own demands. As you know, Walter Monckton who is coming to see me in an hour or two, is worried about this, although I don't really see how Alec Home can avoid completing some sort of bargain with him. It was particularly interesting to find Winston Field, the Leader of the Dominion Party advocating the immediate release of Banda and indeed urging that it should have happened some time ago; but as you know the Dominion Party in the Federal Assembly is not strong. Where it is strong is in the Southern Rhodesian Parliament where it is led by a very unpleasant young man called Harper.³ His ideas for the African vote are that they should first pass a high education and property qualification and after that they have to appear before a Board composed no doubt of Europeans. If the Board were satisfied that he was living in a European way and had abandoned being an African, then he would be accepted. This seems to me to have been a nastier conception than apartheid-itself, but I hope it won't carry much opinion with it in Southern Rhodesia.

I found Northern Rhodesia puzzling and worrying. This is largely because almost everybody I met drew entirely different conclusions from the same set of facts. Many people and I think Prain would be amongst them, believe that the coming of independence to the Congo is going to be a major disruptive element and that it is

¹ Macleod visited the Federation from 24 Mar to 8 Apr.

² Governor of Kenya.

³ William Harper, Dominion Party leader who later became 'minister' of the interior in the UDI government.

essential, particularly if something happens in Nyasaland, to promise some form of constitutional advance at the same time; in particular both Prain in England and Pretorius,⁴ the Chairman of the African Board in Salisbury, told me that if some such promise of talks was not given Kaunda could not hold his place and worse men like Sipalo, the Secretary of U.N.I.P. who is a trained Communist, would take over. Others held the view that we could present Nyasaland as a special case because of the Emergency and do no more than indicate that one might look at the Northern Rhodesia situation in the light of the Monckton and Federal review. We were in any case pledged to take up this point of view if we could, which was strongly urged on me by Welensky and which Winston Field also thought the wisest course. Accordingly, although I re-affirmed in flat terms the pledge in the preamble and also said publicly that the deputations to the Federal Review would not consist of Governments alone, I added that 'I and my colleagues have no plans in contemplation for Northern Rhodesia'. When U.N.I.P. headed by Kaunda and Sipalo came to see me they referred to the demonstration (incidentally perfectly handled by the Police), which marked my arrival at Lusaka Airport and said that there was great uneasiness and dissatisfaction and that something must be done before June. Incidentally Kaunda had I know seen Prain and told him the same story. However, I told Kaunda in forcible terms that I wasn't impressed by demonstrations and that I won't deal with violence in any form, that if he wanted to show himself a true leader he must first show that he could control his own followers, and I invited him to go out to the very large crowd that was gathering at the gates of Government House to tell them to go away and to make a speech advocating non-violence and finally to call off demonstrations. To my considerable surprise he did this. The crowd dispersed without a murmur, he later made a speech advocating non-violence and there was not a single banner or placard in sight when I left next day. All this was in fact rather impressive and showed some control, if he wishes to exercise it, over the Party. However, I left Northern Rhodesia with a very uneasy feeling indeed and I am by no means sure that we can hold the position of refusing to have constitutional talks until after the Federal Review. We will know more no doubt in a short time. Kaunda, incidentally, is going to the United States in May and returning through London and asked if he could come and see me. I, of course, agreed.

I came from there to Nyasaland. There was no demonstration of any sort against my arrival and Orton Chirwa has in fact managed to hold the Malawi Party for a long time on a very tight rein, although there have been minor disturbances by hooligans in a distant country area. I have had talks with most of the representatives of the tiny European community here (which is 8,000 people, a large number of whom are of course in the Administration) and the Asian community which, at about 11,000, is only slightly larger.

The arrangements for tomorrow have all been made and we could scarcely do it at a better time. I am quite convinced that it is the right course, although on this, as indeed on every other single subject, every person I met in the deputations expresses diametrically opposed views. I daresay if I lived here for long I would change my mind every few minutes. I will, of course, be reporting by emergency telegram to you tomorrow so this letter will not arrive until after you have a fair idea of how the first few days have gone. I will write again towards the end of my stay here.

⁴ Rev J L Pretorius, chairman of the African Affairs Board.

235 PREM 11/3076

3 Apr 1960

[Hastings Banda]: letter from Mr Macleod (Zomba) to Mr Macmillan

I wrote to you last just before we met Dr. Banda.¹ Until the last moment warnings of disaster continued to be poured upon me. Blantyre was going to be in flames within a few hours time and hundreds of people would be killed. I am afraid that very many people here and in Salisbury were waiting to say, 'I told you so'. In the event everything was sheer anti-climax. The secrecy was maintained so well that it wasn't known that he had arrived until he had been in Government House for two hours talking to the Governor and myself. He made an admirable short appeal on the radio to say that he had returned and that everyone was to maintain peace and a non-violent attitude. Typically enough, the local members of the United Federal Party objected to this on the grounds that this was a public meeting and that he should not have been allowed to speak, but there is really no measuring the bottomless stupidity of their members here and in all the three territories. Indeed, I think if we were left to ourselves we could make a success of Federation as I am sure it will be re-defined by Walter Monckton who is in very good form. But I am very much afraid that the United Federal Party think of Federation and their own Party as one and the same thing and will be too stubborn in the end for all our efforts.

I didn't attempt to have long talks with Banda. He was looking well and bore no resentment whatever for his time in prison. We will have to push things on as slowly as we dare, and I am thinking now in terms of a conference in the second-half of July. By the time you get this Banda himself will, I think, be in the United Kingdom where no doubt he will make a series of speeches and TV appearances. But I think he will exhaust his appeal pretty quickly for he is a very vain and ignorant man. The Malawi Party here under Orton Chirwa has made excellent attempts to hold the political temperature still and I hope they can continue to do so while Banda is globe trotting, as no doubt he now will do.

I think he is unlikely to give formal evidence to Monckton because he regards himself bound by the document that we know he signed some time ago in relation to his colleagues in Gwelo. But he will probably see Monckton and Sir Donald MacGillivray for an informal conversation. He may also give evidence later in London. Obviously he fancies giving evidence with the maximum possible publicity. He has shown no sign of making the release of the other detainees conditional on talking about constitutional matters, although there remains the possibility that he will do so at a later stage. His ideas about constitutions are hopelessly inadequate and naive and it is hard indeed to see anything but an imposed constitution emerging from the talks. I propose, therefore, to be cautious in the announcement that I make when I leave Salisbury. Since Banda's release nothing whatever has happened and everything has been very quiet. It would make salutary reading one day if those who warned us so often about what would happen immediately on Banda's release were to re-read the letters and telegrams that came to us over the past few months, but however matters may go for the future and whatever emerges from the London conference, it is a great relief now to have the little man out of gaol because unless he proves himself in the end to be an effective leader, I am sure his authority will diminish rather than increase.

¹ See 234.

I am going back to Salisbury on Thursday evening and spending the evening privately with Roy Welensky. I will, of course, let you know if there is anything of importance following that meeting.

I enclose copies for Alec & David.²

² Lord Perth.

236 CO 1015/2274, no 11

16 Apr 1960

[Northern Rhodesian constitution]: inward savingram no 13 from Sir E Hone to Mr Macleod

Uncertainty and speculation about the political future of Northern Rhodesia remain rife. Despite what you said in your public speech here and your statements to the representatives of all political parties whom you met in Lusaka to the effect that you have no plans for bringing the constitution of Northern Rhodesia under review in 1960, political spokesmen continue to speak in public of their hopes and fears of constitutional change in 1960.

2. African nationalist leaders in the United National Independence Party are continually declaring that African nationalist objectives will be attained in 1960 and forecasting very serious trouble if they are not attained by October of this year. At meetings, through the press, and by poster demonstrations, they are conditioning Africans to the belief that major concessions will be made in the near future (or else) and that, indeed, 1960 will bring African self-rule to Northern Rhodesia.

3. Confusion also exists in European minds. They had been told by Roberts before your arrival here that he was satisfied that Her Majesty's Government had no intention of altering the Northern Rhodesia constitutional and franchise arrangements before the end of the life of the present Legislative Council. Your public speech in Lusaka put that point of view in its proper perspective by saying that, although you recognised that the present constitution needed time to do its work, and you had no plans in contemplation to amend our constitution, you could not, of course, predict the outcome of the Review of the Federal Constitution or guarantee that its result might not entail certain consequential changes in territorial constitutions. Speeches made since your departure in debates in the Federal Assembly have served to create new confusion by making clear a difference of outlook between United Federal Party spokesmen in the Federal Assembly and in the Territory. Greenfield has said, for example, that it is in his view part of the task of the Monckton Commission to review the constitution of the Northern Territories. He has also reverted to the Federal Government's desire to see the removal at the Federal Review of Colonial Office rule and an advance in status in the Northern Territories.

4. These conflicting and extravagant claims are having a most unsettling effect on an increasing number of Chiefs, Native Authorities, African civil servants, and men of moderate opinion. Our hopes of encouraging men of moderate outlook to come closer together are being jeopardised by the fear that unless Africans and Europeans each close their ranks racially, they will find themselves in an impossible position if the changes that they fear should come about.

5. There is evidence that African administration may be severely weakened by the uncertainty of Native Authorities in the face of these confident claims of political spokesmen and the absence of a further firm and direct statement of the standpoint of Her Majesty's Government. In those Provinces which are most susceptible to political ferment—particularly the Luapula Province—the particular effects are much sharper and are potentially dangerous. During the last few weeks there has been tension and some unrest and in the Luapula Province we have had cases of arson, demonstrations and minor riots. These have been fomented by United Independence Party leaders, and the incidents have usually occurred after visits by leading officials of that party, notably Kapwepwe.

6. There is evidence that Native Authorities, African civil servants, teachers and other loyal Africans are showing signs of yielding to United National Independence Party propaganda. Nevertheless, they are still looking to the Government for support and for protection. They feel that the Government should give them a positive lead by categorically rejecting any suggestion that there will be a transfer of power to African nationalists in the near future. Unless we give them such a lead those who have hitherto been prepared to support the Government staunchly will turn to vacillation and flirting with the United National Independence Party as the party which—according to its own unchallenged predictions—will shortly control the country and punish those who have not supported it. As you are aware, the Native Authorities are entrusted in large measure with the responsibility for maintaining law and order in their areas. Many of the Chiefs and Native Authorities who are finding difficulty in resisting the pressure upon them by extremists desire only to see orderly political progress by the development of existing constitutional arrangements under the control of the Colonial Office.

7. It is the opinion of Government officers in the Provinces that it is essential for the Secretary of State or the Governor to make a forthright statement without delay that there is no prospect of these nationalist demands being met in 1960. They consider that such a declaration if made in time would bolster the morale of the stable elements of the African population, which comprise the majority, and would import a measure of realism into an uncertain political situation. It would also reassure the European population who fear that major concessions may be made in the near future to local nationalist demands.

8. I ask therefore for your approval and support for the publication of the following statement by me which would be given the widest publicity both in English and in the vernaculars, and would be primarily directed to the African population:—

(1) I have the authority of the Secretary of State for the Colonies to tell you that there are to be no changes in the Constitution of Northern Rhodesia during the year 1960, nor is self-government at all likely to be granted for some time to come.

(2) I am making this quite clear in order that you should not be misled by people who try to persuade you that the constitution will be changed by October; or by those who claim that power is to be handed over to local nationalist politicians by then. Such talk is utter nonsense.

(3) It is right that we should all have our ideas of the kind of constitution we would like to see in Northern Rhodesia but I must remind you that our present constitution has been in force for only just over a year. As you know, also, we have

in the Federation at present the Monckton Commission which is to advise the Governments about the future of the Federation. That Commission is not likely to finish its work until towards the end of the year. What it says may of course have an effect on the programme of political development for Northern Rhodesia. It would be foolish to try and change Northern Rhodesia's present constitution before we know what the Commission says and we have had a chance to discuss it with Her Majesty's Government at the London conference on the Federal Constitution. This Conference may not now be held until early 1961.

(4) I know that many Africans are worried about this conference. They want to be sure that their viewpoint will be heard. It is partly for this reason that they look for a change in Northern Rhodesia's Constitution before that conference takes place. But I have the Secretary of State's authority to assure you all once again that it is his view that all shades of political opinion should be represented at the Federal Review Conference. Representation at that conference will not be limited to those parties who are represented to-day in the Northern Rhodesia Legislative Council. (It would be doubly effective as a reassurance if this could read '. . . to assure you that all shades of political opinion will be represented . . .').

(5) The Secretary of State has asked me specially to reaffirm his statements in Lusaka that no progress can be expected if there is violence, intimidation or threats. I know that some African leaders are saying that constitutional progress is never achieved without bloodshed. This is a statement which all recent history in British Colonial Territories disproves. The violence which occurred in Kenya and in Cyprus has put back political progress in each of those countries for many years. The constitutional discussions which were to have been held in Nyasaland at the beginning of 1959 will now only begin in July of 1960, eighteen months later.

(6) Do not therefore believe those who try to tell you that you should adopt, or submit yourselves to, threats, intimidation and violence as a means of achieving your hopes. Constitutional progress will certainly come to Northern Rhodesia but we must show that we in this Territory are ready to be trusted with more responsibility.

(7) But let me repeat: there are to be no changes in Northern Rhodesia's constitution during 1960.

237 CAB 128/34, CC 28(60)5

28 Apr 1960

[Southern Rhodesian constitution]: Cabinet conclusions on the UK's reserve powers

The Commonwealth Secretary made a report to the Cabinet on the discussions which he had been holding with the Prime Minister of Southern Rhodesia, Sir Edgar Whitehead, about the powers reserved to the United Kingdom Government under the constitution of Southern Rhodesia. These discussions had proceeded on the basis that the United Kingdom Government would be unable to surrender their reserve powers unless alternative arrangements were made which provided equally effective

safeguards for the interests of the African population. For this purpose Sir Edgar Whitehead was prepared to contemplate the creation of a second Chamber, half of whose members would be Africans elected by an electoral college comprising representatives of the main African organisations in the territory. This was a promising approach to the problem, but a great deal of further work would have to be done before a detailed scheme was available which could be commended to Parliament. Meanwhile, Sir Edgar Whitehead, who was returning to Southern Rhodesia on the following day, was anxious to have it said at once that it had been agreed in principle that the reserve powers of the United Kingdom Government would be withdrawn; and he had indicated that, unless some public statement on those lines could be made, he would be obliged to ask for an immediate dissolution of the Parliament of Southern Rhodesia. The Commonwealth Secretary had made it plain to Sir Edgar Whitehead that he could not agree to a public statement in the terms suggested. He circulated a draft of a statement which, in his judgment, went as far as it was possible to go to meet Sir Edgar Whitehead's wishes.

In discussion it was agreed that the Government could not be parties to a statement indicating that they had agreed in principle to withdraw their reserve powers in respect of Southern Rhodesia. There was as yet no sufficient assurance that alternative arrangements could be devised which would provide equally effective safeguards for the African population. Moreover, if such a statement were made at the present time, it would exacerbate African feeling in Southern Rhodesia and prejudice the work of the Central African Advisory Commission under the Chairmanship of Lord Monckton. On the other hand, if there were an election in Southern Rhodesia in the near future, the issues of independence and secession from the Federation were likely to be raised; and, if the political parties sought to outbid one another on these issues, the work of the Monckton Commission and the forthcoming Federal review would be seriously prejudiced. In these circumstances it was important that, at the end of the current discussions with Sir Edgar Whitehead, some public statement should be made which would give him as much satisfaction as possible.

After further discussion it was agreed that the operative part of the statement should indicate that, in these talks about the reserve powers of the United Kingdom, it had been agreed that the governing principle must be that any alternative machinery devised must be no less effective for the purposes for which the reserve powers had been intended; that Sir Edgar Whitehead had made certain broad proposals for such alternative machinery, which the Commonwealth Secretary had undertaken to consider in detail; and that, when the two Governments had given further study to these, a further meeting would be held in October before the Conference for the review of the Federal Constitution.

The Cabinet:—

Authorised the Commonwealth Secretary to issue a communiqué, in the terms approved in their discussion, on his talks with the Prime Minister of Southern Rhodesia about the modification of the reserve powers of the United Kingdom Government in respect of Southern Rhodesia.

238 PREM 11/3948

2 May 1960

[Security in Nyasaland]: minute by D R J Stephen¹ to T J Bligh.***Annex: CO brief for discussions with Sir Roy Welensky***

I attach a brief by the Colonial Office, for use in the Prime Minister's discussion with Sir Roy Welensky, on the reinforcement of Nyasaland by United Kingdom troops.

Since the Prime Minister's meeting with the Commonwealth and Colonial Secretaries, Sir Roy Welensky has written to Mr. Macleod asking whether it might be possible to arrange a special airlift, if trouble arises, of police from outside. Sir Roy Welensky says that the use of police would cause no constitutional problems because it would be a matter for the territorial government. He also suggests that it would do the Federation 'tremendous' harm in the outside world if Banda did stir up trouble and Federal troops were forced to shoot in support of law and order. As Sir Roy Welensky wishes to discuss this matter the Governor is being consulted.

Annex to 238

The period of maximum risk is likely to be that immediately following the constitutional talks at the end of July or early August. It is unlikely that the Nyasaland security forces will be able to do without external assistance.

Security forces

2. The total forces available in the Federation from which Nyasaland could draw support are as follows:—

- (a) *Federal regular troops*—4 battalions (RAR, KAR and NRR)—mainly African troops with European officers, but there is one European company.
- (b) *Federal territorial troops*—potentially 7 battalions (RRR)—European troops.
- (c) *British South Africa Police* (Southern Rhodesian)—European and African.
- (d) *Northern Rhodesia Police* mobile platoons—14 platoons of 34 men each—Africans with European officers.

(Of these forces, one regular battalion of KAR is normally stationed in Nyasaland. The strength of the Nyasaland police is about 2,000 men, plus 10 mobile platoons of about 30 men each).

3. In the event of disorder in Nyasaland, it is probable that up to 2 battalions of Federal regular troops would be available as well as 2–4 police mobile platoons from Northern Rhodesia if the situation in that territory permitted. Additionally territorial units would become available as they were called up. The BSAP are excluded for political reasons and in any case the Prime Minister of Southern Rhodesia (Sir Edgar Whitehead) may well be unwilling to release them.

Political considerations in the use of troops

4. If the idea of using U.K. troops in Nyasaland in the event of disturbances is to be pursued, it will be necessary to face the possibility of a clash with the Federal Government over this issue. In approaching Sir Roy Welensky on this matter, it is

¹ Private secretary to Cabinet secretary.

suggested that he should be tackled on the following lines. Although so far there have been no adverse reactions in Nyasaland as a result of Dr. Banda's release, we cannot exclude the possibility of disturbances following the constitutional talks in London. H.M.G. are grateful to the Federal Government for the help given in Nyasaland in March last year and also for the repositioning of the Rhodesian African Rifles in Nyasaland just prior to the date of Dr. Banda's release. We feel, however, that we must be in a position to reinforce the standing forces there this summer. We recognise, however, that this would place a heavy load on the Federation's military resources and that the other two territories cannot be denuded altogether. Sir Edgar Whitehead has indicated that the BSAP would not be available and in any case to send them or the RRR might exacerbate feelings in Nyasaland in a situation which would already be delicate. Furthermore, we feel that the reaction of the U.K. would also be unfortunate and could lead only to further criticism of the Federation which could do no good to anyone. Thus we believe that it would be in the interests of all concerned that the RRR (and the BSAP if Sir Edgar Whitehead should change his attitude) should not be sent to Nyasaland again. We are conscious in addition that to call up the territorials is inconvenient and disruptive in Southern Rhodesia. We therefore hope that the Federal Government could agree that if the African troops under the control of the Federal Government proved to be insufficient U.K. troops should be called upon; we believe that not more than two battalions would be required, and providing we go ahead with preliminary planning, they could be made available very quickly in an emergency.

Views of Chiefs of Staff

The Chiefs of Staff wish certain considerations to be brought to the Prime Minister's attention:—

- (a) If U.K. troops are to be provided in an emergency, it is essential that detailed planning in advance should take place. This can only be done in consultation with local civil and military authorities at home and overseas. No such planning was authorised in February because no political agreement between H.M. Government and Sir Roy Welensky had been reached. The first requirement, therefore, is for political agreement to plan for the use of British troops on the basis of full co-operation with the Federation authorities.
- (b) As all reinforcement must be by air, the next problem is political clearance for the routes to be used. The main movement from the U.K. would be by strategic aircraft via El Adem to Nairobi, and thence by smaller tactical aircraft via Dar-es-Salaam to Blantyre, or via Livingstone to Blantyre. The route via Kano would be required to reposition the shorter range tactical aircraft at Nairobi. Clearance would be required to overfly French West and Equatorial Africa and the Belgian Congo before troops are despatched, and the Belgian Congo or the Sudan, and Mozambique, for the movement of troops. If these clearances were not given, reinforcement by air would not be practicable unless it was decided to overfly without permission. Although maintenance of the force by air, which would involve overflying Mozambique, could be undertaken for a short period, if operations were prolonged and supplies could not be obtained from the Federation, it might be necessary to operate a surface line of communication across Mozambique from Beira.
- (c) The number of U.K. troops likely to be required in the circumstances should not exceed a Brigade Headquarters and two battalions. Assuming that preliminary

planning has taken place, one battalion from Kenya could arrive in Nyasaland within 24 hours of the decision to send U.K. troops, provided the battalion had been alerted and tactical transport aircraft had been prepositioned at Nairobi; this prepositioning might take up to five days. This battalion could be withdrawn from Nyasaland when relieved by the second battalion from the U.K. If permission to overfly is obtained the first battalion and part of the Brigade H.Q. from the United Kingdom could arrive in Nyasaland five days after the decision, and the move of the whole force could be completed six days later, provided the necessary route activation, which would take four days, had been carried out before the decision was made.

(d) It would not be possible to carry out plans for intervention in Kuwait or Laos until the transport aircraft used in the movement of troops to Nyasaland were again available. The battalion from Kenya would also be required for the Kuwait operation.

(e) From a purely military point of view it would clearly be an advantage to put additional troops into Nyasaland before the situation there actually deteriorated. From the political view, however, this might be difficult since it would be unlikely that we could use the pretence again that the forces were exercising and it would indicate that we were expecting trouble in the territory. This could have an adverse effect on the course of the constitutional discussions. On the other hand, the arrival of troops after a security situation had developed might then act as an exacerbating factor in the situation, especially if they were European Federal forces. On balance it is suggested that the best course would be for African Federal troops to be held in a state of concealed but advanced readiness, with U.K. troops at fairly short notice once trouble has started. It would be understood that if U.K. troops were moved into the Protectorate that would be at the request of the Federal Government.

239 CO 1015/2274

4 May 1960

[Northern Rhodesian constitution]: minute by A M Webster

Mr. Watson

Please see savingram No. 13 at (11)¹ and the letter at (18) to Mr. Monson with enclosure.

The Governor of Northern Rhodesia is anxious to make and give wide publicity to a statement that demands for constitutional changes in Northern Rhodesia by October will not be met. The United National Independence Party—without being named—is, of course, the main target. The Governor is anxious to say that the statement is made with the Secretary of State's authority and that the Secretary of State has requested him to repeat a statement made by the Secretary of State when in Lusaka at the end of March, about violence. The five United Federal Party Ministers have since represented to the Governor that it is 'vitally important both for the Government and for the country that a clear statement of Her Majesty's Government's policy for Northern Rhodesia should be made without delay and should place it beyond doubt that the extreme nationalist demands were non-starters'.

¹ See 236.

You will be aware of the correspondence at (14) and (15) covering the approaches which Mr. Roberts made personally to the Secretary of State for a more direct and specific condemnation of extreme African nationalism than had been made already. You may be in a position to confirm, or correct, the impression I have got that the Secretary of State's method of approach to these problems requires that, so far as possible, no party with which he is likely to be in negotiation at a later stage should be given a direct rebuff at any preliminary stage, so long as a direct rebuff is not absolutely essential in order not to prejudice his own position. If I am correct, it would not be consistent for him to have the proposed statement made now with his express authority. That does not rule out the Governor making a statement off his own bat, or quoting the Secretary of State in the course of such a statement. Moreover the Secretary of State will presumably wish to explore means of securing the Governor's object with the minimum risk of inducing an overtly hostile reaction on the part of the United National Independence Party. The forthcoming interview with Mr. Kaunda, for instance, might provide an opportunity. Mr. Kaunda is presumably going to press his case for a new Northern Rhodesia Constitution before the Federal Review. Something might be achieved either by a communiqué or by a reply to a Question in the House following that meeting. I have it in mind that after stating that the possibility of early constitutional changes had been raised by Mr. Kaunda, it could be said that the Secretary of State had explained Her Majesty's Government's view that no useful purpose would be served by giving detailed consideration to *any* proposals for constitutional changes in Northern Rhodesia until the Report of the Monckton Commission had been received and considered by the five governments concerned: or before delegations chosen by those five governments had met to review the Federal Constitution as required by Article 99 of the Constitution. If Mr. Kaunda had been brought to express acceptance of the reasonableness of that view the terms of an announcement saying so might be agreed with him² and if he could also be induced to subscribe to a formula repudiating violence, so much the better.

I may, of course, be wrong in thinking that the Secretary of State will not favour giving the extremists the sort of sturdy rebuff the Governor and his Senior Advisers both Unofficial and Official, advocate; if he were to agree to the Governor's proposals, there are two questions in particular to settle.

First—timing; should the statement be made before Mr. Kaunda sees the Secretary of State? Or immediately after? Or only when there has been time to see what Mr. Kaunda says on his return to Northern Rhodesia? A statement between now and the interview could easily affect Mr. Kaunda's frame of mind when meeting the Secretary of State. It might warn him not to court a further rebuff; but, more likely, it might make him less disposed to listen to reason. As between a statement immediately following the interview, or only after seeing his reactions on his return, it seems impossible to judge without taking account of what transpires at the interview. The best course, therefore, seems to me to be to leave a statement of the kind the Governor has in mind until after the interview—if there is to be one.

Second—paragraph (4) of the statement as drafted in paragraph 8 of the savingram at (11). Clearly, the limit of what can be said about African representation at the Federal Review Conference without further consultation with the other

² N D Watson commented in the margin, 'It would not be worth much though, as he w[oul]d regard himself as free to undertake "non-violent positive action" if he thought it necessary'.

governments concerned, and between Departments within Her Majesty's Government has already been reached. Therefore the suggestion in brackets at the end of paragraph (4) cannot be acted upon.

If, however, the Secretary of State *is* against the Governor making a statement of the kind he has in view there are several points which might be made in any communication conveying that decision. First, despite what is said in paragraph 3 of the savingram at (11), the proposed statement in paragraph 8 does not seem designed to settle differences between the Territorial and Federal branches of the United Federal Party. The Europeans appear to be concerned with what may be done after the Monckton Commission's recommendations have been received, and what may be done as a result of the Federal Constitution Review. What I suspect the Governor and his Ministers expect from the statement as far as the Europeans are concerned is some kind of satisfaction at the United National Independence Party receiving a smack in the face. I have argued above that that seems unlikely to commend itself to the Secretary of State; and in addition there might be some disadvantage if, on examining the statement, the Europeans saw in it only a renewed warning that there might be a review of the Territorial Constitution—and there is nothing to say that it would not be a thorough overhaul—following the Monckton Commission Report.

Secondly, the Secretary of State is in fact asked to authorize the statement publicity for which 'would be primarily directed to the African population'—paragraph 8 of the savingram. So far as the Native Authorities, civil servants, police and moderates are concerned there can be little doubt that the Governor is right in thinking that they will draw some reassurance from every repetition of what Ministers have said on this subject before. But as regards United National Independence Party and other extremists, the Secretary of State has already made his position clear, and it could be argued that it is not appropriate that he should now specially authorise, or request, the Governor to repeat his statement. The situation would be different if any new approach were made to him by the United National Independence Party or others: he would then consider carefully the terms of any reply, as he may be prepared to do in connection with Mr. Kaunda's forthcoming visit. But as regards claims made throughout the length and breadth of the territory by the United National Independence Party and their agents no reply from the Secretary of State is warranted, and no special authority for the Governor to deal with such claims publicly, or to quote the Secretary of State in support of any repudiation the Governor may make, of those claims.

Thirdly, it could be stated that despite the argument that the United National Independence Party are drawing courage, and more waverers are joining their ranks, every day that their extravagant claims are not repudiated, it would be better to wait and see whether Mr. Kaunda could be brought to endorse the futility of early negotiations—and of violence—as the result of his meeting with the Secretary of State, before making any statement at all.

Subject to your views and the views of higher authority I suggest that the papers be submitted to the Secretary of State for his decision whether:—

1. The Governor should be discouraged from making a statement of the kind he suggests at least until Mr. Kaunda has returned to the territory.
2. If not, whether any statement made should be given the special authority of the Secretary of State.

3. Whether the Secretary of State would wish to make the interview with Mr. Kaunda the occasion for a communiqué or reply to a Question in Parliament on the assumption that the Secretary of State can bring Mr. Kaunda to state publicly that he agrees that discussion of constitutional changes before the Monckton Commission has reported and the Federal Review has taken place would be fruitless, and that violence will not contribute to an early solution of constitutional problems.

240 CO 1015/2274, no 61A

20 May 1960

[Meeting with Kaunda]: minute by Mr Macleod

Mr. Kaunda came to see me on 20th May. He had brought to the Colonial Office with him Mr. Chona, but when it was explained that I could not receive anything that seemed to be a deputation he was content to leave him in the waiting room. I saw Mr. Kaunda alone.

2. I spoke to him exactly on the lines of the agreed statement and the only change that need be made in it is to delete the words 'before October', and insert some such phrase as 'at a very early date'. This was because despite my promptings Mr. Kaunda refused to mention October or for that matter 1960.

3. Kaunda put forward the familiar thesis that the ordinary African thought that independence in the Congo had been achieved because of violence and that the Nyasaland talks had been secured because of the emergency. I replied that the Nyasaland emergency had held back constitutional advance and that talks would have taken place eighteen months ago if it had not been for the violence. The countries in Africa under British control that were advancing the fastest were those like Tanganyika, Sierra Leone and Nigeria where there had been no violence. Kaunda seemed to appreciate this point himself but said that it was a difficult one to put over to the U.N.I.P. I added that I was glad to see his own denunciation of violence in clear and explicit terms but that the same clarity has not been evident in remarks made by other U.N.I.P. leaders in Northern Rhodesia.

4. Kaunda said that he would try to put over as far as he could a policy of non-violence and also to explain, as I had explained to him why there could not be immediate constitutional advance. But he added that he might well be committing political suicide in doing this. For myself I am sure there is some truth in this when one looks at the other leaders of the U.N.I.P. in Northern Rhodesia. He added that it would make a great deal of difference if some undertaking could be given that after the Federal Review there would be some sort of discussions.

5. I emphasised to Kaunda that African opinion in the territories would certainly be represented at the Federal Review.

6. Kaunda raised two other matters with me not directly concerned with the agreed statement:—

(1) He asked that the rules concerning public meetings should be reviewed. These he said caused great friction amongst the Africans and public meetings were on the whole a good way of letting off political steam. I replied that if peaceful conditions were restored and maintained in Northern Rhodesia I was certain that

the Government would be ready to consider the abrogation of rules governing political meetings.

(2) He said that he had heard that some of those serving prison sentences and held in Salisbury were in bad conditions. I replied that this point had not been mentioned to me before but I would naturally ask that it be looked into.

7. Kaunda was with me for about three-quarters of an hour and his attitude throughout was reasonable and constructive.

241 CO 1015/2274, no 59

23 May 1960

[Northern Rhodesian constitution]: minute by N D Watson

[The *Observer* (22 May 1960) carried a report by George Clay that Dauti Yamba and Francis Chembe, both African members of the federal parliament, and Lawrence Katilungu, the African Mineworkers' Union leader who had been appointed by Evelyn Hone as one of the three Northern Rhodesia members of the Monckton Commission, intended to hold talks to bring together 'moderate' African politicians.]

We were asked to think over the week end about the possibility of the Secretary of State promising a Northern Rhodesian Constitutional Conference in 1961 as suggested by Mr. Kaunda on the 20th. The short term advantage of such a promise would be the possibility of reducing tension for the next twelve months.

2. I accept:—

(1) that the odds are very much that there will have to be a Northern Rhodesian Conference in 1961:

(2) that there is at the moment no sign at the national political level of an African 'middle opinion' which we could effectively harness at such a meeting. It is therefore tempting to see in Kaunda in his reasonable moods the nucleus of such a middle.

3. I am clear, however, that the immediate effect of such an announcement coming after Kaunda's interview here would be that all African opinion would immediately climb on the U.N.I.P. bandwagon, but U.N.I.P. would now have the slogan 'Self-government in 1961' instead of 'Self-government in 1960'. The climbers would include the Native Authorities in the rural areas and the Trades Unions. Both of these have in practice been 'middles' which Government have effectively harnessed in the day to day administration of the Provinces and in keeping industrial peace on the Copperbelt. The position of Katilungu has been particularly important as regards the latter.

4. The risks of building up Kaunda and through him U.N.I.P. in this manner are as follows:—

(1) Though Kaunda has been 'reasonable' in the U.S. and in the U.K. reports from Northern Rhodesia must make one still retain some doubt as to his sincerity. (I sent on the last Intelligence Reports to you a few days ago and they should be studied in this connection.)

(2) Even if he were sincere we do not know whether he could control his very skilful and tough lieutenants. His own suggestion, taken at its face value, reveals his own doubts on this. The position may indeed vary from area to area. It is

important to remember that in 'outlying' areas the local U.N.I.P. branches may have closer relations with the Congo than with Lusaka and their Party headquarters. If as a result of Kaunda's demarche the Native Authorities in these districts make their own accommodation with the local U.N.I.P. people our task of preserving the territorial integrity of the Federation against Congolese infiltration and invasion will be inevitably more difficult.

5. European reaction to the promise of a Conference now would be violent and political leaders (whether Welensky or Roberts) would not be able to control it. They may in their heart of hearts be beginning to accept the inevitability of a conference but they haven't by any means got their followers aware of this.

6. There has been an interesting development in Northern Rhodesia according to a week end report in the 'Observer' (attached). The initiative taken by Yamba and Katilungu offers some prospect of us having an effective 'middle' to harness. Even if the general conference called by Yamba fails to reach agreement we ought to wait and see what comes of Katilungu's idea in entering the political arena himself and not destroy him by building up U.N.I.P. prestige in the meantime.

7. For all these reasons we ought still to continue to play this question long. Certainly until we know how African Parties are going to shape themselves over the next few months and if possible until we have the Monckton Commission Report. If that Report clearly points towards a territorial conference it will be much easier to bring the Europeans along with us on the basis of initiative by the Commission, which includes representatives of the local Governments, than in response to an initiative made by Kaunda.

242 CO 1015/2274, no 63

12 June 1960

[Northern Rhodesian constitution]: letter from Sir E Hone to N D Watson

I was very interested in the points discussed in your letter of the 8th June, with which you sent me a copy of a leader which appeared in the Daily Telegraph after the Secretary of State's interview with Kaunda on the 20th May.¹

We at this end had quite independently come round to the view that the time had even now arrived when we ought to be thinking of hinting fairly broadly that discussions on the territorial constitution could not be postponed very long after the conclusion of the Federal Review Conference next year.

Responsible opinion here, both black and white, while completely repudiating the violent policies and activities of the thug element in the United National Independence Party, has recognised that, in the Africa of 1960, it just is not realistic to expect that we shall be able to hang on to our present constitutional arrangements for another four years. For however forward-looking and progressive in intention and principle our present constitution is, it has in fact resulted in the return of a Legislative Council too strongly slanted to the European point of view.

Those who think in this way go on to point out that while no self-respecting person in authority can have any truck whatever with U.N.I.P. extremists, it is of vital

¹ See 240.

and urgent importance to attract and come to terms with the general run of African opinion; or in other words with the African who is either not greatly interested in politics or who, if interested in politics, has the reasonable and understandable aspiration to move forward to a form of government in which the African side is more strongly represented than at present. The question in everybody's mind, of course, is whether Kaunda is the man to deal with and whether in fact he really wants to pursue the moderate line that he professes. As you rightly say, there is a flavour of 'double talk' about him and for myself I can at the moment accept only with a good deal of scepticism the argument that he is a better person to deal with than most of his colleagues. There is something to be said for the view that it is better to deal with a known enemy than a false friend.

Be that as it may, I am convinced that we must do something during the next few months to give people of reasonable aspirations on the African side something to look forward to. We could do this by intimating that, although the door *is* firmly closed to any constitutional advance in the territorial field this year, consideration of that constitution is at least a possibility after the Federal Review Conference next year. This perhaps is not such a very difficult thing to say, even from the point of view of European opinion. When Welensky altered course some months ago and stopped shouting from the housetops on every possible occasion that he would demand independence for the Federation in 1960, he developed the new thesis that the Federal Government's aim at the Federal Review Conference would be an outward transfer of powers from Her Majesty's Government in the United Kingdom, not to the Federal Government, but to the governments of the two northern territories: for (so the argument runs) when these two governments reach the stage of responsible government enjoyed by Southern Rhodesia, the way will be open for the Federation as a whole to move forward to independence. It is probably in conformity with this line of thinking that Greenfield stated publicly in Salisbury a few weeks ago that in his opinion the Monckton Commission would be fully entitled by its terms of reference to consider, and make recommendations on, the details of the territorial as well as the Federal Constitutions. Then again, it seems to be fairly generally known that the Monckton Commission is interested in the Territorial Constitutions and will probably say something about them in its report.

Of course, Welensky and Greenfield are thinking in terms of a development of Northern Rhodesia's Constitution very different from that looked for by African opinion in this territory. Nevertheless, if both United Federal Party and African shades of opinion are thinking that changes in Northern Rhodesia's Constitution will have to be examined after the Monckton Commission and the Federal Review Conference, neither side can really object to a statement in general terms that discussions on that constitution may be initiated next year.

The Secretary of State has in fact already laid the foundation for a statement of this type by his repeated assertions that Her Majesty's Government would not consider it right to initiate any discussions on the Northern Rhodesia Constitution 'at least until the outcome is known of the Monckton Commission and the Federal Review Conference'.

I have had all these considerations very much in mind in preparing the address which I am to deliver at the opening of the new session of the Legislative Council on the 14th June. It seemed to me that this provided a good opportunity not only to repeat the Secretary of State's pronouncements on Her Majesty's Government's

policy towards the Northern Rhodesia constitution, but to impart to that policy's negative construction a slightly positive tint. And so, having quoted the exact words used by the Secretary of State, as quoted in the preceding paragraph, I go on in a later passage of my speech to say this: 'As to the territorial constitution, nothing will be done until the outcome of the Federal Review Conference is known, for that outcome may possibly affect our own constitution and may make it necessary to initiate discussions for further change. I ask political leaders of all shades of opinion to take note of this programme; and of the opportunities which it offers; and, in the interests of Northern Rhodesia and all its peoples, to attune themselves and their policies to it.' I have shown the draft of my speech to all the Ministers, both Official and Unofficial, and you will be interested to know that none has taken exception to the passage I have quoted. Roberts's only comment on it led me to add the word 'possibly' between the words 'may' and 'affect'.

It remains to be seen how this expression will be taken by political opinion in this country and in the Federation. At any rate I think it goes some way towards meeting the point that you have put to me in your letter. It may well be that we shall have to make the point again, and more specifically, in the weeks and months that lie ahead: but at least the foundation has been laid.

243 DO 35/7620, no 8

15 June 1960

[Northern Rhodesian politics]: letter from Sir R Prain to Mr Macleod

You asked me to write to you around the middle of June with any views I might have formed as to the local situation here.

I have spent two weeks in Southern Rhodesia, and I am now in the middle of a visit to Northern Rhodesia consisting of about five days each in Lusaka and the Copperbelt.

Outwardly, the position in Northern Rhodesia appears to have calmed down considerably, and the tension of four or five weeks ago appears to have relaxed. Nevertheless, all the factors are present to recreate this tension at sudden notice. These factors include the possibility of irresponsible acts by Africans or Europeans, the tension which must accompany the next few weeks in the Congo, possible developments in Nyasaland, and the possibility of ill-considered statements by Government or company spokesmen or of African leaders.

One can only express the pious hope that none of these factors will in fact emerge to disturb the present position, but nevertheless they are all present as possibilities, and all one can say is that it would take very little to spark off another situation of tension and the further adoption of mutually irreconcilable attitudes.

The dilemma, as I see it, arises from the hard fact that the present African leaders are unlikely to maintain their position if they advocate a policy of moderation, or if they support a policy of constitutional review based on an orderly timetable, if events should prove that this moderation leads nowhere. For African leaders advocating moderation it will be essential that this policy of moderation will be proved to pay dividends and to bring results. Otherwise these leaders are bound to give way to those who believe that only violence brings results, as we have seen elsewhere in Africa. Yet the problem is that the moment violence ceases and moderation on the

part of Africans takes its place, the European population sits back, relaxes, and does not pay much further attention to the urgent necessity of making concessions in return for this policy of moderation. Thus you have a vicious circle. If events are to develop here in a moderate and orderly evolution, concessions by the European community are, in my opinion, essential, without them I cannot see an alternative to a return to disorder.

We have the contradictory situation that whereas most Europeans here seem to have accepted in recent months the virtual inevitability of an African majority in Government here, this same European community fails to understand the corollary of this acceptance, namely that they must prepare themselves to give up something. This second thought apparently is one that it is impossible to get across to them. African moderation is thus interpreted as a signal for everything to go on here precisely as it has done in the past, and not as an opportunity to meet the new situation by concessions.

Arising out of this there is one matter about which I should like to talk to you as soon as possible after my return to London, which I hope will be on 1st July.

With regard to UNIP, opinion here still distrusts this party, and its leadership, despite Kaunda's public protestations. According to the papers he is due back this coming weekend, and a great deal will depend on him and on his behaviour, his utterances and his authority in the party, in the next few weeks. His apparent reluctance to return in a time of crisis is locally interpreted as a sign of uncertainty in himself as to his own position.

I told you that I had somebody making a tour of Angola and the Congo to do some fact-finding. This man is just back. I have not had a chance to talk to him at length, but he is doing me a report which you might care to see when I get back to London.

In the midst of all this Rhodesia is still as attractive as ever outwardly, and copper production enjoying times second only to those of 1956.

Please do not bother to reply to this. I will contact your secretary on my return. I hope you had a successful and pleasant trip to the West Indies, though we were very sorry indeed to hear of the accident to your wife.¹ I do hope she is better and that there will be no lasting damage.

¹ Eve Macleod had slipped and broken her leg while in Kingston, Jamaica.

244 CO 1015/2440, no E/133/1

7 July 1960

[Hastings Banda]: record by Sir R Armitage of an interview with Dr Banda at Government House, Zomba

I had one hour and ten minutes very relaxed conversation with Dr. Banda this morning. He arrived accompanied by Lali Lubani who sat in the office of my Private Secretary during the interview. Lali Lubani appeared completely dopey and I gather was virtually incoherent in thought and speech. He used to be quite a reasonable representative of the Nyasaland African businessman and I used to see him fairly often at places like the Ndirande Welfare Club. I have entertained him and spoken to him quite a lot.

I told Dr. Banda that I was glad to have the opportunity to see him before the conference and I hoped that things would go well in London. He said that he was going to the conference prepared to reach agreement with any other persons who were prepared to compromise and he hoped that he would find that spirit there. He said that the necessity was for the African numerical majority in Nyasaland to be recognised and appear in any constitutional decisions. He was not to be drawn on any further proposals.

We discussed at some length the criticism of intimidation practised by the M.C.P. which he continues to deny and alleges intimidation by District Commissioners, Police Officers, U.F.P. members and others. He said that he was prepared to investigate any question of any case of intimidation and to deal with it. He was against intimidation and would see that disciplinary measures were taken against any members of his party who practised it.

We spoke in general terms about the effect of his speeches and those of his colleagues recently, in particular the feeling of disquiet that they give the civil servants. He said that Nkrumah before he achieved responsibility and also Nyerere in the same circumstances, made speeches that were far worse than he and his colleagues were making. He said that at present he had no responsibility and therefore his speeches reflected his position. Give him responsibility and we would find that his speeches would be very different. This I find rather an interesting development because I had not heard him say quite so categorically that he was prepared to be responsible directly he got the chance of being given responsibility. He kept on assuring me that he had nothing against civil servants and wanted to keep all those other than the few who he said were working against the Africans. He even reiterated this in the last few sentences before he left the room. I told him it was difficult for civil servants and others to feel confident in their future when his colleagues ran them down so seriously and he himself did not give them any assurances. I suggested that he might bear this in mind when making his final speech before going to London. I also said that I assumed in this speech he would of course enjoin all his people to be calm and peaceful while he was away.

On the subject of indiscipline in schools, it was clear that this is part of his policy. He told me that it stemmed from his reception two years ago and the refusal by some headmistress to allow girls to go to a meeting that he had on a Sunday. He considered that they should have been allowed to go and see their 'Master', as he described himself. He made it clear to me that he considered it part of the duty of school teachers to promote the policies and sentiments of Congress and in particular, dislike of Federation. In fact he indicated that it was really dislike of Federation that he was encouraging through teachers teaching their pupils throughout the country. He appeared quite indifferent to my suggestion that to inculcate indiscipline into the young might lay up a store of trouble for him and his successors later. It would appear that we shall get no support from him in present circumstances in any efforts we make to get discipline and obedience restored in schools.

He made a passing reference to his disappointment that with the ending of the emergency there were still twenty left in detention and a number who were under control orders. He said he had hoped that in a spirit of reconciliation all those detained would be released. I pointed out as usual that we had these cases under review and judged them against events. I reiterated that in my opinion there was a great deal of intimidation in a number of districts at least and that I was not prepared

to risk an increase in such intimidation by allowing out any of those twenty still detained. I said that in some cases recent acts of intimidation were undoubtedly caused by people who had recently been released.

We discussed the question of chiefs and he made no bones about bringing chiefs into politics, although I had said that we had wanted to keep them out of politics. He said he could organise chiefs politically and he did not object to other people using them for political ends. What he objected to was the District Commissioners organising chiefs against the M.C.P. and he referred as he had previously done when talking to Youens, to the action alleged to have been taken by various District Commissioners in the Southern Province to get chiefs to present representations to the Secretary of State criticising himself and the M.C.P. He said that in his opinion this was District Commissioners acting in a political way which they should avoid doing.

Banda claims to be in control of his party and to be prepared to discipline anyone who disobeys orders or who acts contrary to party policy. He quoted the case of Pemba Ndove. He said again that his party followers had to obey him because they could not get anywhere without him. If they wanted him to follow a policy with which he disagreed then all he had to do was to say that he would resign and they immediately said 'No, we cannot do without you'. It is clear that he considers he is in complete control of his party and therefore that whatever he decides should be done will be done.

He mentioned briefly the fear that the Secretary of State had already made up his mind as to what was to happen at the Conference and had agreed this with Welensky, quoting statements he had heard from journalists, Europeans and others. I explained that this was no doubt a political game, that he himself had made demands and that obviously his political opponents were going to make play against him through some form or other. I assured him that the Secretary of State was looking forward to meeting him and that he was not bringing a closed mind to the conference, or had already taken decisions on it. Banda raised the usual objections to the presence of T.D.T. Banda¹ and a representative of the coloured community. I replied that the Secretary of State was anxious that there should be representation of all appropriate organisations or communities.

Banda referred as usual to the hopes that he had had when he arrived in July 1958 that Europeans and others would ask him to meet them and address them and discuss with him their ideas about the future. He was still prepared to do this and said that if I arranged with Dixon and Blackwood for him to address a meeting convened by them, he would be prepared to do so. He said it was too late to consider doing this before the conference. He also said that he would be prepared to address a meeting of civil servants.

¹ Thamar Dillon Thomas Banda. Dismissed as president-general of the Nyasaland African Congress in 1958. Founded the Congress Liberation Party in 1960.

245 PREM 11/3948

13 July 1960

[Reinforcement of Nyasaland]: minute PM(60)44 by Mr Macleod to Mr Macmillan

We seem to be running into serious trouble over the question of military reinforcement of Nyasaland. We have known all along that Sir Roy Welensky disliked,

and has been seeking every possible means to avoid, the use of U.K. troops; he first put in his ideas for police reinforcement, and as you will know from his telegram to you of the 8th July, he is now contemplating extension of the call-up and permanent embodiment of some of his European territorial battalions (one of which is already forming). It appears from messages from Salisbury that he has now dug his heels in on the planning operation to which he had agreed, having realised the extent of U.K. reinforcement which the planning must cover, and also that the possibility of U.K. command of the troops made available to aid the civil power in Nyasaland must inevitably be raised. The G.O.C. Federal Army¹ has apparently told our military representative in Salisbury that the reason for Welensky's objection to further planning is 'because such large numbers of U.K. troops could enable H.M.G. to follow a different policy in Nyasaland from that envisaged by the Federal Government'. The G.O.C. is now thinking in terms of plans which would avoid a requirement for U.K. troops except in the case of serious trouble throughout the Federation: this would of course defeat our main purpose of avoiding the use of Federal territorial troops in Nyasaland.

2. The Governor of Nyasaland has just told me that he cannot plan effectively against the possibility of a serious deterioration of the situation until he knows what troops can be counted upon and from what source; and that this planning must be completed by the 1st August. A preliminary planning meeting with the Federal authorities had been arranged in Nairobi for the 15th July, to be followed by a further meeting in Salisbury. It appears that this is now in jeopardy, although a message from Salisbury yesterday said that the position might be clarified after a meeting of the Federal Defence Council today.

3. Subject to anything we may hear from Salisbury after that meeting, I regard it as essential, if we are not to be caught unprepared in the situation which may develop in the Federation in the coming weeks, to bring full pressure to bear on Sir Roy Welensky immediately. I attach the draft of the kind of message which perhaps you might consider sending to him.

4. The question of the Command arrangements presents particular difficulty. We have not so far faced Welensky with this issue, to which the Chiefs of Staff naturally attach a great deal of importance. Clearly, if troops are committed in large numbers to support the civil power in Nyasaland, there must be a unified command, under the general policy control of the Governor, of all military forces so engaged; and the overall Commander would represent the military authorities on the Nyasaland Executive Committee under the Governor's chairmanship. If U.K. forces were committed to Nyasaland to the extent of four major units with supporting arms and air backing, it would be logical for an officer of those forces to assume overall command there. This would clearly be a hard pill for the Federal authorities to swallow, even though it would not be incompatible with maintaining the political position that U.K. troops were being made available to assist the *Federal* Government in meeting their current commitments.

5. The alternative to raising this issue now is to leave it in abeyance until we have got the necessary planning for the introduction of U.K. forces under way again and, if necessary, until those forces have actually arrived in Nyasaland. Not to raise this

¹ General officer in command, R Long.

question at this stage might make it easier for Sir Roy Welensky to acquiesce in planning on our terms; on the other hand, if U.K. troops are to be engaged in Nyasaland to the extent contemplated, the joint planning ought to cover Command headquarters and staff, and, if it does not do so, we shall run considerable risk of both political and military friction and uncertainty at a time when we are facing a serious situation. My feeling is that we should not burke this issue with Sir Roy Welensky at this stage.

6. Finally, the U.K. High Commissioner in Salisbury has suggested that it might help to overcome the present impasse if we were to suggest that U.K. troops might be prepositioned in Nyasaland; it appears that the Federal military advisers are in favour of early deployment, including U.K. forces, in order to avoid bloodshed and that this view is also held by some Federal Ministers. I must however continue to advise that the political risk of jeopardising the Nyasaland Constitutional Conference, if there were to be any substantial movement of troops into Nyasaland before it began, is completely unacceptable.

7. I am sending a copy of this minute and the enclosed draft to the Commonwealth Secretary and the Minister of Defence. You may wish to discuss the matter with us.²

² Macmillan commented: 'There must be a talk about this. It is more important than some of the things in tomorrow's Cabinet' (minute 13 July).

246 PREM 11/2883

13 July 1960

[Belgian Congo]: memorandum by P de Zulueta¹ for Mr Macmillan

[The Belgian Congo gained its independence on 30 June 1960. It adopted the name of the Democratic Republic of the Congo. Joseph Kasavubu, founder of the *Alliance des Bakongo* (ABAKO) became the country's first president, and Patrice Lumumba, co-founder of the *Mouvement National Congolais* (MNC), its prime minister. Within days, the African troops in the Congolese army (the *Force Publique*) had mutinied against their European officers and there was widespread disorder. The provincial elections of May 1960 had allowed the strongly regionalist *Confédération des Associations Tribales du Katanga* (KONAKAT) to take control of the legislature of the mineral rich province of Katanga. On 11 July, KONAKAT's leader, Moïse Tshombe, announced Katanga's secession from the Congolese state. See also Hyam & Louis, part II, 501.]

I suggest that it would really be desirable to consider, perhaps at Cabinet tomorrow, July 14, what our attitude should be towards the Congo. I suppose that ideally we should have liked the Congo to remain as an independent state more or less under Belgian influence. This, however, now seems most unlikely. The question is what attitude we should adopt:—

- (a) towards Mr. Tshombe and his independent Katanga;
- (b) to the various ideas for assisting the Congo Central Government, including plans for sending a United Nations team.

It could be argued that an independent Katanga, whether or not it is linked closely with Belgium, would be in our interests if it had good relations with the Federation.

¹ Macmillan's foreign policy private secretary.

In the first place, stable conditions in the Katanga part of the Copperbelt might help to maintain quiet in Northern Rhodesia. Secondly, our own interests in the Union Minière² might be best safeguarded under such an arrangement. Thirdly, there is the possibility that the Katanga Government might in future sell their copper for sterling, to the benefit of the sterling reserves.

It now seems certain that there will be a conflict, whether armed or not, between Mr. Tshombe and the secessionists of Katanga, and the Congo Central Government. If the Congo Central Government win, Mr. Tshombe is unlikely to survive and presumably any successive Government would be less friendly to the West. It could therefore be argued that our interests would best be served by assisting Mr. Tshombe to establish an independent Katanga. But, of course, if we were to back Mr. Tshombe we would annoy the Congo Central Government and possibly also the Belgians (who seem so far undecided what to do).

In the circumstances, it would probably be safest not to take sides until the situation has become clearer. But it would be annoying if Mr. Tshombe were to collapse for want of a little encouragement from us, and also if Mr. Tshombe is going to get on his feet successfully, there is something to be said for encouraging him to organise his affairs in a way favourable to us. Perhaps all that can be done at the moment is to continue to try to find out what Mr. Tshombe's chances of survival are, and in particular whether encouragement from the United Kingdom would be decisive. It might be worth consulting Sir Roy Welensky about the possibilities of a Katanga association with the Federation and also possibly entering into consultations about the future with the Americans and possibly the French and Belgians.

As regards action to help the Congo Central Government, it certainly seems important that, as the Foreign Secretary has already advised, any United Nations intervention should not come only from independent African states. It should also, I think, be our object to prevent, without saying so, the United Nations team from being used at this stage to help the Congo Central Government to establish their authority in the Katanga.

² The Belgian-based *Union Minière du Haut-Katanga*, the leading mining company in Katanga.

247 PREM 11/2883

14 July 1960

[Belgian Congo and Nyasaland]: CRO outward telegram no 717
transmitting a message from Mr Macmillan to Sir R Welensky

Please deliver following message from Prime Minister urgently to Sir Roy Welensky. *Begins*. The situation in the Congo and the reactions in Nyasaland following the opening of constitutional talks on July 25th are matters of deep concern to both of us and I am most anxious that we should keep in step in thought and action.

There will be very many fishing with glee in these troubled waters who will try and divide our two countries and discredit us. We must not allow them to score.

First I would like to give you my thoughts on the Congo. I am sure that so far you and I have taken the right line in saying that you would not send Federal troops and we would not send United Kingdom troops to intervene in the Katanga so long as there is any hope of maintaining the unity of the Congo.

If the central government were to collapse or if Tshombe were to sustain his independence over a period then the situation would be different. We should have to deal with him on administrative matters and some kind of ad hoc recognition would probably have to be considered.

But in these early days I am sure that we must give no grounds for any accusation that we are assisting to break up the Congo.

Of course the first aim of the Belgian Government has been to save the Congo intact. Without Katanga the largest part of the country would be impoverished and would then be a fertile ground for Communism. I am sure we all agree about this.

The first task must be to restore order. It is because, with all its risks, the United Nations seems to offer the best hope of achieving this and keeping the Communists out that we are telling Hammarskjöld¹ that we will co-operate if he can devise a way of doing this job which is acceptable practically and politically. I was glad to see that Hammarskjöld regards the function of the United Nations force as being solely to restore order without taking sides in internal conflicts. We have emphasised this point to him in New York.

Any United Nations force would be under the direction and command of an independent United Nations Commander and we trust that it will be composed of elements from a number of countries, some of them outside Africa, but excluding the five permanent members of the Security Council.

Our Mission in New York is discussing all these matters urgently with Hammarskjöld and I will keep you informed.

Turning to Nyasaland the sort of proposals on constitutional advance which the Colonial Secretary can offer to Banda will not, of course, be what he wants.

We shall make every effort to bring him to accept a middle of the road course; but if we fail to pull this off we may have to act and do so quickly and decisively if widespread disorder is to be checked and the situation held.

It is your assessment and ours that the situation may well require the use of troops possibly on a considerable scale and it is to make the best arrangements between us that joint planning was originally proposed. It had been thought prudent to cover Northern Rhodesia and Nyasaland because disorder might obviously occur in either or both.

I know that you are always unhappy about the use of United Kingdom troops at all when the Federal Government is charged with the duty of defence and I want to make it clear to you beyond doubt that I understand that point of view fully and that our proposal that United Kingdom troops should be used alongside yours is made with no thought at all that we should gain any advantage or infringe the Federal responsibility. It is first because the scale of the operation will almost certainly require our help and secondly that politically it is very much in your and our interest that at this difficult time we should be seen to be acting together to maintain order and stability. I think that to be very important indeed.

You have throughout been aware that our reason in seeking this joint planning has been that it might well be in our common interest to avoid the use of European territorials in Nyasaland. Internally, the latter could seriously increase the political difficulties and even, with the Federal Review Conference ahead, jeopardise the future prospects of Federation itself. Externally it could have serious political repercussions for the Federation as well as H.M.G.

¹ Dag Hammarskjöld, secretary-general of the UN, 1953–1961.

With Federal and United Kingdom troops acting together we should control the situation and internationally our action could be defended convincingly.

It is for these reasons that I hope we can make very rapid progress with joint plans both in Salisbury and Nairobi so that we can be ready by the end of this month. If the scale of United Kingdom help seems alarmingly large would you prefer that planning should deal with Nyasaland only? I think this would be dangerous as we clearly ought to plan for the worst but it could be considered if you wish. We should of course want the Nyasaland planning to cover the worst contingency in that territory with up to four United Kingdom units being introduced alongside your Regular troops. If we know exactly what to do then the trouble when it comes will be much more manageable.

In these matters there are great political issues at stake and far and away the greatest is a successful future for the Federation.

We must keep these broad political considerations always in mind. I do hope you will agree that we should plan together as I have suggested and thereby give ourselves the best chance to gain our common objectives. Our troubles alas are now world wide. We are having many difficulties with the Russians over the aeroplane flights and the whole world situation is becoming darker. However, we will do our best to steer through it all. *Ends.*

248 FO 371/146661, no 47

19 July 1960

[Belgian Congo]: minute by Mr Macleod to Mr Selwyn Lloyd

I lunched today with Sir Ronald Prain, who as you know is the leading figure in copper in Northern Rhodesia. He is also, in my view, a very acute observer of the local scene and his judgments are sound. Actually he foresaw the Congo situation some time ago and gave instructions for rest camps and food to be provided in Northern Rhodesia before independence came. He is apparently in daily touch with the Belgian mining company, and in constant touch with Ministers in Brussels.

He entirely understands our position and thinks we have acted absolutely rightly so far in relation to Katanga, but he also believes that it is, and will be seen to be, a major British interest that Katanga, with or without the other two Provinces, should remain as an ordered buffer state between British territories and the rest of the Congo. He tells me that the Belgian Government would like to recognise Katanga as independent but fear United Nations repercussions, and that they are in fact hoping that we will do so and that they will then be able to follow.

As I have said above, he himself, however, thoroughly understands and approves our attitude, which I outlined to him again. It may be, however, that in the next few weeks his advice would be of great value to us and I am sure if we wanted to know the position he would gladly put all the sources of his information at our disposal.

The Prime Minister and Lord Home both know Prain well and I am sending them copies of this note.¹

¹ Selwyn Lloyd thanked Macleod for sending him this assessment of Prain's views. He commented it was 'heartening that he sees the Katanga problem in such a realistic light' (Lloyd to Macleod, 22 July 1960).

249 FO 371/146640, no 228

20 July 1960

[Belgian Congo and British business interests]: note by E B Boothby¹

Since the Secretary of State was unable to receive him at short notice Captain Waterhouse² came to see Mr. Profumo³ yesterday to describe his recent visit to Brussels in connexion with his Katanga interests.

2. Mr. Profumo began by explaining why the Secretary of State had not been able to see him at the moment and said he thought it important for us to hear what had happened in Brussels without further delay.

3. Captain Waterhouse began by describing the complicated network of interests which ties up the Tanganyika Company, of which he is Chairman, with the great Belgian holding and mining interests of the Société Général and the Union Minière, of which he is a director, and which exploits the Katanga copper mines.

4. Captain Waterhouse said the extent of the British interest was of the order of £180 million and we would therefore have no difficulty in understanding his anxiety about the present crisis. He then gave us a further analysis of the repartition of the holdings in this financial empire, from which the interesting fact emerged that the Congo Central Government owns about 20% of the whole.

5. Mr. Profumo then asked what had transpired in Brussels. Captain Waterhouse said he had been consulted earnestly by the triumvirate of Belgians, MM. Van der Straten, Sengier and Robillart who rule the Union Minière complex. They said they had been unable over the weeks preceding independence to exercise their customary influence over the Belgian Government but had now recovered full access to the exhausted and rather shaky ministers. Individually they had been persuaded to agree that the recognition of the Tshombe Government would be a good thing but were collectively holding out more or less stoutly against it. They wanted him—Waterhouse—to influence H.M.G. in favour of recognition, though *not* to recognize the Katanga themselves, to persuade us of the danger of forcible entry by U.N. forces into the area and finally to convince us that we ought to give M. Tshombe *sub rosa* encouragement.

6. The Minister of State then explained why we considered it would be imprudent for us, at present, to consider granting recognition, dwelling on what the position of other members of the U.N. appeared to be, and pointing out the dangers of parting company with them. He said he thought the Belgian Government ought to be guided by the same considerations, and implied that they were quite right to hold their hand. He added that we could, however, give Captain Waterhouse some encouragement regarding forcible entry by U.N. forces into the Katanga. We had expressed our opposition to this quite clearly to Mr. Hammarskjold and he had not only answered satisfactorily, but appeared to share our views unreservedly on the matter. As to *sub-rosa* support for M. Tshombe he wondered exactly what Captain Waterhouse meant, but it did not emerge clearly what it was he had in mind.

7. The Minister of State then proceeded to draw on the advantages of an ultimate settlement which kept the Congo together, pointing out that a state truncated of its

¹ Head of the African Department, FO, 1959–1962.

² Charles Waterhouse, chairman of Tanganyika Concessions since 1957. Conservative MP, 1924–1945 and 1950–1957.

³ John Profumo, minister of state for foreign affairs.

richest province would become just the sort of African slum in which Communism would be most likely to take root. There followed a short discussion as to how far the Kasavubu–Lumumba government was already Communist-controlled. Captain Waterhouse had a great many stories, particularly in connexion with the Force Publique mutiny, purporting to support this idea, but admitted that precise evidence was for the moment wanting. I interposed to say that the Belgian Ambassador had told us he thought the main reason for the mutiny was the jealousy of highly-trained African N.C.O.s for jumped-up bank clerks now promoted to ministers, while they were expected to spend the rest of their lives subordinate to Belgian officers as in the past. I added that the Force Publique had been the most likely instrument the Lumumba Government possessed for ensuring the unity of the State and that they could scarcely have been pleased to find that it had broken in their hands. Captain Waterhouse was clearly displeased to have to take account of these considerations but did not deny their force. He went on to paint a bright picture of the Tshombe régime and hinted that its influence might soon be expected to spread to the neighbouring provinces of the Kivu and the Kasai. When it was pointed out that the recent elections had shown majorities supporting the present government in those two provinces, Captain Waterhouse manifested a humorous contempt for arguments based on the suffrage and implied that the Union Minière had a short way with difficulties of this sort. After all Tshombe himself was a man of no personality and slender capabilities but there he was, firmly in the saddle if the U.N. did not unseat him; and there was no reason why the system which had brought him in in the Katanga should not be extended over much wider areas where there might not be copper but were at least diamonds.

8. The Minister of State then reverted to the dangers of H.M.G. exposing themselves, by premature interference in these matters, to criticism in the U.N. from all those inclined already to suspect our motives, and said he thought we ought to lie low. Captain Waterhouse agreed with this on the whole, but his attitude at this stage suggested that he felt he had not got his way and there was little else to be said.

9. By way of conclusion, and with the Minister of State's permission, I asked him to consider whether he might not after all persuade his Belgian friends to be less pessimistic about the chances of putting the Congo as a whole (with the help of the U.N.) onto a more hopeful track. It really seemed the only way of avoiding a division which might in the end be more disastrous to Union Minière affairs than anything else. If his friends should finally come round to such a view, they would see the advantages of U.N. mediation between the Katanga and the Central Government (and there were already signs of preparation for such mediation). Would they not be able in that eventuality to influence their Government in the sense of making it easier for the U.N. to arrange for an ultimate peaceful take-over from Belgian troops in the Katanga as well as in the rest of the country? Captain Waterhouse said the Belgians would never consent to this. It was a question of pride. The Congo touched the very depths of their souls. The burglar had run off with the key and they wanted to save anything that remained in the house before he could get his hands on it.

10. When seeing Captain Waterhouse off the Minister of State assured him that the Office was at his disposal for exchanging information and, if necessary, ideas. He would certainly be informed if we learned of any action pending likely to be of imminent concern to his Company's affairs.

250 CAB 134/1559, CPC 6(60)2

20 July 1960

**[Nyasaland constitutional conference]: Cabinet Colonial Policy
Committee minutes**

The Committee had before them a memorandum by the Colonial Secretary (C.P.C. (60) 18) about the Nyasaland Constitutional Conference due to open in London on 25th July.

The Colonial Secretary said that there might well be difficulty at the beginning of the Conference about special representatives. The Malawi Congress Party had included three Chiefs in their party; the United Federal Party had then decided to bring three Chiefs as well to show similar backing; the Governor now proposed also to include some representation from the Chiefs. A more difficult problem would arise from the timing of the Conference in relation to the Monckton Commission and the Federal Review. It would be necessary to make it clear that the Conference was concerned with internal matters and not with the relation of Nyasaland to the Federation. It would also not be possible to implement any arrangements for constitutional advance in Nyasaland at least until the Monckton Commission report had been studied, and probably not until the Federal Review had taken place.

In general, he would conduct the Conference as slowly as possibly. In due course he would table the constitutional suggestions indicated in Annex B to C.P.C.(60) 18. It was thought that these proposals were generally acceptable to the Federation authorities. The most difficult constitutional point concerned the franchise. The proposals in Annex B were based on an income qualification of £120 a year. This, however, would only enfranchise about 8,500 people out of a total African population of 2.8 millions. It would clearly be necessary to go much further than this in the course of negotiations in the Conference. To reduce the income qualification to £75 would still produce an electorate of only 20,000. But by introducing alternative qualifications, such as an age qualification of over forty, would produce an electorate of more than 200,000. This alternative would have the advantage of establishing a more stable and responsible electorate, but admittedly it would be unwelcome to the Federation authorities. It would, however, be much less than the universal adult suffrage which Dr. Banda would no doubt demand.

The Committee's discussion centred mainly on the extent of the franchise, in relation to the arrangements in other African territories, particularly territories in the Federation. It was pointed out that while the Federation authorities might accept an extension of the franchise equivalent to that in operation in Northern and Southern Rhodesia, they would oppose any wider enfranchisement in Nyasaland. On the other hand, it could be argued that since Nyasaland had virtually no European population, there was a logical case for a different franchise basis. Moreover, in view of the circumstances in which the Conference was at last being held, it was most important that proposals should be put forward which would have at least some chance of success. The constitutional proposals contemplated by the Colonial Secretary, other than those for the franchise, would certainly go some way to meet Dr. Banda's demands.

It was the general view of the Committee that it was difficult to decide what further franchise proposals might be authorised for introduction later in the Conference, without some knowledge of what recommendations the Monckton

Commission were likely to make on this subject. It was possible that the Monckton Commission might recommend against the introduction of a double roll.

The Committee:—

- (1) Invited the Colonial Secretary to ascertain, in general terms, what views the Monckton Commission were likely to express as regards constitutional development in Nyasaland.
- (2) Agreed to resume their discussion, in the light of the information to be obtained at Conclusion (1).

251 DO 35/7566

3 Aug 1960

[Nyasaland constitutional conference]: minute (PM(60)50) by Mr Macleod to Mr Macmillan

Tomorrow we are going to consider our Conference Report. It still looks as if we will get agreement. There seem to me only two chances of this going wrong. The first that the extremist wing of Malawi represented by Chiume will over-persuade Banda at the last minute. The second that Blackwood or one of the Europeans might insist as a precondition of agreement that the constitution should run for a fixed period of years. The odds, however, at the moment are on agreement.

Today we discussed the Executive Council with surprisingly little heat. My telegram to Welensky which is attached¹ explains the points. In fact every point that I am putting to the Conference tomorrow is well within my remit from the Colonial Policy Committee and in particular the franchise figures to which Welensky is so attached, are now accepted. Naturally he may be worried about repercussions on Northern Rhodesia but we have limited these as far as we can and the figure of electorate is in fact only half the one that I originally put both to Welensky and Greenfield. I think if agreement comes tomorrow it would be very helpful if you would send a personal letter to Welensky which might limit any criticism that he feels he has to make.

As you know, one of my main anxieties has been that what we do might clash with the Monckton Report which is even more important to us than the Nyasaland Conference. But I had a very helpful talk with Walter last night and I believe that I can evolve a formula which will in effect say that if the Monckton Report goes against what we recommend we would consider a short meeting of the Nyasaland Conference again in Zomba. I will speak again to Walter tonight, if I can, on these lines. It would of course be splendid if agreement is reached and his people are able to say that they would in practice have recommended something not very dissimilar from the Conference agreement and therefore that they are content with what has been done. I have assured Dr Banda privately that if he signs an agreement tomorrow we have no intention of using either the Monckton Commission or the Federal Review as an excuse for getting out of what we have undertaken. He accepted this at once as an assurance from me.

I am sending a copy of this minute to the Lord Chancellor, the Secretary of State for Commonwealth Relations and the Minister of Defence.

¹ Not printed.

252 PREM 11/2885

5 Sept 1960

[Belgian Congo]: minute (PM(60)55) by Mr Amery to Mr Macmillan

[Sir Malcolm Barrow (federal minister of power and home affairs, 1956–1962) had informed Macmillan on 1 Sept of an approach to the federal government from an envoy of Tshombe. The envoy claimed that Tshombe hoped the federal government would be able to supply his regime with aircraft and arms. Barrow warned Macmillan that the Katangan administration was in danger collapsing under pressure from Lumumba's Soviet-backed regime, and claimed that the Western powers had a duty to ensure that this did not occur (PREM 11/2885).]

I have seen Sir Malcolm Barrow's message to you about the situation in Katanga (Salisbury telegram No. 748 Secret and Personal).

I am in no position to judge how far the assessments of the position in the Katanga and of the strength of Lumumba's forces contained in that message are accurate. At the same time I think I should let you know of the consequences which we foresee for Northern Rhodesia if the kind of debacle in Katanga forecast in Barrow's message should take place.

Northern Rhodesia has an entirely artificial frontier with the Congo. In several places this divides African tribes and so makes it impossible to control movements across the frontier effectively. If, therefore, fighting in the Katanga were to lead to the closing of the Belgian mines, we would expect some thousands of hungry and unemployed Congo Africans—miners and others—to cross into our Copperbelt in search of food and work. This would create a major problem for Northern Rhodesia where there is already some unemployment in the urban areas.

If the fighting in Katanga were to develop into inter-tribal warfare, as it has elsewhere in the Congo, we would also expect the defeated tribes to seek refuge in Northern Rhodesia. We could not prevent them coming in. We could hardly repatriate them into the hands of their enemies. The Northern Rhodesian Government (or the Federal Government) would thus have a major refugee problem on its hands.

In the longer (but not much longer) run the extension of anarchy to the Katanga Copperbelt, or the growth of Communist and anti-European influences there could hardly fail to create unrest on the adjoining Northern Rhodesian Copperbelt. We already face a potential security risk there from break-away trade unions among African copper miners; and agents could easily be infiltrated across the border from the Congo to aggravate this.

The conclusion we draw is that the kind of development in Katanga forecast in Barrow's message would create serious difficulties for Northern Rhodesia in the short run, and would in the longer run imperil the main source of revenue of the Northern Rhodesian Government and indeed of the Federation.

I am sending a copy of this minute to the Foreign and Commonwealth Secretaries.¹

¹ Macmillan commented, 'The only conclusion is that we must continue to urge Hammarskjöld & UN to try to get a settlement. Fortunately, he shares my views of the dangers in the present situation' (minute, 8 Sept 1960).

253 PREM 11/3078

15 Sept 1960

[Monckton Commission]: minute by B StJ Trend to Mr Macmillan on the publication of the report and the timing of the review conference

The Monckton Report will probably be published at some point between the 11th and the 18th October. We must expect that thereafter Governments, both here and in the Federation, will quickly be pressed:—

- (a) To give some public indication of their attitude towards the Report's recommendations.
- (b) To summon the Constitutional Review Conference as rapidly as possible.

There would be considerable advantage in ensuring, if possible, that we reach agreement with the Governments in the Federation—certainly on (a) and preferably on (b) also—before the Report is published. We have about four weeks in which to try to do so; but, since the Federal and Southern Rhodesian Governments may be difficult to handle on both issues, you might think it desirable to open discussions with them while the Commonwealth Secretary is in Salisbury.

The Working Party which has been set up to consider the Monckton Report has therefore given some preliminary thought to both questions and has reached the following tentative conclusions:—

(a) *Publication of the Monckton Report.* It will clearly be desirable to try to keep the temperature of public discussion as low as possible in the interval between publication of the Report and the opening of the Review Conference. Our best course, therefore, might be to take the line in public that the Monckton Commission have made a very thorough and impartial analysis of a difficult question; that, given the complexity of the issues involved, it is not surprising that their recommendations are not unanimous but are subject, in several important cases, to substantial reservations; that we and the other Governments concerned will have to give careful thought to both the majority and the minority points of view reflected in the Report before the Review Conference opens; but that the analysis of the basic issues contained in the Report will provide a valuable foundation for the final Review itself.

It would, we feel, be impossible to say less than this; but it would be undesirable to say more or to imply, at the stage of publication, that we were already committed to supporting or rejecting any particular recommendation in the Report. It would be important to ensure, if possible, that the Governments in the Federation would take the same line in public. In the case of the Governments of the two Protectorates, this should be relatively simple; but, as regards the Federal and the Southern Rhodesian Governments, a good deal of persuasion may be required.

We must also envisage that there may be a demand for a debate on the Report both in Parliament and in the various Legislatures in the Federation, in an attempt to compel Governments to disclose their respective policies in advance of the Review Conference. It may be more difficult for Governments to remain non-committal during such debates. But, here again, the fewer hostages to fortune which they give, the easier the Review Conference itself should be; and we should

try to ensure that the Governments in the Federation do not take up public attitudes which could embarrass them during the Conference.

(b) *The timing of the Review Conference.* After the Report has been published, it will presumably be necessary to allow an interval of several weeks before the Review Conference is opened, in order to allow opportunity for the expression of public opinion, Parliamentary debates and so forth. At the earliest, therefore, the Conference cannot open until the last week of November or the beginning of December. But should it begin then or be deferred until after Christmas? The main arguments in favour of as early a date as possible appear to be that:—

(i) There will probably be heavy pressure for the Conference to assemble rapidly; and we shall not gain by appearing to be dragging our feet.

(ii) The Monckton Report recommends that a Conference to review the Constitution of Northern Rhodesia should be summoned at the earliest possible opportunity and should not necessarily wait until the Review of the Federal Constitution has taken place. Equally, we are committed to resuming the suspended discussions on the Constitution of Southern Rhodesia in the near future. Those interests in the two Rhodesias which are concerned to secure the earliest possible revision of their respective Constitutions are likely to press for these discussions to precede the Federal Review Conference; and there is a certain logic in the argument that the constitutional status of the Territories should be clarified before they are required to select the delegates to represent them at a review of the Federal Constitution. The same argument may apply in principle to the implementation of the new Nyasaland Constitution and the holding of elections in Nyasaland. But, if we adopt this course, the Federal Review may have to be deferred for an unduly long period; and we may also risk finding that the sensitive points in the Monckton Report (particularly, perhaps, the right of secession and the degree of Territorial representation in the Federal Legislature) become issues in the Territorial constitutional discussions and possibly in the Nyasaland elections—whereas, if we reverse the order of procedure (dealing with the Federal Constitution first and the Territorial Constitutions only thereafter) and if we can succeed in securing an agreed settlement of the Federal Constitution, the Federal framework within which the Territorial constitutional adjustments will have to be made will be established in advance and the details of those adjustments should be more easily manageable. But the pressure for constitutional adjustments in all three Territories is already strong and will grow stronger as soon as the Monckton Report is published. If, therefore, the Federal Review Conference is to precede the Territorial Constitutional Conferences, the sooner it is held the better; and the shorter the interval before it begins, the less difficult it will be to avoid commitment to the Territories in the interim.

On the other hand it can be argued in favour of deferring the Federal Review until after Christmas that:—

(a) It is unlikely that the main recommendations of the Monckton Report will be acceptable either to the Federal and Southern Rhodesian Governments on the one hand or to extremist African opinion in the Protectorates on the other hand. The Review Conference may, therefore, be a pretty bitter and hard-fought affair. In that case, there is a good deal to be said for giving ourselves as long an interval as possible before the Conference opens, in which to take private soundings of the

four Governments and local political opinion in the Federation and to ascertain informally how many issues can be disposed of fairly easily and how many are likely to remain as major sticking points. It is doubtful whether this preliminary process of 'softening up' could be satisfactorily completed against a deadline of, say, 1st December.

(b) Given the ground to be covered and the size of the delegations envisaged at present, it seems improbable that the Conference can be completed within three weeks. In that case, an adjournment over Christmas will be unavoidable. There might be certain advantages in such an adjournment—e.g. for officials to work out the details of various possible schemes of compromise. On the other hand, there might be considerable dangers. Once the momentum of the Conference was lost and the protagonists were allowed an interval at home, when local pressures could be renewed, attitudes would be liable to harden again and goodwill would be bound to suffer.

The arguments in favour of a date before Christmas and a date after Christmas are, therefore, nicely balanced; and we have felt that we cannot—and, indeed, ought not to—try to decide between them without first ascertaining the views of the Governments in the Federation. But we ought to do so as rapidly as possible in order that, by the time that the Monckton Report is published in mid-October, all five Governments may be agreed on what is to be said in public about the date of the Review Conference.

254 PREM 11/3078

15 Sept 1960

[Northern Rhodesian constitution]: minute PM(60)56 by Mr Macleod to Mr Macmillan

There is one matter arising out of the Monckton Report on which I think we must take an early decision.

2. You will recall that I have been for some months trying to hold the constitutional position in Northern Rhodesia on the basis of my public statement to the effect that it would not be right to initiate any discussion of the Constitution at least until the outcome was known of the Monckton Commission and the Federal Review Conference.

3. I have felt however for some time that it was becoming increasingly difficult to do this, and that we ought to give some indication of our intention to embark upon constitutional talks for Northern Rhodesia after the Review Conference was over. I have tried this idea on Welensky several times in personal correspondence, but so far he has resisted it.

4. We now have in paragraph 114 of the Monckton Report a clear recommendation that H.M. Government should make an early declaration of its intention to proceed with constitutional advance in Northern Rhodesia. I feel sure that we really have no alternative but to fall in with this recommendation and will have to make a declaration of this kind very soon after this Report is published. No doubt we should say that it is not practicable to convene a formal constitutional conference in advance of the Federal Review but we should have to accept that discussion of constitutional advancement should proceed as quickly as possible and independently of the Federal

discussions and say that the Governor will be initiating preliminary informal talks with all political parties with a view to preparing the ground for a formal conference at the earliest practicable date after the Federal Review.

5. With this in mind, I had suggested to the Governor that he should before the Report is published give a private holding message to Kaunda and UNIP from myself, advising Kaunda to wait for the publication of the Monckton Report and saying that the Governor will be ready to meet him for informal discussions about the constitutional position in the light of the Report as soon as it was published. It is essential to take some such action to hold the situation, because we know that, although Kaunda has clearly tried and, with considerable success, to impose restraint on his followers he has only been able to buy time until the 12th October in order to show that his moderate policy is producing results.

6. The Governor however thinks that he cannot take the risk of speaking to Kaunda on these lines without letting Roberts (the European U.F.P. unofficial leader on the Executive Council) know that he is doing so. This means that we must bring Welensky into consultation; and I can see no prospect of getting Welensky to agree even to the holding message without telling him frankly what our view is on the main issue raised by the Monckton Report.

7. I therefore seek your agreement to asking the Commonwealth Secretary to put our views to Welensky as indicated in paragraph 4 above. Alport, to whom I am sending a copy of this minute, agrees with an approach to Welensky on these lines. I should like if possible to get a message to the Commonwealth Secretary about this by the weekend before he returns to Salisbury.

8. I am convinced that there is a dangerous position in Northern Rhodesia, and I enclose an article from today's Guardian.¹ There is no doubt that a date (whether the 4th or the 12th) has been set in early October, and that violence may well follow if there is no move by then. Prain has just been to see me to press on me the view that I was in any case putting to you in this minute. I hope we can send a message swiftly to Duncan.²

¹ Not printed.

² At a meeting between Macmillan, Macleod and Duncan Sandys (secretary of state for Commonwealth relations since 28 July) the following day, it was agreed that Hone should privately inform both Kaunda and John Roberts of the government's intentions.

255 DO 35/7502, no 4

22 Sept 1960

[Monckton Commission]: Salisbury telegram no 810 transmitting a letter from Sir R Welensky to Mr Macmillan

Following is text. *Begins:*

Dear Harold,

I have now had a chance to consider the more important recommendations of the Monckton report and to discuss them with Sandys. I know that you will wish me to be quite frank in giving you my views and for my part I believe that it is essential to convey to you the full gravity of the situation that will arise when the report is published. The effect of publication of the report in its present form may well be disastrous unless some explanations are given, about which I shall deal later.

Secession. First and foremost there is the recommendation in the report that territories under certain conditions should be given the right to secede. This recommendation is in my opinion quite outside the terms of reference and I shall have no option but to reject it completely and I am confident that when you have considered what follows you will do the same. I think it is advisable to set out briefly the history of this matter.

(1) The insertion of a secession clause was considered at both the pre-Federation Conferences in London in 1952 and 1953 and was rejected in unequivocal terms by all the United Kingdom Secretaries of State. In particular Lord Swinton spoke of such a clause as a sentence of death. I append an annexure¹ which gives many of the relevant quotations.

(2) When Article 99 of the Constitution dealing with the Review Conference was before the United Kingdom Parliament, Oliver Lyttelton stated categorically that the Conference would not deal with secession. In the annexure I set out the relevant parts of his speech.

(3) In April 1957 our two Governments reaffirmed their objection to secession.

(4) When the terms of reference of the Monckton Commission were under discussion between us I made it clear that we could not accept that the Commission should have the right to conduct an inquest on our affairs or consider secession. I laid great stress on these. You gave me the clearest possible assurances that this would not be done. I refer you to your message of 26th November 1959 in reply to mine of 25th November.

(5) I have committed myself publicly and irrevocably to the position that secession would not be considered by the Commission. I did so in the Federal Parliament on 21st and 23rd July 1959. As recently as 28th March 1960 the Governor-General in the speech from the Throne affirmed the same thing.

I may add that quite apart from my own personal position in this matter the secession issue was not fully canvassed in the Commission because it was generally assumed both from your statements in the House of Commons and from my statements here that it was not in issue before the Commission. You will of course recall that the Labour Party held back from participation in the Commission because you would not agree to extend the terms of reference to include secession. It is also significant that two of the Commissioners Messrs. Gondwe and Katilungu in a note of reservation stated that African political parties had boycotted the Commission because of their belief that secession was not in the terms of reference.

I need hardly say that it was the duty of the Commission, if they took a different view from that publicly expressed by me as to their terms of reference, to have made this clear so that witnesses could have given their views upon the effects of a secession clause. As this was not done the most serious prejudice has been created.

In the event I appear to have misled the public of the Federation because the Commission have done the very thing that you and I agreed they would not do and that I informed the public of the Federation would not happen. I am sure therefore that you will recognise that I must publicly and at an early date repudiate the report in so far as it refers to secession. Moreover I must ask you to honour the agreement between us and to do the same. I am assuming of course that you are powerless at

¹ Not printed.

this stage to have the report amended before publication. If it is to be published in its present form without a simultaneous statement from us both regarding the secession issue the gravest consequence will ensue. I trust therefore that you will be able to agree with me on a suitable joint statement for issue when the report is published.

Other recommendations. I now turn to the recommendations which are within the terms of reference. It is quite clear to me that the Commission has approached its task principally from the standpoint of appeasement of African nationalism. The test has not been what is right or what is best but what can be done to please African nationalists. It follows that from my point of view the report is a most unsatisfactory document and one which is barely suitable even as a basis for discussion. I was sorely tempted because of the Commission's having gone outside its terms of reference to repudiate the report entirely. In fact I have already been under some pressure to do so and this will mount as soon as the report is published. However in the interests of trying to save the Review Conference I am prepared to repudiate *in toto* only the recommendations regarding secession. I do not mean that the other main proposals are acceptable—far from it—but I am willing to consider making certain changes in regard to the composition of the Federal Assembly, the Franchise and the redistribution of functions, provided certain changes are conceded in other directions. I must make it clear however that I cannot possibly accept the recommendations for racial parity in the Federal Assembly nor for a debating of the Federal Franchise in the manner suggested. Nor can I accept the recommendations regarding education and defence.

Parliamentary debates. Owing to the late publication of the report I have deferred the resumption of our Parliament to 25th October. Our business starts with a motion to consider the report. I was hoping that my Government would be able to introduce this debate in a non-committal strain but as things are now I shall have no option but to re-state my objections to the secession issue being dragged into the report.

It has I believe been a usual practice in the British Parliament to welcome a report of this nature and to state that the Government considers it to contain useful and constructive suggestions. I hope that on the occasion when it is debated in the British Parliament you will not embarrass me by any such commendatory remarks.

I shall look forward to hearing from you that you agree with my views about the inclusion of the secession recommendations in the report.

Yours sincerely,
Roy Welensky

256 DO 35/7502, no 14

24 Sept 1960

[Monckton Report]: inward savingram no 37 from Sir E Hone to Mr Macleod expressing reservations about the Monckton Report

[Extract]

Your telegram Personal 159 asked for preliminary views on the general acceptability and negotiability of the Monckton Report, both as a whole and in regard to its main particular recommendations. In acknowledging this request in my telegram Personal 137, I said that it would be helpful to me if I could also learn your own general views

on the Report as soon as possible. In dealing with a Report which contains such far-reaching recommendations and which will inevitably be the subject of widespread controversy, I feel sure that you would agree that it is essential to have continually in mind the main objectives which it is Government policy to achieve at the Review Conference. It is for that reason that I would particularly welcome an indication of your view as to the major policy objectives to be followed by Her Majesty's Government in regard to the Federation and its constituent Territories. (Since this was drafted, I have received your telegram Personal 167, to which I have replied in my telegram Personal 141.) It may be helpful at the outset of this memorandum to summarise my general reactions to the Report as a whole; and then to go on to consider policy objectives and how they may best be achieved.

General reactions to the Report

2. We have read the Report with mixed feelings. On the one hand, we welcome the Report's clear and accurate statement of African objections to the present form of Federal association and its recognition that no new arrangement can succeed unless it obtains the support of African opinion; and we agree with the view expressed in paragraph 49 that the Federation cannot be maintained in its present form in view of the strength of African opposition in the Northern Territories. We also agree that there are economic benefits to be derived from the Federal association, (provided these are properly and fairly distributed) and that it is preferable to recast the structure in a form more acceptable to its inhabitants, rather than to replace it by a High Commission or some such association as a Central African alliance.

3. In many of its features, the new design which the Report proposes corresponds with that which our own Northern Rhodesia Officials advocated last November. I refer in particular to the proposals to reduce the functions exercised by the Central Authority; to change the composition of the Federal Assembly to give greater representation to the Northern Territories, as opposed to Southern Rhodesia; to improve the machinery of co-operation between the constituent Governments; and to introduce effective safeguards against racial discrimination and for the protection of minorities; and at the same time to preserve the Federation as an effective unit responsible for economic policy and for defence.

4. The principles on which the Report recommends that functions should be allocated between the Federal and Territorial Governments are precisely those which we have always maintained should be observed. Whilst, however, we appreciate that so much of the design we ourselves sponsored has been adopted, it is to be regretted that features have been imported into it which, in our view, would gravely endanger its successful operation. Here I refer to the proposals for equality of representation between the races in the Federal Assembly on a communal basis, and for an African majority in the Territorial Legislature of Northern Rhodesia. We regard these proposals with grave misgivings. Their unqualified adoption would, in our view, set the future of the Federation as much at risk as the proposals made on the other extreme by the Federal Government from time to time for removing the elements of subordination and granting independence to a Federation controlled by a largely European electorate. We had hoped that the Report would have steered a middle course between the Scylla of African nationalism and the Charybdis of Dominion status. To our mind, it has veered too far in the direction of the former by reason of the two groups of recommendations to which I have entered reservations.

Objectives of policy at the Review Conference

5. Whatever our feelings about this Report we can only decide how best to deal with it when we have identified our major policy objectives. The principal objective of Her Majesty's Government's policy in Central Africa, as I understand it, is to maintain the association of the three Territories in a Federation. The Federation is seen as an important instrument for achieving Her Majesty's Government's other principal aims for Central Africa, which I may summarise as (a) the maintenance of stable government, having the consent, or at the minimum the acquiescence, of a majority of the peoples and the confidence of investors: a Government adapted to serve a multi-racial community and dedicated to the pursuit of non-racial policies; and (b) the promotion of the economic well-being of the area and the welfare of its inhabitants.

Practical steps required to achieve these aims of policy

6. I fully agree with the general view of the Monckton Commission that two needs are inescapable: the Federation must be drastically re-modelled, and the share of influence of the African partner in it must be increased.

Degree in which the recommendations of the Report are acceptable

7. As regards the re-modelling of Federation, the Commission's proposals are very largely unanimous and hence stated in terms which are both reasonable and unambiguous. If the main objectives suggested earlier in this Savingram are to be attained, the Commission's proposals for re-distributing powers from the centre to the periphery, for introducing safeguards and other reforms, and for clarifying the path for constitutional advance should broadly be accepted.

8. As regards the manner of achieving increased African participation in public affairs the Commission were more often divided and their proposals are accordingly more indefinite, less easily accepted as a whole because of inconsistencies, and indeed much more open to criticism. But the broad aim of increasing African representation in legislatures and accelerating African advance must be accepted, though we repudiate emphatically the methods which the Report suggests for achieving it.

9. In my view, the Commission's recommendations here run directly counter to the basic policy which has been pursued by Her Majesty's Government and local governments in the Federation for the past decade; yet the recommendations are advanced without presenting any convincing reason why so basic a change of policy should be made. I refer in particular to the apparent reversion towards racial politics which the adoption of some of the proposals in regard to the Territorial and Federal Legislatures would entail.

10. This tendency of the Commission to accept racial politics as inevitable is in odd conflict with one of the chief reasons given in the Report for seeking to maintain the Federation in being; that to break it up at this crucial moment in the history of Africa would amount to an admission that there is no hope of survival for any multi-racial society on the African continent and that differences of colour and race are irreconcilable. It also runs counter to one of the chief principles followed by the Commission in determining the allocation of functions between the Federation and the Territories: that the division of subjects should not be on a racial basis.

11. It seems likely that the Commission either lost sight of or discounted the essential difference between multi-racialism and non-racialism; it is the latter which has been the basis of past policy in Northern Rhodesia. My fear is that the maintenance of Federation will be jeopardised if the Review Conference follows the Commission's tendency to revert to communal representation and racial politics. Nor will it be attainable if the advance to the ultimate end of transferring power to the majority is undertaken too rapidly; it is essential that any such transition should be by way of staged advances, though this does not necessarily mean that the ultimate aim should not be recognised now and a provisional timetable for its achievement be laid down.

12. The following is a summary of my preliminary attitude towards the specific recommendations in the Report, grouped according to the Chapters of the Report from which they arise.

13. *Federal Legislature and Franchise.* We accept that the composition of the Federal Assembly must be changed. We are most unimpressed, however, with the proposed changes suggested in the Report and consider that an alternative scheme must be worked out. This would seek:—

- (a) To include more Africans—not exceeding parity;
- (b) To revise the Territorial distribution of seats to parity between the Territories or something much nearer to that than the present distribution;
- (c) To avoid racial representation;
- (d) To widen the Franchise without resort to communal elections. . . .¹

¹ Sandys described the tel as 'Very interesting & helpful' (minute, 2 Oct 1960)

257 FO 371/146650, no 401 28 & 29 Sept 1960 [Belgian Congo]: FO minutes by H F T Smith,¹ A D M Ross² and Sir R Stevens³ on a proposal to remove Patrice Lumumba

[This discussion was inspired by a tel to the Foreign Office from Britain's ambassador to the Congo, Ian Scott (no 762, 27 Sept 1960). A fortnight before, Colonel Joseph Mobutu had staged a *coup*. He had attempted to arrest Lumumba but was prevented from doing so by UN troops, who surrounded Lumumba's residence. Scott was critical of the UN operation in the Congo, and suggested that a more active policy might be adopted by Western countries with the aim of neutralising Lumumba. He argued that the best interests of the Congo 'would be served by the departure of Lumumba from the scene either to jail . . . or abroad' and suggested that pressure might be put on Kasavubu and Mobutu 'to take some positive action against Lumumba'.]

In Leopoldville telegram No. 762 Mr. Scott reviews the current position and recommends that the Western countries should now bring pressure to bear in order to prevent Lumumba from coming out on top.

2. I think Mr. Scott's analysis is sound. The African countries which are active in support of Lumumba are active for a variety of reasons, largely based on their

¹ H F T Smith, then a member of the African Department of the FO, subsequently served as director-general of the Security Service (MI5) from 1979–1981.

² Assistant under-secretary, FO.

³ Sir Roger Stevens, deputy under-secretary, FO.

respective national interests. It is not clear, however, what reasons they have for thinking that they could maintain a strong influence over Lumumba if he were restored to power; one consequence which could hardly be welcome to Ghana, the U.A.R. and Morocco would be the probable return of Russian influence.

3. In making their present efforts at reconciliation between Kasavubu and Lumumba these African countries no doubt intend that this should restore Lumumba to the dominant position. Given the personalities involved, and the present shape of the governmental organisation, there can be no doubt that Lumumba would dominate the rest. I think we must be clear therefore that if reconciliation succeeds, and if there is no change in the present constitutional division of power, Lumumba will prevail. This will mean, among other things, that Katanga would be kept in the Congo only by force. It would also make it rather unlikely that the United Nations' effort would succeed.

4. While I agree with Mr. Scott's analysis, I doubt whether his remedies would work. Colonel Mobutu has already tried to arrest Lumumba, but both he and Kasavubu lack both the power and the resolution. It is doubtful whether the Ghanaians and others would accept Lumumba's arrest, or whether the United Nations command itself would feel able to acquiesce in it. Even if Lumumba were arrested I doubt whether Kasavubu would be able to keep him long in gaol; Lumumba would have to be completely sealed off, if domestic pressures were not to develop in his favour. The other suggestion is that Lumumba should be sent out of the country. I see similar difficulties about this, and there are the further points that he could easily become an external focus for internal discontent, and that it would be extremely difficult, given his allies in Africa and elsewhere, to prevent him from getting back into the Congo.

5. I see only two possible solutions to the problem. The first is the simple one of ensuring Lumumba's removal from the scene by killing him. This should in fact solve the problem since, so far as we can tell, Lumumba is not a leader of a movement within which there are potential successors of his quality and influence. His supporters are much less dangerous material. The other possible approach is for a constitution to be worked out which places far more power in the hands of the President and in such a way that even if the President (for example Kasavubu) is a less formidable person than the Prime Minister (i.e. Lumumba) the President's powers are safeguarded and those of the Prime Minister limited. This constitution might also provide for a greater measure of autonomy among the provinces, thus reducing the Prime Minister's power for evil. An attempt to produce such a constitution by going first to the Senate and the Chamber would probably fail. But if Kasavubu could, perhaps with United Nations' assistance, convene a meeting of the provinces, including of course Katanga, and produce a draft resolution this might be a possible solution. It would of course be necessary to keep Lumumba neutralised (i.e. not to effect a reconciliation with him) until this had been done.

6. Of these two possibilities, my preference (though it might be expressed as a wish rather than a proposal) would be for Lumumba to be removed from the scene altogether, because I fear that as long as he is about his power to do damage can only be slightly modified. But if it were worth pursuing the second idea, the first step would perhaps be to sound Mr. Hammarskjöld and perhaps the Tunisian, Sudanese and Ethiopian Governments at the highest level. The Tunisians certainly and the other two probably are far from happy about Lumumba and might welcome an

opportunity of exerting their influence in the opposite sense, provided they were not seen to be working directly against Lumumba.

H.F.T.S.
28.9.60

There is much to be said for eliminating Lumumba, but unless Mobutu can get him arrested and executed promptly, he is likely to survive and continue to plague us all. Even the sensible African Govts.—I do not count the Republic of Congo ‘whose capital is at Brazzaville’—consider him the legitimate Prime Minister. It is going to be extremely difficult, therefore, to get any of the accepted forms of pressure to bear through any of the African Govts. There may be just a chance, however, that we could sell them, i.e. the Tunisian, Sudanese & Egyptian Govts., the idea of a new constitution for the whole country. The bait would be the certainty that the Katanga wd. not secede: the sales talk might have to include a proposal that Kasavubu as well as Lumumba should voluntarily withdraw. The risk of our approach being rejected as likely to compromise the neutrality of our friends might be reduced by selling the idea first to some professional neutral such as Nehru.⁴

Pending further discussion of this type of plan, I would not think it wise to authorize Mr. Scott ‘to put pressure on Kasavubu and Col. Mobutu’ to take strong action against Lumumba or to ask any of his colleagues to do so.

A.D.M.R.
28.9.60

I have much sympathy with Mr. Scott’s desire to do something about the present *impasse* both on broad political grounds and also because the whole country is obviously going rapidly to ruin without an organized government. On the other hand I have great difficulty in believing that his remedy would be effective. What precise form of *pressure* (sic) can we exert on Kasavubu and Mobutu? Even if we could, is there—in view of their past inactions—the remotest chance of their taking effective follow up action? Moreover, what Mr. Scott calls ‘public vilification’ (paragraph 4) would probably mean in practice driving the bulk of African neutrals back into the pro-Communist camp.

2. Mr. Smith’s suggestion seems much more attractive—though I have doubts as to whether Mr. Lumumba will ever be held down by any constitution, and still less voluntarily withdraw. I agree however that the idea is worth pursuing and if the Lord Privy Seal approves we will telegraph to New York on the lines of these minutes.⁵

R.B.S.
29.9.60

⁴ Jawaharlal Nehru, prime minister of India.

⁵ Since Home, the foreign secretary, was a member of the House of Lords, Edward Heath was appointed lord privy seal (a post carrying Cabinet rank) and given the brief of speaking for the government on foreign affairs in the Commons. Heath commented on this correspondence, ‘I agree with the general conclusion about a constitutional conference: pl[ease] prepare a telegram for New York. As far as Mr Scott is concerned, c[oul]d not he & his colleagues make contact with Kasavubu and Mobutu in order to advise *discretely*, even though they have no means of bringing pressure? It does seem somewhat supine to stand aloof (minute, 29 Sept 1960).

258 CO 1015/2275

3 Oct 1960

[Northern Rhodesian constitution]: minute by N D Watson expressing concern about Sir E Hone's rigid approach

In his telegram at (136), Sir E. Hone seeks the S. of S's agreement to inform the political leaders with whom he is now entering into constitutional talks that the S. of S. would welcome the submission of proposals, as a result of those talks, which were agreed between all parties.

2. There is of course nothing objectionable about this in itself, and indeed it has almost been common form for the S. of S. to say that he would be ready to accept any constitutional solution upon which the various political parties in a territory might be agreed. I think however that, in the Northern Rhodesia context, we need to be rather cautious about this. As Sir E. Hone says, it is very unlikely that the talks on which he is now embarking will succeed in bridging the gap which obviously exists between what the Africans want and what the UFP is prepared to accept; and what I am afraid of is that, if the S. of S. were to say flatly that he would endorse a locally agreed solution, Mr. Roberts (who, as we know, wants the next constitutional step to be represented as a move made by the Northern Rhodesia Government in the local legislature and not as a solution imposed by HMG) would deliberately take that statement to mean that the S. of S. had instructed the Governor to work out a local solution. He might then seek to press Sir E. Hone to take the local negotiations much further than it would be wise to do, if Sir E. Hone and his officials are not to become committed in what might be an embarrassing and awkward way before the formal Conference.

3. I must confess that my apprehensions on this score are increased by Sir E. Hone's own personal reaction to the Monckton Report's comments on the Northern Rhodesia constitution. It will be recalled that in paragraph 5 of his telegram at (97) herein he expressed the view that the Monckton Report had done us no service by recommending an immediate conference on Northern Rhodesia and the immediate concession of an African majority in Legislative Council. His further comments are at paragraphs 15 and 16 of the savingram at (131A). I must say that, whilst I entirely agree with Sir E. Hone that it would have been better if the Monckton Commission had made no comments whatsoever on possible detailed changes in the Northern Rhodesia constitution, his comments reflect a rather rigid approach and an adherence to the existing pattern of things which is frankly worrying. I fear that we are not in fact 'on the same net' with Sir E. Hone at the moment; his recent telegrams have conveyed the impression that he feels at odds with London, and Mr. Neale who has just returned from the Federation has told me that his present mood is one of general dissatisfaction with the way things are going and of a feeling that his views are not carrying weight here.

4. Now that the Governor is immediately embarking on local constitutional discussions, and we are committed to a programme which means that we must have the ground thoroughly prepared for a constitutional Conference by about the end of January, it seems to me to be absolutely vital that we should get back on to a basis of full understanding with Sir E. Hone without delay. I am beginning to turn my mind to the detailed questions which arise in regard to constitutional change in Northern Rhodesia, with a view to setting out the major issues as we see them here for Sir E.

Hone's consideration. I feel however that as things stand at the moment, the only thing to do, if we are to clear the air, is to ask Sir E. Hone to come home for discussions. I am sure that this would do an immense amount of good, whereas letter-writing will carry the risk of continued misunderstanding.

5. In the light of the above, I submit two draft telegrams, the first dealing with the point raised in the telegram at (136); the second raising a warning note on the whole question of approach to the revision of Northern Rhodesia's constitution and inviting the Governor to come here for talks towards the end of this month. I think it is as well to give the Governor a cautionary 'shock' on the lines of X of draft B.¹

6. I also submit a third telegram relating to the Governor's messages at (140), (141) and (142) about Mr. Kaunda. It is very satisfactory that Mr. Kaunda has cancelled his visit to the U.K. I think however that it is desirable to clear up the loose end of his letter of the 13th August to the S. of S. in the way suggested in this draft.

¹ This stated 'For example, I think it may be very difficult to try to maintain the line, which you suggest, that any necessary changes can be made "within the framework of constitutional arrangements such as Northern Rhodesia has at present" if that means retaining any system of devalued or weighted votes which paragraph 88 of the Monckton Report denounces so flatly in the Federal context'. This passage was included in secret and personal tel 184, Mr Macleod to Sir E Hone, 5 Oct 1960.

259 DO 35/7502

5 Oct 1960

[Monckton Report]: minute by D J Kirkness to J A Harrison¹ on the references to secession in previous statements

You asked me to examine Sir Roy Welensky's draft statement in Salisbury telegram 854 to see to what extent it was fair and accurate.²

2. We need not spend too long over the excursions into history, but it is worth remembering, in connection with his quotation from Mr. Lyttelton's speech on 24th June, 1953, that Mr. Lyttelton also said, on that day:—

'No doubt the point of secession is there in the background but I think it would be impractical, impolitic and dishonest to apply it at the moment. What may happen in nine years time still does not alter the theory.' (Col. 1989).

Mr. Lyttelton's argument was, in short, that it would be quite wrong to include the possibility of secession when the constitution was being promulgated, but he did not commit himself as to what might be the position at a future date.

3. Paragraph 8 of the telegram. What Sir R. Welensky said in July 1959 in the Federal Assembly was:—

'The (Federal) Government would never have been party to any inquiry which had as its purpose an inquest on the affairs of the Government of the Federation or have associated itself with anything which called into question the continuance of the Federation itself. As will be seen from the terms of reference I have quoted, what we have agreed to is something very different.'

¹ Security intelligence adviser, CO.

² cf 255.

4. Paragraph 9 of the telegram. Sir R. Welensky's account is generally accurate. In the debate on 22nd July, 1959, three Members (Mr. Grimond, Mr. Callaghan and Mr. Dugdale) pressed that the terms of reference should be widened to cover the possibility of secession; Mr. Lennox Boyd, in winding up the debate, did not refer to this. On 8th December, when the Prime Minister announced the appointments to the Monckton Commission of three Conservative Privy Councillors and three additional independent members to fill the places intended for Labour Privy Councillors, Mr. Gaitskell said:—

'Although we would wish to participate we could not do so unless we were satisfied that the Commission had a reasonable chance of success, and as we felt that that chance did not exist unless there were such an interpretation of the terms of reference as would make possible the consideration of solutions other than Federation, we decided regretfully that we could not enter it.' (Col. 225).

5. The two messages from the Prime Minister, in November, 1959, on which Sir R. Welensky relies, are in our telegrams No. 1000 and No. 1007 to Salisbury. Commenting on his statement in the House of Commons on 24th November, the Prime Minister said:—

'On the terms of reference I have not yielded an inch. My interpretation of them, as you will see, sticks firmly to an explanation of the text. The programme and the framework—these are the governing words throughout. I will not yield upon this: you need have no doubts.

'I have every confidence in the Commission, which seems to me to be composed of very sound people who will not be swayed by the eddies of transient opinion. Moreover, there will be a good interval now before they start work and things will, I hope, calm down.

'I realise that you may feel that I have gone a bit far in saying that the Commission would listen to evidence of all kinds. But really no one can in practice prevent that. Memoranda of all kinds will be put in and the Commission will, I am sure, not allow irrelevant material to distract or to influence their judgement. I am sure we will gain by letting people talk, provided that the Commission's recommendations are, as they will be, strictly within the terms of reference.'

Sir R. Welensky, replying to this, said:—

'Our concern is two-fold. First and foremost the question whether it is within the terms of reference to consider alternatives to Federation, or, more bluntly, secession of one or more territories. . . . In these circumstances, I construe the terms of reference as eliminating any question of secession.'

The Prime Minister, in his reply, said:—

'I tried to make it clear (i.e. in his statement to the House of Commons on 24th November) that the terms of reference must stand and my statements were intended merely to explain what was meant by the programme and framework. We have no intention of making an extension of the terms to include secession. The answer to your first question is, therefore, that we

agreed the terms of reference and we shall stand by them. Every member of the Commission has, after all, accepted on this basis.'

6. In paragraph 12 of the telegram, Sir R. Welensky refers to observations by Messrs. Gondwe and Katilungu in their reservation on Chapter 5. The relevant passage is:—

'We recall that the African political parties boycotted the Commission because they wrongly thought that the terms of reference would prevent discussion of the question of secession which, in fact, the Commission has now recommended.'

7. A point to which Sir R. Welensky does not refer is that Lord Home, in a statement to the press in Salisbury in February, 1960, reaffirmed the United Kingdom Government's adherence to the joint declaration of April, 1957, that the two Governments were opposed both to amalgamation or to the secession of any of the territories. In a speech from the Throne in June 1960, the Governor-General was caused to say that this ruled out secession or any looser form of association. A formula was agreed with the Federal Government for use if questions about this were raised, which was to the effect that it had been ascertained that the Federal Government's meaning was that forms of association looser than the present Federation were ruled out, and not that re-distribution of functions to create a Federation on a looser basis was ruled out. However, the United Kingdom Government was not committed to this or any other interpretation; the only difference which this exchange seems to make is that the United Kingdom Government, through Lord Home's statement, committed themselves as recently as February to opposing secession.

8. In all the circumstances, it might perhaps be desirable that any counter statement of ours should lay rather more stress on the absence of any real inconsistency between H.M.G.'s present attitude and what it has said in the past. It seems to me that there might be some advantage if the last paragraph of the draft in our telegram 1165 were altered to read:—

'H.M.G. do not consider that the Conference can or should be debarred from discussing any proposal which is intended to enhance the acceptability of Federation, and do not regard this as inconsistent with their continued view that a federal association is the right solution to the problems of the area, and is in the interest of its peoples. They earnestly hope that the Conference will find an agreed basis for the continuance of such an association, and the United Kingdom delegation to the Conference will work towards that end.'

260 DO 158/62, no 4B

20 Oct 1960

[Monckton Report and riots in Southern Rhodesia]: savingram no 255
from M R Metcalf to Mr Sandys

The Monckton Report

On the day of publication of the Report, the Federal Prime Minister, Sir Roy Welensky, gave a Press conference and a talk on the F.B.C. While conceding that

most of the recommendations were matters which could at least be negotiated and on which he would keep an open mind, he concentrated on castigating the Commission for its recommendation that the Territories should be allowed to secede in certain circumstances. In forthright and uncompromising terms he declared the question of secession outside the terms of reference of the Commission, and in direct conflict with the clear undertaking he had received from the British Government. He was compelled utterly to reject the recommendation.

2. While some papers admit that the Commission may have exceeded its terms, and express some sympathy for Sir Roy, all the responsible Press have taken him seriously to task for his stand. They point out that the question of secession cannot be ignored; that the Commission, including the Federal representatives, believe their recommendation essential if the Federation is to be kept together and that the only possible—but unthinkable—alternative would be the use of force. The British Government's reply to Sir Roy did not escape criticism. As the *Bulawayo Chronicle* put it, 'if the C.R.O. has nothing stronger to say in reply, Sir Roy wins the debate hands down'.

3. While the reaction of the business world has been sharply against any further period of uncertainty which they think will follow if the secession recommendation is adopted there is little doubt that among many thinking people Sir Roy's preoccupation with the secession question and his uncompromising attitude towards it have not gone down well. He is believed to have lost ground among some of his supporters and in his own caucus. The Southern Rhodesia Prime Minister, Sir Edgar Whitehead, confined himself to saying that the question of secession was 'a subject on which our party did not submit evidence'. At a subsequent meeting of the Central Executive of the party it was stated that the party was unanimous in agreeing that the Federation must be kept intact; but it is believed that on the thorny question of secession a compromise was reached, Sir Roy Welensky agreeing that Southern Rhodesia might in some circumstances be asked whether they wished to secede, and Southern Rhodesia agreeing with Sir Roy that no Territory should be told that it might secede.

4. The leaders of the two Opposition parties have taken different lines from each other. Mr. Winston Field, the Federal Dominion Party leader, has called the Report 'a bad one'. He sees no need for the secession recommendation, since if any Territory wants to secede, nothing other than force can prevent it; and if the purely racial recommendations such as parity between the races in the Federal Assembly are imposed as a condition of Federal continuance, he will have no option but to launch a campaign advising Southern Rhodesia to get out. Mr. W. J. Harper, the leader of the Territorial Dominion Party has, on the other hand, welcomed the Report as justifying much of what the Dominion Party has been saying for a long time, that partnership has failed and the Federation must change. Southern Rhodesia had nothing to fear from the Report since it could only lead to a return of power to Southern Rhodesia, relieving the Territory of any more responsibility for being guinea-pigs for the rest of Africa.

5. The African Nationalist Parties in all three Territories have echoed each other in declaring that Monckton or no Monckton all they are concerned with is doing away with Federation and establishing democratically elected Governments in all three Territories based on universal adult suffrage.

6. Apart from the secession question, which has inevitably predominated in editorial columns, the only other recommendations in the report attracting

significant comment have been the 'racial' ones. Proposals which would mean a return to 'racial' politics are generally regretted, and the recommendation for parity in the Federal Assembly is generally deplored as completely unrealistic at present. But on the whole the Report has been welcomed as a good basis on which the Federal Review Conference can start its work.

Riots in Southern Rhodesia

7. Rioting, described by the Press as the worst in Salisbury's history, broke out in the African township of Harari on 8th October following the accidental killing of an African by a European motorist. After attempts to break up the crowd with tear gas had failed the police opened fire with the result that 7 Africans died and 70 more were reported to have been treated for gunshot wounds. There was extensive looting and burning from which Africans were the main, but not exclusive, sufferers.

8. On the following day serious rioting also broke out in an African township of Gwelo after a National Democratic Party meeting had ended in disorder. A few Africans were treated for gunshot wounds caused by police fire, but there were no deaths. Looting and burning were again extensive, this time extending to the industrial sites bordering the township. Several hundred Europeans and Coloureds in Gwelo, among them victims of the riot, held meetings at which they demanded civilian retaliation and the right to march on the African township. They were restrained, apparently with some difficulty, by the Southern Rhodesia Minister of Irrigation, who had been sent down to investigate the rioting.

9. The damage in Gwelo was unofficially estimated at £100,000 and in Salisbury at about half that amount. Over 100 arrests were made and the Government have banned public meetings in the African urban areas of the Colony for a period of one month.

10. In a broadcast on 13th October Sir Edgar Whitehead said that it was clear that neither riot was organised beforehand but 'the extremist and hooligan elements' had taken the advantage to launch indiscriminate attacks on persons and property. He described this as a new development in the history of Southern Rhodesia and outlined 'drastic new legislation' which would be required to deal with it. This new legislation, he said, would bring the law more into line with United Kingdom law. He also announced the call-up and posting of territorial (white) and some regular (black) units to African townships in certain cities. He described their role as 'to establish goodwill with the inhabitants of the townships and provide encouragement and protection for law abiding Africans'. The need for these additional measures has been generally accepted by the Press, but with the proviso that the Government must not think that they provide a remedy for the sickness of the body politic. The National Democratic Party, however, have described the measures as 'merely a continuation of the Prime Minister's policy of oppression'.¹

¹ By Nov, the security situation in SR had deteriorated to such an extent that Macmillan saw the prospect that Britain 'might have to take control' and send in 'a strong man to take charge, rather as in Malaya' (PREM 11/3949, 'Record of a conversation at Admiralty House', 9 Nov 1960).

261 PREM 11/3080

11 Nov 1960

[Federal review]: letter from Lord Dalhousie to Mr Sandys on European concerns

[Forwarding Dalhousie's letter to Macmillan, Sandys commented, 'There is no doubt that he is correct in saying that feeling among the white population is running high. In seeking a settlement, we must all the time remember that the Europeans, if driven to it, could be quite as awkward as the Africans' (Sandys to Macmillan, 14 Nov 1960).]

I wanted to write to you in advance of our meeting in London so that you can give the present situation here some thought in the light of developments.

As you are aware, relationships between this country and the British Government have been deteriorating at a rate of knots and we are now approaching a situation which is as dangerous as it is undesirable. I believe the root cause for this has been not so much the adoption by the British Government of a plan for an advanced rate of progress in the Colonial territories, but the fact that Iain Macleod went ahead with his implementation in Northern Rhodesia and Nyasaland without adequate liaison with the Federal and Southern Rhodesia Governments both of which these developments affect. This state of affairs has been of course aggravated, as I said before, by the secession affair. We now have both the governing and opposition parties in Southern Rhodesia and the Federation feeling that changes are being forced upon them by Great Britain about which they were not consulted and which are unacceptable to them.

When he was over here I did mention to Harold Macmillan the advantages of liaison and governments working together generally as in this way agreements would be much more likely to be found and, where this is not possible, at least unpleasant consequences might be avoided.

I had a word with Roy Welensky this morning and his present views may be summarised as follows:—

'We will go along for the talks and no doubt there is a great deal we could agree about' (this I believe to be true) 'however, we are determined not to be forced by the British Government into accepting changes in the British Colonial Territories without prior consultation and which we know must lead to the break-up of the Federation. If these changes are to be forced upon us' (I would rather not define what the changes are at the moment but I think they refer particularly to Northern Rhodesia) 'then we are prepared to defy the British Government and fight if necessary.' This is not the first time I have heard the word 'fight' used, but I preferred to ignore it on the first two occasions in the hope that it was used in the heat of the moment. This morning, however, it came out in a much more cool, calculated and definite form and was used in the context 'I am not going to see all that the white man has built up simply torn down'.

I am still far from convinced that British and Federal troops are ever really likely to fight each other and I believe loyalties to the Crown go far too deep for that, but I am certain that the present high rate of feeling can easily bring disaster of some sort and can certainly do no good.

It is essential that we do something to show the people here that Britain does have a sincere regard not only for African interests but for White interests as well. It is also essential to make it clear that the British Government are willing to do everything in their power to liaise and co-operate in every way it can, not only in finding a solution, but at every stage and step necessary in reaching it. Meantime any demonstration of goodwill that is possible, not only at the governmental level, but in the British Press and so on would be welcome and would contribute largely to the atmosphere in which the talks are to be held.

I will think more about this between now and when we meet.

It would be a mistake at this stage to put too much store on the activities of Sir Robert Tredgold in the Southern Rhodesian sphere. His initial efforts to form a common front from all parties does not look like succeeding. He may before the next election form a party, but as he is a man of intelligence and common sense, rather than a politician, I would not put too much store on the party idea either. It is rather in the last resort, if things get really bad, that people might turn to him for salvation.

262 PREM 11/3080

15 Nov 1960

[Federal review]: letter from Mr Macleod to Mr Sandys on Lord Dalhousie's views

I would not normally have commented on the very superficial letter you have had from Simon Dalhousie;¹ but I think it alarming if he really does think in this way. He puts much of the undoubted unpopularity of the British Government down to the fact that I went ahead 'with his implementation in Northern Rhodesia and Nyasaland without adequate liaison with the Federal and Southern Rhodesia Governments'. Whatever the reasons may be, this at least is nonsense. There has been no implementation of any sort in Northern Rhodesia, and indeed, as your files will tell you, I had been urging Welensky for months before the Monckton Report came out to agree—although I didn't really need his agreement—to constitutional talks in Northern Rhodesia. But he refused, and against my better judgment and for the sake of peace I accepted this. As far as Nyasaland is concerned, I showed him at all times and in exact detail my proposals and cleared them with him and with our Cabinet; and they were, as you know, agreed to by the U.F.P. members of the Nyasaland Conference, and Welensky himself, who was kept in daily touch with the proceedings of the Conference, sent me a telegram of congratulation at the end. At no time did the settlement go outside the lines of what I proposed to Welensky and Greenfield. So whatever the reasons may be—and I know that much of it concentrates on me—this simply isn't the truth.

The real reason of course, is that in the Federation they are frightened, and it is very understandable that they should be so. A way of life that has seemed utterly safe, remote and secure is now brought suddenly into the frontiers of conflict and for the uncertainty that results they blame the British Government and our policies. But in fact our policies are the only ones that can save them and, as I said at Scarborough, neither you nor I nor the Prime Minister nor anyone else has ever made a speech

¹ See 261.

about African affairs without paying a full and warm tribute to the Europeans and the work that they have done.

But the really frightening part of Dalhousie's letter is that he shows no understanding whatever of the fact that there is an African problem at all. I remember very well six months ago in Salisbury him telling me that when I got up to Nyasaland I would find that only a handful of Africans were really against federation and all the rest were uninterested. I imagine that Monckton has convinced us that this is wrong, even if Devlin and our own observations had not. You are in your covering letter entirely right to say that feeling amongst the white population against the British Government is running high. But it is for more profound reasons than the ones Dalhousie puts forward. I am certain we have got an immense task on our hands, on the one side to bring the African away from his very real hatred of federation and of Salisbury and of Welensky, and on the other to bring the European leaders to an understanding that they can no longer ignore the problems of African advance in their own countries. Dalhousie's letter seems to me not to understand either of these fundamental points.

I am sending a copy of this letter to the Prime Minister and the Foreign Secretary.

263 PREM 11/3080

24 Nov 1960

[Federal review]: note from B StJ Trend to T J Bligh on questions of tactics and procedure. *Enclosure*

Before the Prime Minister meets Sir Roy Welensky this weekend, he may like to know how we stand in terms of preparation for the Conference.

Officials have prepared a series of briefs for Ministers divided into:—

- (a) Briefs on questions of tactics and procedure.
- (b) Briefs on questions of substance.

I do not think that the Prime Minister need be troubled at this stage with the questions of substance. But, in the week before the Conference begins, we shall have to do our best to secure agreement with Sir Roy Welensky, Sir Edgar Whitehead and the African leaders on the handling of the questions of tactics and procedure. We have discussed the briefs on these questions with the Commonwealth Secretary; and I have summarised them in the attached note, which also deals briefly with the ultimate issue—'What do we do if the Conference breaks down?'

For convenience, I have appended copies of the individual briefs. But I do not think that the Prime Minister need be troubled to read them if he is pressed for time, since I have tried to bring out in the covering note the main points which Sir Roy Welensky may raise and to indicate how we suggest that they should be countered.

Enclosure to 263

The tactical questions at issue fall into two categories:—

- A. Before the Conference opens
- B. When the Conference begins.

In addition, we have had to consider:—

C. If the Conference fails.

A. *Before the Conference opens*

We must try to clear out of the way, during the week before the 5th December, various questions of procedure which are liable to be raised by the delegations but, if pressed in plenary session, could ruin the atmosphere in which the Conference will open. Briefs on the main questions involved have been prepared by officials; and copies are appended to this minute. The most important issues are likely to be as follows:—

(1) *The status of the Conference*—i.e. is it a body capable of reaching final and binding decisions, or is it merely advisory in the sense that its findings will be subject to ratification by domestic Legislatures (or even referenda)? Sir Roy Welensky and Sir Edgar Whitehead will probably take the line that the outcome of the Conference should be a series of decisions agreed between the participating *Governments*—with the implication that the views of the other political bodies represented in the delegations are, in the last resort, of no account. The African leaders, on the other hand, will probably demand that the results of the Conference should be subject to endorsement by domestic Legislatures (or by referenda) before they are put into effect. And in taking this line they will have in mind the probability that, by the time that the Conference reaches final agreement, the process of constitutional advance in Northern Rhodesia and Nyasaland will have been taken to the point at which new Legislatures, more representative of African opinion, will have been elected. Their pressure will be the more awkward to resist in that Sir Edgar Whitehead, for different reasons, has also stipulated that ‘No new arrangements which materially alter the structure of the Federation should be binding on Southern Rhodesia unless and until the electorate of Southern Rhodesia have had an opportunity of approving such arrangements by way of a referendum or a general election.’

The handling of this matter is discussed in R.N. (60)33 (Revise). It is there suggested that, before the Conference opens, we should endeavour to persuade the various delegations not to make an issue of these arguments at the outset of the Conference but to accept our own interpretation of the position, i.e. that the Conference will be advisory in the sense that ultimate action to implement its findings can be taken only by Governments; but that the final Report of the Conference will, we hope, embody decisions agreed between Governments, which will be the basis of their subsequent action; and that, as regards the methods to be adopted for ultimate ratification of the findings of the Conference, we should all avoid committing ourselves to too precise a view until we have a clearer idea of the scope and nature of those findings.

(2) *The 1957 Declaration*. In the ‘Joint Declaration’, which was issued in April, 1957, after discussions between Sir Roy Welensky and the Commonwealth and Colonial Secretaries, it was stated, among other things, that the purpose of the 1960 Conference would be ‘... to agree on the constitutional advances which may be made. In this latter context the Conference will consider a programme for the attainment of such a status as would enable the Federation to become eligible for full membership of the Commonwealth.’

Sir Roy Welensky will interpret the phrase ‘constitutional advances’ as meaning advances in the external status of the Federation—i.e. advances of the type which will

carry the Federation nearer to full independence within the Commonwealth, particularly the abolition of the provisions in the Constitution which require certain Federal Bills to be reserved for Her Majesty's pleasure and empower the Secretary of State, in the last resort, to disallow Federal laws. On the other hand, in the light of developments since April 1957 and, in particular, of the general tenor of the Monckton Report, African opinion (and possibly a large section of opinion in the U.K.) will interpret the phrase 'constitutional advances' to mean advances of an internal character, i.e. the more liberal enfranchisement of Africans, the removal of racial discrimination and so forth. If we endorse this latter interpretation too overtly, Sir Roy Welensky will be liable to charge us with a breach of faith, on the grounds that we have repudiated the intention of the 1957 Declaration. If, on the other hand, he himself attempts to hold us publicly to the terms of that Declaration, we may be driven either to repudiate it or, if we endorse it, to run the risk that the Africans will walk out of the Conference.

The issue is discussed in more detail in R.N. (60)32 (Revise). Here again, our objective must be to seek to dissuade both Sir Roy Welensky and the African leaders from pressing this point to an issue at the outset of the Conference.

(3) *Secession*. The Monckton Commission advised that secession was a legitimate subject of discussion at the Conference, mainly on the ground that the purpose of the Conference is to review the Constitution and that, since the first Article of the Constitution defines the Federation as being composed of the three Territories, any review of it must comprise the possibility of an alteration in that composition.

Sir Roy Welensky opposes this view, basing himself again on the 1957 Declaration, in which H.M.G. and the Government of the Federation took the opportunity 'of re-affirming that they are opposed to any proposal either for the amalgamation into a unitary state of the Territories now comprising the Federation or for the secession of any of those Territories from the Federation'. In support of his attitude, he has obtained an Opinion from Sir Ivor Jennings (who will be present at the Conference as the Constitutional Adviser to the Federal Government). Sir Ivor's thesis is briefly that:—

(a) The purpose of the Conference, as defined by Article 99 of the Constitution, is to review the Constitution. But the Constitution presupposes the existence of the Federation, which was established by Act of the United Kingdom Parliament, not by the Constitution. The Federation can therefore only be modified by another Act of the Parliament at Westminster; and its composition is accordingly not within the scope of the Conference.

(b) The Joint Declaration also recognised a convention that the U.K. Government does not initiate legislation to deal with matters within the competence of the Federal Legislature except at the request of the Federal Government.

This Opinion is challenged by the Secretary of State's Legal Adviser (see R.N. (60)36); and we are hoping that his view—i.e. that the Conference may properly consider the question of secession—will be confirmed by the Law Officers. But it will, in any case, be obviously desirable to seek to dissuade Sir Roy Welensky from forcing this issue at the outset of the Conference.

B. *When the Conference begins*

The arrangements which we have in mind for the opening stages of the Conference are designed to limit the opportunities for inflammatory speeches in public and to

avoid bringing any of the more contentious issues to the fore at the outset. We should therefore try to reach agreement with Sir Roy Welensky and the leaders of the other delegations on the following procedure:—

- (a) The Conference to be opened (probably at 12 noon on Monday, 5th December) by a public speech of welcome by the Prime Minister. This occasion to be televised.
- (b) All subsequent proceedings of the Conference to be held in private.
- (c) Preferably no verbatim records of speeches, unless delegates press for this during the initial 'second reading' debate. Otherwise, the record of proceedings to be in Cabinet-style summary.
- (d) The first ten days or so to be allotted to a general 'second reading' debate, which should, as far as possible, be retrospective—i.e. delegations should review the course of events since 1953 from their respective points of view and say how, and why, they think that things have gone well or badly. There should be no substantive discussion, at this stage, of the contentious items.
- (e) Thereafter, the Conference to resolve itself into three main committees, to discuss, in the light of the 'second reading' debate, possible constitutional changes in terms of the Distribution of Functions, the provision of Safeguards against Racial Discrimination and the Composition of the Federal Assembly.
- (f) The Conference to adjourn for Christmas, probably about the 21st December, and to re-assemble in January—at Lancaster House, not in Salisbury. (Sir Roy Welensky may press for some part of the proceedings to take place in Salisbury. But there are obvious objections to this.)
- (g) The discussion of secession to come at a later stage—i.e. only when we have some idea of the nature of the new Federation from which the Territories may, or may not, be allowed to secede. (We may have difficulty in carrying this point with some of the African leaders, who have already said that they are only attending the Conference in order to say 'No' to everything except immediate secession.)

C. If the Conference falls

There will, we hope, be no need to discuss this possibility with Sir Roy Welensky or the other leaders before the Conference opens. But it may become a live issue at any point; and we have therefore examined, in R.N.(60)34 (Revise), the various circumstances in which the Conference might break down and the action which we might then have to take. This memorandum is, inevitably, very speculative; but two conclusions emerge fairly clearly:—

- (a) If the Conference fails to reach agreement, the chances of our succeeding in a second and later attempt to save the Federation are very slight.
- (b) A great deal will depend on Sir Edgar Whitehead's willingness to subordinate the interests of Southern Rhodesia (particularly as regards the pace of further constitutional advance) to the wider interests of the Federation and its survival.

264 PREM 11/3939

29 Nov 1960

[Hastings Banda]: minute (PM(60)67) by Mr Macleod to Mr Macmillan on Dr Banda's views about the federal review

I have just seen Dr. Banda for the first time on this visit. He was in excellent form and much less difficult than I had feared. Just before I met him Duncan Sandys had told me of his success with Whitehead over the question of representation and the introduction of the idea of a Southern Rhodesia constitutional conference. This could scarcely have been more timely because these were the two matters that Banda pressed me on.

2. First he suggested that Duncan and I bring all possible pressure to bear on Sir Edgar Whitehead to include Mr. Nkomo in the delegation. I did not tell him that it was in fact already arranged, but told him that I knew that Mr. Sandys was very anxious to have full representation from all delegations and would certainly do his best to bring this about. He then said that the real difficulty as far as federation was concerned was that he was utterly convinced that the Southern Rhodesian leopard couldn't and wouldn't change its spots. He said if there could be a Southern Rhodesia territorial conference as well as the Federal one and the Northern Rhodesia territorial one which had been promised it would make a tremendous difference. I told him that Duncan would like to see him this afternoon and he very willingly agreed. I imagine by then Whitehead's statement will have been issued. I am afraid that with the timing of it it is inevitable that Dr. Banda will think that he has done this himself, but perhaps that does no harm. In any case he promised not to tell the press anything of our interview.

3. On the wider question he said that he was only interested in the end of Federation, but I replied that surely that depended on what the Federation consisted of; and if he could see Northern Rhodesia, for example, and Southern Rhodesia possibly, beginning to tread the road that he had successfully walked for Nyasaland surely that would be a very different situation. I think he agreed to this, although he is clearly in some difficulty with the speeches and outbursts he has made recently.

4. I took the general line with him that he was now in a very different position from the mere party political leader who had come to the July conference. He was now the acknowledged leader of the Africans in Nyasaland and Nyasaland in its turn was clearly on the road to self-government. He would then in time have to deal with people like Welensky and Whitehead even though he disagreed fiercely with them. I used the example of the Commonwealth Prime Ministers' meetings, where people who may hold diametrically opposed views still sit round the table and discuss matters of common interest and also come together on social occasions. All this, of course, was an appeal to his vanity, but I have always found this the surest road with Dr. Banda and I believe it had some real effect this morning. I think it would be a good thing if you could meet him fairly soon. He said that he had not met you and that he looked forward to doing so. He has a considerable personal regard for Duncan and for myself, and this is a very real asset in these negotiations. To a large extent the other Africans will take their cue from him, not because he is the ablest of the three—indeed he is probably the least intelligent—but because he has had a successful constitutional conference with the British Government. On the evidence of this meeting we need not worry about Dr. Banda creating any scene in the opening

stages at Lancaster House. Moreover, he certainly gave the impression that he would take part in the Conference, and it is even possible that he might take a constructive part. But he is an entirely unpredictable creature and his mood may change.

5. I am sending a copy of this minute to Duncan Sandys.

265 PREM 11/3485

12 Dec 1960

[Northern Rhodesian constitution]: minute (PM(60)70) by
Mr Macleod to Mr Macmillan on the views and behaviour of Sir R
Welensky

I told you briefly last night about my talks with Welensky, Kaunda and Roberts on the territorial discussions but they raised matters of such importance that I think I ought to record them and send a note of this minute, as I am doing, to Duncan.

2. Welensky seemed very sound on the question of Northern Rhodesian talks. He said, in effect, that they were the key to the whole situation but they were very difficult. If I did not go far enough I couldn't carry the Africans, and if I went a yard too far, Whitehead would leave the Federation. This last comment may or may not be soundly based. In any event there is little room for manoeuvre. I told him that my thinking was somewhere around the point of parity. He didn't seem surprised at this although he said it would be difficult to take. He told me that Greenfield in particular was urging some such solution, and from the earlier talks the Governor had in Lusaka, Roberts is probably thinking along similar lines. Kaunda will, of course, demand something much more advanced than this but might in the end be persuaded to accept the appearance of an African majority. When I say appearance I am thinking in terms of the present Legislative Council of 30—of having 16 Africans and 14 Europeans but there would be in addition the Speaker and perhaps four officials. If we could persuade Roy of the merits of a scheme like this the Africans could claim that they have an African majority and the Europeans that in the last resort power was in 'responsible' hands. Anyway, something very like this seems our best chance and I propose to work towards it. I will of course put my detailed proposals, say in the second week of January, to the Colonial Policy Committee.

3. The other point that seems to me of really major importance is Welensky's own personal attitude. In this very delicate operation we need him and he needs us. I think one of the major gains of the weekend may have been that he realises this, but I am sure we must leave him in no doubt that we can only hold the Federation together at all if he will help us to the full. At the moment he is, in practice, running a campaign against the U.K. Government. For example, carefully selected Members of Parliament are being taken round the Federation on tours which give them a very one-sided impression of what is happening and they come back to fight the Federation's cause against us. There is a large scale advertising campaign going on in the Press which gives a very tendentious view of what is happening in the Federation, and copies of a weekly 'East Africa and Rhodesia', which is very critical of us in both Kenya and Central Africa, are being sent free to large numbers of people. Moreover, the sort of speech made by Sir Malcolm Barrow at a recent S. Andrew's Night dinner was openly insulting to you and to British Ministers. And many of Welensky's own speeches have tended to inflame opinion in Northern Rhodesia against us all. If we

are to have a chance this really has to stop. Opinion in Northern Rhodesia, particularly on the Copper Belt, is very excited and they all look to Welensky as their champion against the British Government. If he could say something reasonable when he returns, and then, if we do achieve some sort of an answer at the Northern Rhodesia talks, if he could say—even if he has to swallow hard to do it—that he believes this to be the right solution, we would be able to carry European opinion with us. If not, we would fail and I really believe that bloodshed would follow. I put some of this to Welensky at Chequers, but I feel it would come with far greater effect from you. We have so far on the whole pursued a line of ignoring what the European leaders in the Federation say about Her Majesty's Government, but I am sure the time has come when it would be really dangerous for us to continue to do so.

266 PREM 11/3485

4 Jan 1961

**'Northern Rhodesia: constitutional proposals (CPC (61)1 and 2)':
minute by B StJ Trend to Mr Macmillian**

The revision of the Northern Rhodesia Constitution, as envisaged by the Colonial Secretary,¹ would:—

- (a) Yield an African majority (albeit a 'token' one) in the Legislative Council.
- (b) Instal an unofficial majority in the Executive Council but leave effective authority in the hands of the Governor, to whom the Council would remain advisory.

On the face of it this degree of constitutional advance seems appropriate to the circumstances of Northern Rhodesia; and if we were able to consider the affairs of the Protectorate in isolation, we could agree without misgiving that negotiations should proceed on this basis—even to the point of imposing a settlement of this nature, if we failed to secure agreement.

But the problem of constitutional development in Northern Rhodesia has to be considered in the context of the future of the Federation as a whole, on which it impinges in at least two ways:—

- (i) The Colonial Secretary contemplates incorporating in the Constitution of the Protectorate safeguards for minorities, possibly in the form of a Bill of Rights and a Council of State. Since similar provisions will be needed in the Constitutions of Southern Rhodesia and Nyasaland and in the Constitution of the Federation itself, it will be essential to ensure, at least as regards the Bill of Rights, consistency between the four cases. (It would be impossible to defend discrepant definitions of fundamental human freedoms.) At least in this respect, therefore, it will be impracticable to reach final agreement on the amendment of the Northern Rhodesia Constitution until it is clear how the corresponding issue is to be settled in the Federal context.
- (ii) More generally, it will be necessary to secure Sir Roy Welensky's acquiescence in the proposed modifications of the Protectorate's Constitution as a whole. For the Protectorate is a part of a Federation which still exists, and Sir Roy Welensky

¹ See 267.

will react quickly to any move on our part which suggests that, even if we do not actively dismember the Federation ourselves, we intend to allow its component parts to achieve a sufficient degree of self-government under African control to go their own ways if they choose. As the Colonial Secretary says in C.P.C.(61)1 'If Sir Roy is prepared to accept and recommend something like this solution (i.e. his own proposals for modification of the Northern Rhodesia Constitution), I believe we could push the Africans into a reluctant acquiescence. If he does not, and the Conference fails, it is hard to see how Federation itself would survive.'

On this hypothesis, how should we present our proposals to Sir Roy Welensky in order to elicit his acquiescence, if not support? He is the Leader of the United Federal Party and he may therefore react as the U.F.P. representatives in Northern Rhodesia reacted at the Lancaster House Conference—i.e. by saying that, while he does not object to discussions on constitutional advance in the Protectorate, there can be no question of those discussions reaching finality until the Federal Review itself has been resumed and brought to a conclusion which he can accept. The Africans (who may not, in any event, find the Colonial Secretary's proposals so very attractive) will be liable to take the opposite line. In short, it is not impossible that Sir Roy Welensky will acquiesce in the Colonial Secretary's proposals for Northern Rhodesia only if we give him some form of prior undertaking that the Federation will continue much as it is at present, while the Africans will acquiesce only if they are allowed to believe that the present Federation will be destroyed. Our only escape from this dilemma would lie in presenting our proposals to both Sir Roy Welensky and the Africans expressly on the basis that they are without prejudice to the future of the Federation—as we did in the case of the Nyasaland Conference in 1959. Even so, we might have to couple this assurance with an undertaking to reconvene the Federal Review by a definite date. Are we ready to do so?

267 PREM 11/3485

6 Jan 1961

[Northern Rhodesian constitution]: minute (PM(60)70) by
Mr Macleod to Macmillan. *Annex*: 'Outline constitutional proposals for Northern Rhodesia'

I am sending to you through Trend a suggested letter which you might send to Sir Roy together with a short annex showing the outline of our Northern Rhodesia proposals. I am sending a copy also to Alport who no doubt will be informing Duncan. I hope Duncan will make the two key points to Welensky which I believe are, first, that unless Welensky is prepared to put his weight behind a solution something on the lines of the one we envisage the Northern Rhodesia Conference will fail and the chances of federation will thereby be gravely weakened, if not actually destroyed. Secondly, for the reasons we discussed yesterday because of the extreme difficulty there is going to be in pushing both sides, but particularly perhaps the Africans who are furthest away from our point of balance, there is little room for manoeuvre in my proposals and I will therefore have to table something that is very near the final answer. There is one point on which I have had further thoughts. I recognise that there is some presentational advantage as Alport said, in starting with

15:15 but warning Welensky that we feel we should go to 16:14. As this was on the whole the view of the Committee yesterday I have drafted the letter and the memorandum accordingly. But on reflection I would like to consider putting this to Welensky as a 16:14 proposal. If we remember that the Africans, who are thinking in terms of 44:8, pitch their hopes beyond Nyasaland and their expectations at least up to Nyasaland, which is a 2½:1 ratio, there seems to me a real danger of an immediate walk-out at the beginning of the Conference if I try for parity amongst elected members, which of course in practice like the 16:14 ratio means a substantial minority of votes in the Legislative Council. I would then be in the weak and embarrassing position of having to offer advances to the Africans in order to get them back into the conference room, or face an immediate break. I therefore think that we should consider the advantages of putting what is really our final position flatly to Welensky.

Annex to 267

1. *Legislative Council*

There should be 30 elected members, elected on rolls which would in practice produce parity between Africans and Europeans (a few Reserved African and Reserved non-African constituencies might be retained). In addition there would be about 6 nominated officials and 2–3 nominated unofficials, at least one of whom would be an Asian. The Governor's power of nomination would be unlimited. There could be representation of Chiefs in the Council, probably on a non-voting basis (but this is subject to further discussions which the Governor is having with the Chiefs at present).

2. *Executive Council*

The composition would be 4 official members, 3 African and 3 European unofficial members. The Council would remain advisory to the Governor. At the Governor's discretion up to three Parliamentary Secretaries could be appointed. These would not be specified by race but probably at least two of them would be Africans.

3. *The franchise*

We should aim at a total African electorate of about 100,000, and the Secretary of State is working out possible ways of achieving something like this figure with the Governor. On the whole it seems best to go for enfranchisement mainly by category. It would be necessary of course to consider the level of the qualifications for both the upper and the lower rolls, but the Colonial Secretary does not propose to go into detail at the outset and to negotiate these at the conference.

As far as safeguards for minorities are concerned no detailed work would be attempted although it would be hoped to secure general agreement on the principle of a Bill of Rights at the appropriate time and of a Council of State if that fits in with our federal plans.

4. There is great pressure on the Secretary of State to include Barotseland in the conference so making the decision of the conference apply automatically to Barotseland. The Secretary of State intends to resist this and to deal separately on these matters with the Paramount Chief.

268 DEFE 32/6, COS (61)4, Confidential Annex 17 Jan 1961
[Reinforcement of Rhodesia and Nyasaland]: Chiefs of Staff
Committee minutes

*Lord Mountbatten*¹ welcomed Brigadier Yeo, Senior Liaison Officer, UKSLS Salisbury, to the meeting and said that he believed the Committee would wish to hear a statement by Brigadier Yeo on the attitude of the Federation political and military authorities to the use of United Kingdom troops for reinforcement of the Federation.

Brigadier Yeo said that he had built up a cordial relationship with General Long, who had discussed STUNSAIL² freely and frankly with him. All the information which he was about to give the Committee came from General Long in strict confidence, and it was important that no leak should occur which might prejudice his own relationship with General Long or the latter's own position vis-à-vis his political authorities.

Shortly before he left Rhodesia some three weeks ago, he had been informed by General Long that in the latter's opinion STUNSAIL was dead. The reason for this view was that, although General Long himself had always been anxious to extend cooperation between the Federal and the British Armies, and accordingly would welcome the deployment of United Kingdom troops in the Federation, his instructions from the Federal Government were diametrically opposed to this. Sir Roy Welensky had consistently rejected the idea of the use of British forces in the Federation ever since the emergency in Nyasaland two years before. He had only agreed, in June 1960, that joint planning should take place on the understanding that such planning was without any political commitment and on the strength of his own belief that the introduction of United Kingdom forces would be entirely subject to his invitation. Sir Roy Welensky had also frequently stated, when approached on particular problems which arose in the course of the planning, that the whole question was academic as he had no intention of asking for United Kingdom assistance. In December, 1960, when Dr. Banda walked out of the Constitutional Conference in London, he (Brigadier Yeo) had asked General Long whether he required any shortening of the notice for STUNSAIL. General Long had replied that there was no immediate hurry to reinforce Nyasaland, since he was confident of the ability of the Nyasaland police and the King's African Rifles to give sufficient breathing space for Federal reinforcements to arrive. Moreover, General Long considered that there might be advantage in allowing the outside world to see the Malawi party in its true colours for a limited period. Finally, General Long was confident that the Federal forces could cope with any conceivable internal security situation in Nyasaland without outside help. Some days later, after all three African leaders had walked out of the London talks, the Governor of Nyasaland had persuaded General Long that on military grounds the STUNSAIL forces should be brought to four days' notice. General Long had recommended accordingly to the acting Federal Prime Minister and had also proposed that United Kingdom staff officers from East Africa should visit the Federation to complete detailed planning. This approach by General Long had been sharply rebuffed by the acting Prime Minister and subsequently by Sir Roy Welensky

¹ Earl Mountbatten of Burma, chief of the defence staff, 1959–1965.

² 'Operation STUNSAIL' was a plan for the internal security reinforcement of the Federation.

himself. In order to safeguard his own position, General Long had then submitted to the Prime Minister an appreciation of the force levels required to ensure internal security throughout all three territories; this had shown that as many as 15 battalions might be required in the worst case, whereas only 13 battalions were available from the Federation's own resources.

General Long was now in no doubt that Sir Roy Welensky would never allow STUNSAIL to take place and accordingly, although his staff were still permitted to complete planning, he personally declined to discuss it further. In General Long's opinion the only circumstances in which United Kingdom reinforcements would be requested by the Federal authorities were, first, in the case of an external threat from the Congo, and secondly, if the internal security situation was so serious that the Federal Army was beaten to its knees. General Long considered the latter contingency most improbable but he, Brigadier Yeo, thought that in the event of serious disturbances in all three territories simultaneously the Federal Army would be so severely stretched that they would have no option but to ask for United Kingdom assistance.

In discussion the following points were made:—

(a) The position which would arise if, for instance, the Governor of Nyasaland asked Her Majesty's Government for assistance against the wishes of the Federal Government was obscure. Sir Roy Welensky believed firmly that such a request could come only from himself. He might seek to enforce his wishes by denying the use of airports to our aircraft and by immigration controls. He would not however be legally entitled to declare United Kingdom troops as prohibited immigrants. Legal advice in London was that Her Majesty's Government was ultimately responsible and that if the situation was sufficiently serious the United Kingdom was entitled, and indeed bound, to take whatever action was necessary to restore order. This applied even in Southern Rhodesia, though to a lesser extent than in the other two territories.

(b) It was unlikely that Sir Roy Welensky would in the event resort to extreme measures to prevent the intervention of United Kingdom troops. But in the last resort the United Kingdom would have the right to suspend the Federal Constitution.

(c) In the event of trouble in Nyasaland it was probable that Her Majesty's Government would urge Sir Roy Welensky to accept United Kingdom troops rather than deploy Federal territorials in the Colony. It was not possible to say what action would be taken if he refused.

(d) Brigadier Yeo should take a suitable opportunity after his return to Salisbury of informing General Long that the Chiefs of Staff had taken note of his views on STUNSAIL; Brigadier Yeo should explain that the plans were nevertheless being kept in being, since the Committee could not do otherwise without reference to Ministers, and since they could clearly not make such a move on the strength of an informal message from General Long.

(e) So far as could be seen the regular forces in the Federation, which were entirely African, were reliable. The possibility of political influences affecting their loyalty could not however be entirely discounted.

(f) There was some evidence that over the past two months the electorate in Southern Rhodesia had tended to become more liberally minded. This might be

expected to increase the chances of a negotiated settlement of the Federation's political problems.

Summing up, *Lord Mountbatten* thanked Brigadier Yeo for his interesting statement and congratulated him on the way in which he had been carrying out his duties in Salisbury. He asked his colleagues to bear in mind the importance of avoiding any leak as to the source of this information. The Minister of Defence should be informed of the substance of Brigadier Yeo's statement, and in view of the need for discretion, he proposed that he should report verbally to the Minister.

The Committee:—

Endorsed the remarks of the Chief of the Defence Staff.

269 PREM 11/3486

31 Jan 1961

[Federation]: Salisbury telegram no 128 transmitting a message from Mr Sandys to Mr Macmillan and Mr Macleod on the danger of 'a complete bust up' over the Northern Rhodesian constitution

From Commonwealth Secretary for Prime Minister, Colonial Secretary and Minister of State.

Our Conference on the Southern Rhodesian Constitution started well yesterday. We got to grips straight away with the prickly issue of franchise and representation. Despite hard hitting on all sides the meeting was friendly throughout.

2. There is no doubt that the London Review Conference has greatly improved the atmosphere. As Welensky put it to me it brought the temperature down by 30 degrees.

3. But all this is in danger of being lost if there should be a complete bust up over Northern Rhodesia. Whitehead emphasised to me again last night that whatever progress might be made here the outcome was entirely dependent on what happened about Northern Rhodesia. He said that he had only that morning formally told Welensky that if parity were conceded in Northern Rhodesia he would be obliged to come out publicly in favour of secession for Southern Rhodesia and the break up of the Federation. He added to me that it was not just a question of his own opinion. If he were to adopt any other course his party would throw him out.

4. I cannot say whether when the time came he would go through with this. But unlike Welensky he is not prone to exaggeration or bluster.

5. The European population are in a very worried state. If Whitehead were to come out in favour of secession or Welensky in favour of independence it is certain that in the present atmosphere they would receive overwhelming European support. On the other hand if they can be persuaded to adopt a moderate line they should be able to carry their followers with them though not without difficulty.

6. Once they had committed themselves to an extreme course they clearly could not retract; and there are no alternative leaders who could take their place. We must therefore be careful not to push them over the brink.

7. It is not necessary for me to emphasise how much is at stake the whole future of the Federation and the whole outcome of this great experiment in racial

partnership not to mention the almost impossible difficulties which would confront us if Welensky were to put himself at the head of a campaign for independence.

8. I am sure that you will have all this very much in mind in considering the line to be taken in the Northern Rhodesia negotiations.

9. I am glad to see from Commonwealth Relations Office telegram No. 166 paragraph 8, that it should not be necessary for you to take any irrevocable decision until next week. I hope that in the meanwhile you will keep me closely in touch with developments at your end so that I can give you my opinion on probable reactions here. In any case I shall be back in London on Friday 10th February.

270 PREM 11/3485

1 Feb 1961

[Northern Rhodesian constitution]: minute (PM(61)13) by Mr Macleod to Mr Macmillan on Mr Sandys's telegram

I have studied the Commonwealth Secretary's telegram No. 128¹ and of course I understand his anxieties. But it is entirely out of the question to think of stopping short of parity for Northern Rhodesia. We are already taking extreme risks with the handling of the Northern Rhodesia Conference in order to make it easier for Southern Rhodesia, but this is one that one can scarcely contemplate. The two African parties with whom I am talking are asking for 44 and 53 African representatives. I am trying to cut them to something like 18 or 20. For myself, I still remain convinced that a token majority is the only course that can hold the position, although it may be that we can devise a way in which the token majority is really composed of black U.F.P. faces. In all this there is certainly a risk of fierce reaction from Whitehead; but you will recall that Whitehead's first pronouncement to us was of the threat of an election if there was African domination in Northern Rhodesia. A few days ago we were told that this even applies to a token majority where officials hold the balance. Now we are told it even applies to parity. I am sure the truth is that whether there is an election or not in Southern Rhodesia will depend entirely on Whitehead's calculation of his chances and not on the Northern Rhodesia issue. Nevertheless, as you will have seen from my longer minute today, I am doing everything I can to buy time for the Commonwealth Secretary and everything I can to help the U.F.P. in their present difficulties.

I am sending a copy of this minute to Alport.

¹ See 269.

271 PREM 11/3486

8 Feb 1961

[Northern Rhodesian constitution]: note by T J Bligh of a discussion between Mr Macmillan, Mr Macleod and Mr Sandys

The Prime Minister had a discussion with the Commonwealth Secretary and the Colonial Secretary at 2.50 p.m. on Wednesday, February 8. I was present.

The Commonwealth Secretary gave a brief description of the course of the Southern Rhodesian Constitutional Conference. He said that Sir Edgar Whitehead was quite happy at the outcome of the Conference but was anxious about the outcome of the Referendum which would take place on the basis of the existing electorate in June of this year. His supporters had at one time wanted to withdraw from the Conference and it must be remembered that the Dominion Party had actually proposed that the existing limiting franchise for Africans should be reduced altogether. It was therefore clear that the outcome of the Northern Rhodesian Conference might affect the result of the Referendum. The Commonwealth Secretary added that Sir Roy Welensky had appeared to grow more calm and relaxed during the course of the Conference and would probably not now recall Parliament. If he were to do so this would be a bad sign.

There was some general discussion about possible compositions of the Northern Rhodesian Legislative Council and it was agreed that in any exposition of the solution the system adopted should be described as such and not the end product, even though the system had been adopted in order to produce the result desired. The Commonwealth Secretary thought that Sir Roy Welensky would be liable to attach considerable weight to the effect of any such proposals on law and order within the territory. Sir Roy Welensky felt that he would be able to control Europeans unless there was an African majority in the Legislative Council.

The Colonial Secretary said that the history of our relationship with Sir Roy Welensky was a series of bluffs and blusters on his part, for example, the release of Dr. Banda and the Monckton Commission. In both these cases he had given way. It may be that the present example was just a third case of this but there was always the danger that Sir Roy might become prisoner of his own bluff and be forced into a position where he did not have the courage to withdraw. Against this there was a very real danger of unrest and violence among the Africans if they did not achieve a token African majority in the Legislative Council.

The Colonial Secretary emphasized that no proposal had formally been put to the Northern Rhodesian Conference by H.M.G. He had had private discussions with the different parties attending the Conference but had in all cases talked round a possible solution rather than indicating that H.M.G. favoured one rather than another. The real question that H.M.G. had to decide in his opinion lay between parity or African token majority. The advantage of the latter would be that it could be coupled with an assurance as to the length of time it would last—at least four years—and even if there were a change thereafter there would still be a further period of British control.

The Colonial Secretary thought that the right solution would be to go for an African majority of two on the elected seats on the Upper and Lower Rolls and that there should be a number of seats which would be elected on the basis of cross-voting on both Rolls with a minimum qualifying percentage, say 12½%, from both Rolls. He did not think it was possible to contemplate a further period of devaluation in Northern Rhodesia. The Colonial Secretary emphasized that a device of this sort, namely cross-voting on a number of seats, could only be tacked on to a token African majority.

The meeting adjourned at 4.55 p.m.

272 PREM 11/3949

9 Feb 1961

[Reinforcement of Northern Rhodesia]: minute by Mr Watkinson¹ to Mr Macmillan. *Annex*: memorandum by Watkinson, 'Internal security reinforcement of Northern Rhodesia'

[Macleod had written to the prime minister on 6 Feb about the need to plan for the reinforcement of Northern Rhodesia. He had suggested that three battalions of British troops might be sufficient, a figure Watkinson felt was 'probably quite inadequate' (Watkinson to Macmillan, 9 Feb 1961).]

In the minute I have already sent you today about the situation in Rhodesia, I told you the action which we ought to take immediately and I promised a further report on the military scheme generally. This is now attached at Annex.

2. I must, however, invite your attention to the following salient points which appear to me to be of paramount political importance.

3. As my attached note shows, there is a considerable amount of uncertainty about the nature and extent of the operations in which we might become engaged. They may vary from supporting the Governor in maintaining law and order in a normal internal security situation in the towns, to something approaching a Congo situation, with the whites in arms against the Africans, and both the whites and the Africans in arms against our own troops.

4. We are convinced that there is no possibility of imposing a complete surprise on Welensky. He will have the initiative. He can choose between non-cooperation or positive action such as opposing our landings. There is a great danger that he may be able to force us to decide to fire the first shot.

5. We may find that non-cooperation or resistance on the part of the whites leads to a virtual breakdown in the administration of the country. We may find ourselves running a military occupation of the country and a military government in support of the Governor. There will also be difficult problems in maintaining supplies over a protracted period; moreover, our ability to take on other operations will be hamstrung.

6. In these circumstances, I wish to make my position and that of my Service colleagues clear. Difficult though it may be, we could no doubt impose a military solution, provided the government is prepared to face the difficult political problems which will ensue from our imposing the degree of force necessary to make the military operation a success. We feel it essential, therefore, that we should not decide to start the operation unless we have also decided not only that we can make it succeed but that we will do so. It would be fatal to the future effectiveness of our armed forces if we started the operation, either within political limitations which put its military success in extreme doubt, or if, having started the operation, we hamper the military commanders by yielding to outside pressures.

7. I have put these points down because I am most anxious that my colleagues should not under-estimate the complexity and magnitude of our task. So long as we all understand what we are doing I am reasonably sure that, on the military side, we can take it on and make it work in circumstances short of active opposition from the Federal authorities. If you would like to talk to the acting C.D.S. or me about this before Cabinet next week, we are, of course, at your disposal.

¹ H A Watkinson, secretary of state for defence, 1959–1962.

8. I am sending copies of this minute and the annex to the Foreign Secretary, the Commonwealth Relations Secretary, the Colonial Secretary and the Service Ministers.

Annex to 272

I have now completed a broad examination of the military problems involved if it should be decided to despatch United Kingdom forces to Northern Rhodesia. I set out below the main factors affecting this problem and the broad concept of how we should carry out the operation.

Conditions in Northern Rhodesia

2. It is difficult to assess the conditions that might exist in Northern Rhodesia, since these would depend to a large extent on the attitude of Sir Roy Welensky. One can, however, visualise various degrees of internal security troubles, ranging from non-co-operation through passive resistance, to acts of terrorism, and embracing armed action by bands of disgruntled Europeans and by Africans. The situation could be confused by the different orders that might be issued on the one hand by the Governor to his Police, and, on the other, by the Federal authorities to their units, of which two battalions, officered by White Rhodesians, are stationed in the territory. The loyalty of local government officials, including the Police, might not stand the strain.

3. I do not consider it feasible to make a plan to cover active armed opposition by the Federal Government which, in the extreme case, could include air attack on our air transports as well as the active defence of the airfields on which we must land. The worst case which we have planned to meet is therefore one of passive resistance; this might include occupation and obstruction of the airfields and might lead to a situation in which our troops would be compelled to use armed force to dislodge Federal units. In any event, we must be ready to carry out a parachute operation to clear the way for the landing of subsequent reinforcements, and this might well lead to shooting.

The size of the force

4. We have little knowledge on which to base an estimate of the size of the force required. Internal security plans for the territory are at present the responsibility of the Federal authorities. The territory is large, communications are poor and, indeed, the railways and postal services might not be operating in conditions of a general strike. If there were widespread trouble, we believe that we might require at least three brigades to hold down the country. The Federal authorities have previously estimated that they would require seven battalions for this task in conditions in which the white Europeans would be on their side and not opposing them.

5. In view of the possibility of disturbances in Kenya in connection with the forthcoming elections, the troops stationed there must be retained in Kenya and all reinforcements for Northern Rhodesia must come from the United Kingdom, Aden or the Mediterranean. It might be necessary to draw upon B.A.O.R. for some administrative units.

6. It is of great importance to have a proper estimate of the size of the task, including numbers of VPs, etc., and of the local supplies including petrol available for the maintenance of the force. It is highly desirable to send out a very small reconnaissance party as soon as possible to obtain this information.

Timing

7. Even if Sir Roy Welensky did not order active measures to oppose our arrival, there is still the danger of opposition by the dissatisfied European elements, especially the Afrikaners. The quicker the first flight can get there, the less likely they are to be opposed.

8. There is little force in the argument that it would facilitate our action if Welensky were not to be informed of our intentions. Once the machinery of collecting the troops and aircraft had been put in hand, it would not be possible to conceal it from the Press and this would give Welensky ample time to send in reinforcements before our forces could arrive.

9. After a decision had been taken to mount the operation, at least four days' warning would be required to carry out preliminary moves; thereafter, if *G*-day were the day on which the first troops left the United Kingdom, one brigade could begin arriving on *G* + 1, with the bulk of the brigade on the ground by *G* + 9, and the move complete by about *G* + 15. But if a parachute assault were necessary, the first troops would be landed two days' later, on *G* + 3, but the bulk of the brigade would still arrive on the same timings. The first troops of the second brigade would start arriving on *G* + 6, and the brigade would be complete by about *G* + 27. Thereafter, the need to maintain aircraft would seriously slow down the move of the third brigade and it is not possible to estimate at this stage how long it would be delayed.

Overflying

10. There are two possible routes: a short route via El Adem and overflying Male and the Sudan (for it would be even more difficult to overfly the Congo in present conditions); and a second route north-about via Turkey and Iran. In each case we would have to stage in Nairobi, and would require to use Dar-es-Salaam. If the shorter route can be used, there would be a saving of some 25% on flying hours. I have asked the Foreign Office to assess the possibility of obtaining clearance for using either of these routes. I have already suggested that they should be given permission to consult the Ambassadors concerned forthwith in the strictest secrecy. A complicating factor of the northern route will be the presence of Her Majesty the Queen in Iran and Turkey between 2nd and 6th March, 1961.

Maintenance

11. Without information on local supplies, and particularly aviation fuel, it is difficult to assess accurately the daily maintenance requirements. The total, however, for land forces alone, might amount to between 60 and 90 tons per day for three brigades—more if petrol for vehicles is not available. It will therefore be most desirable to establish a sea/land line of communication. The possibilities are: either through Tanganyika, starting from Nairobi or Dar-es-Salaam; or through Portuguese Mozambique and Nyasaland, starting from either Beira or Quelimane. This is, however, the rainy season and we cannot count on any of these fair-weather routes for about three months. In all events, the Foreign Office would have to obtain the

agreement of the Portuguese to stage through two of these routes. If it transpires that a land line of communication is not feasible, maintenance from abroad would have to be by air throughout the operation from stockpiles in Kenya, Aden and, if necessary, Cyprus and Singapore. Clearly, the more that can be pre-positioned during the activation period the better.

Maintenance of civil administration

12. If there are widespread strikes and defections amongst the civil employees in the territory it may become necessary to supply technicians from the United Kingdom to maintain essential services (e.g. electricity supplies, sewerage, etc.). We have not taken this into account in the preparation of our force requirements nor in our air movement plan; but if this burden were to be imposed upon the United Kingdom it would also add very materially to the maintenance problem and could absorb all our military air transport resources, and might also require considerable reinforcement from civilian agencies.

Essential preparations

13. From the military viewpoint, early preparations are of paramount importance. These would include the pre-positioning of the short range air transport force, route activation and the movement of supplies into Kenya. I have considered the possibility of devising a cover plan for the operation but have concluded that no such cover would be effective. None the less, the preparations to which I have referred could be carried out unobtrusively, and do not carry a grave risk of a leak. The decision to go ahead is closely related to the timing of the outbreak of trouble; I have been advised that the repercussions of an 'award' would begin to make themselves felt within 4 to 7 days of the announcement. Thus, bearing in mind the length of time it will take to mount the operation, it is clearly of the greatest importance that such preparatory measures as can be taken without endangering security should proceed forthwith.

Effect on other operations

14. It must be realised that even if one brigade group is committed to Northern Rhodesia, no other major operation could be carried out as planned during this reinforcement. If two or more brigade groups are committed, it will be impossible to mount another major operation for some time after the situation in Northern Rhodesia has been stabilised and air transport forces have been released.

Conclusions

15. I invite my colleagues to note:—

- (1) Much will depend on the attitude of Welensky. There is no possibility of imposing a complete surprise on him and he will have the initiative; he can choose between non-co-operation or positive opposition to the landing of our forces. Our plans do not cover the latter contingency.
- (2) There is considerable uncertainty about the nature and extent of the operations in which we might be engaged. They might require at least three brigades of troops and we might be faced with finding technicians to maintain essential services. All this will entail considerable problems of maintenance and resupply.

(3) Nevertheless, plans are being prepared to mount the operation in all circumstances short of active Federal opposition.

(4) In view of the shortness of time, it will be necessary to take prompt steps to obtain overflying clearance and to put in hand other preparatory measures.

(5) It will be disastrous for the future effectiveness of our armed forces if we launch any operation within political conditions which hamper the possibility of military success from the outset or, if having started the operation, we fail to see it through because of political pressure.

273 PREM 11/3949

10 Feb 1961

[Reinforcement of Northern Rhodesia]: note for the record by T J

Bligh of a meeting at Admiralty House on the courses of action open to the UK¹

The Prime Minister said he had considered the Minister of Defence's telegrams of February 9 about the situation in Northern Rhodesia. He said that broadly speaking there were four possible courses of action open to the United Kingdom Government:—

(1) To go for a solution wholly unacceptable to Sir Roy Welensky: this might lead to Southern Rhodesia leaving the Federation and might even produce military action by the Federal Government against Northern Rhodesia.

(2) To go for a solution wholly unacceptable to the Africans. In this case we should be involved in security operations in Northern Rhodesia and might reasonably look to Sir Roy Welensky to share responsibility with us for the military action that might need to be taken.

(3) To impose a solution in which the Europeans acquiesced and which, although not acceptable to the Africans, would not necessarily give rise to bad rioting.

(4) H.M.G. might go for a further postponement of the Northern Rhodesian Conference in order to try to get agreement between the parties before H.M.G. tabled their proposal but this might be so unacceptable to the Africans as to lead to riots and security problems.

The Prime Minister thought that it would not be realistic of us to plan on the basis that we would undertake military operations against the Europeans. Sir Norman Brook thought that if the Federal Government were to annex Northern Rhodesia there might be strong pressure for some action to be taken by the U.K. Government. But it was felt generally that this was not something that was within the realms of possibility.

The most likely contingency with which we should be faced was African rioting in Northern Rhodesia. The C.I.G.S. said that 7 battalions would be needed for internal security operations in the territory. There were at present two stationed there which were under the Federal Government. It would be difficult for us to send in 7 battalions unless these could be all under our command. We could not remove any

¹ Present: Macmillan, Watkinson, Sir F Festing (chief of imperial general staff), Sir N Brook, T J Bligh.

troops from the brigade at present in Kenya. We should have to send a brigade group out from this country and replace it from our forces in Germany. We could also send a Marine brigade group from Malta and Aden and if a third brigade group became necessary we would have to send one from this country and replace from B.A.O.R.

It was agreed that planning only should proceed at present. It might be necessary to send officers out to Northern Rhodesia to make on-the-spot enquiries but this could wait until the officers summoned home from Northern Rhodesia had reached this country and had reported.

Consideration would need to be given to the routes of aircraft flying troops out. Over-flying the Sudan would save a lot of time but might not be easy to arrange, and even if we over-flew the Sudan and were not at once discovered it would not be long before it was guessed that this in fact was what had happened.

The Prime Minister said that if we had to deal with the internal security situation on the basis of African rioting, etc. he would send a message to Sir Roy Welensky suggesting that the U.K. Government and the Federal Government should co-operate fully in this task and that it would help if the Federal Government looked after Southern Rhodesia and Nyasaland, leaving the U.K. troops to do at any rate the major part of Northern Rhodesia.

274 PREM 11/3486

11 Feb 1961

[Northern Rhodesian constitution]: CRO outward telegram no 278
transmitting a letter from Mr Macmillan to Sir R Welensky

Please pass following personal message from Prime Minister to Sir Roy Welensky.

My dear Roy,

As Greenfield no doubt has told you, we have had considerable discussions here about the situation in Northern Rhodesia. His help and advice have been very valuable.

2. We have now come to the point when we must take some decisions in relation to the Conference. So far it has been possible to keep it going, although with a good deal of difficulty, by informal discussions. This at least has allowed time for the conclusion of the Southern Rhodesian talks, which we are all delighted to see so successful.

3. So far as Northern Rhodesia is concerned, the positions of the various political parties remain so far apart that it is clear that we must put forward some definite proposals of our own. The Colonial Secretary will have to say something on Tuesday (which is the day that the Plenary Session is due to meet), but he will be as non-committal as possible.

4. As I told you frankly in my telegram of January 9th, I felt that it would be necessary to offer the Africans a bare majority of elected members. However, I see your difficulties and bearing in mind all that you have told us and especially having regard to the importance of Whitehead's being able to win his Referendum, we have now worked out an entirely different scheme, which I hope you will feel goes a long way to meet you. I am sending you an outline of this scheme in my immediately following telegram.

5. You will see that in this plan we have included a number of what I have termed 'double roll' seats, in which candidates are obliged to appeal to both races. This conforms with the non-racial philosophy in which we both believe. Moreover, I think that in practice they would be seats that a Party with a multi-racial appeal such as yours could reasonably expect to win.

6. There are, of course, a number of subsidiary points which we can later discuss with you in detail. I do not think there should be much difficulty in reaching agreement on these. They include such matters as the number of portfolios, which depends in part on the outcome of the Federal Talks; the minimum percentage figure required to be obtained from each roll in the double roll seats—and here frankly we can take whatever figure suits you best; and some matters in relation to the franchise.

7. There is, of course, very little chance of the nationalist Africans accepting any plan of this kind, since it is not designed to favour extremist parties. They will be very hostile and very bitter. We shall, therefore, have to face the possibility of serious disorders both in Northern Rhodesia and perhaps in the other Territories. We must face these troubles together and concert together our plans to meet them.

8. Since the Conference is due to meet again on Tuesday, I would be very grateful if you would send me your reactions as soon as you possibly can.

9. We are now in the position of having secured settlement in Nyasaland and a successful outcome of the Southern Rhodesia Conference. If only we can find a solution for Northern Rhodesia, the way will be open to take up again the Federal discussions.

10. Having got so far, we must make a great effort to see things through to the end.

Yours ever,
Harold Macmillan

275 PREM 11/3486

11 Feb 1961

[Northern Rhodesian constitution]: CRO outward telegram no 279
from Mr Macmillan to Sir R Welensky transmitting detailed proposals

Please pass following personal message from Prime Minister to Sir Roy Welensky.

My immediately preceding telegram.¹

1. *Legislative Council—Scheme A*

The Legislative Council would consist of fifty-five elected members. In addition there would be a maximum of six official members and two nominated members.

2. Of the forty-five elected members, fifteen would be elected by upper roll voters, fifteen by lower roll voters and fifteen by voters of both rolls combined.

3. In the third category (i.e. double-roll constituencies) the votes on each of the two rolls would be equalised by averaging the percentage of votes secured; which amounts in practice to devaluation. For example, if there were 1,000 upper roll votes

¹ See 274.

cast and 3,000 lower roll votes cast, then three lower roll votes would count as the equivalent of one upper roll vote.

4. It would also be laid down that any candidate in the double-roll constituencies, who did not obtain a prescribed minimum percentage of the votes cast in each roll, would be disqualified. We have as yet no firm ideas what this minimum percentage figure should be, but we would like as far as possible to fix it to suit your Party. (It might be anywhere between 8 per cent and 20 per cent.)

5. This scheme has four advantages:—

(a) It is simple.

(b) It makes it necessary for the Parties to seek support from both races and therefore encourages a non-racial political system on the lines you have always advocated.

(c) It should tend to favour a moderate multi-racial Party, such as yours.

(d) It cannot be said to provide parity or a majority for anybody.

Legislative Council—Scheme B

6. As an alternative to Scheme A, we have also considered the possibility of a Legislative Council composed of forty-six elected members (in addition to a maximum of six official members and two nominated members).

7. Of the forty-six elected members, sixteen would be elected by upper roll electors and eighteen by lower roll electors.

8. In addition, there would be twelve members elected by both rolls together by the method outlined in paragraph 3 above. Three of these double-roll seats would be reserved for Africans and five for non-Africans. The remaining four would not be racially reserved.

Franchise

9. It is not our intention at this stage to put forward detailed proposals about the franchise. Our idea is that the qualifications for the upper roll should remain very much as at present. As regards the lower roll, we have in mind to increase this to about 70,000, which you will see is 30,000 less than the figure we suggested to you a month ago.

Executive Council

10. Until the division of responsibilities between the Federal Government and the Territorial Governments is definitely settled, it is not possible to decide how many members would be needed on the Executive Council.

11. Our present idea is that there should be three or four officials and a somewhat larger number of unofficials. The unofficials should include at least two African and at least two non-African members of the Legislative Council.

12. In making appointments to the Executive Council, the Governor would pay due regard to the views of the person or persons who commanded the widest measure of support in the Legislature.

13. The Governor would have powers to appoint both official and unofficial members of the Legislature as Parliamentary Secretaries, but these would not be members of the Executive Council.

House of Chiefs

14. In addition there would be an Advisory House of Chiefs which would consider matters referred to it by the Governor.

Barotseland

15. We shall, of course, have to consider how far all these provisions could suitably be applied to Barotseland.

276 CAB 128/35/1, CC 6(61)2 13 Feb 1961
[Northern Rhodesian constitution]: Cabinet conclusions on proposals
to put to the constitutional conference

The Prime Minister said that the Cabinet were greatly indebted to the Commonwealth Secretary and the Colonial Secretary for their patience and perseverance in working out proposals which could be put to the Northern Rhodesian Constitutional Conference. The Colonial Secretary was expected to table the Government's plans at the Conference on the following day: further delay in doing so would increase the risk of disorder in the territory. It would not be possible to satisfy either the claim of the African representatives for a clear African majority in the Legislative Council or the desire of the Europeans that effective control of the Government of the territory should remain in the hands of locally-elected Europeans. In seeking a middle course between these points of view regard must be paid to the danger of prejudicing the constitutional settlement for Southern Rhodesia which had still to be approved by a referendum.

In all these circumstances the Ministers concerned had agreed to support a plan under which the Legislative Council of Northern Rhodesia would include 45 elected members, of whom 15 would be constituency members elected by upper roll voters, 15 would be constituency members elected by lower roll voters, and 15 would be national members elected by voters of both rolls combined. The election of the national members would be determined by averaging the percentages of votes secured on each of the two rolls, subject to the proviso that each candidate would have to obtain a minimum percentage of the votes cast on each roll. This scheme would not explicitly provide either parity or a majority for either race: on the contrary it would make it necessary for the political parties to seek support from both races; it would encourage a non-racial political system, in accordance with the concept of a multi-racial society, and would discourage extremism by any party. The Prime Minister of the Federation, Sir Roy Welensky, had been brought to see the merits of this proposal. He was now trying to persuade the Prime Minister of Southern Rhodesia, Sir Edgar Whitehead, to accept the scheme. It was likely that the results of their private discussions would be known later in the day.

The Colonial Secretary said that the present proposals or some similar variation of parity between Europeans and Africans were distinctly preferable to a scheme which embodied the racial concept by giving a majority, or token majority, to either race. He had always believed that Sir Roy Welensky would not persist in his opposition to a scheme that gave parity of treatment to both races. Indeed, the present proposals were a challenge to the United Federal Party, which purported to be a moderate

multi-racial party. Apart from the composition of the Legislative Council a number of difficult questions would still have to be settled, including the extent of the franchise for the lower roll, which it was thought might be increased to about 70,000, and the composition of the Executive Council.

The Commonwealth Secretary said that Sir Edgar Whitehead was understandably concerned lest the proposed constitutional settlement for Southern Rhodesia should be rejected in the referendum, which had to be held on the basis of the existing electorate. This settlement included safeguards against racial discrimination in the form of a bill of rights and a constitutional council which could delay discriminatory legislation. If the settlement were rejected in the referendum Sir Edgar Whitehead's Government would be replaced by the Dominion Party, who were pledged to secession from the Federation.

Discussion showed that the Cabinet were in general agreement with the proposals outlined for the composition of the Legislative Council in Northern Rhodesia. The electoral arrangements were admittedly somewhat complex, and it would be important to ensure that the advantages of the scheme were properly presented. It was in accordance with the concept of a multi-racial partnership in Central Africa for which the Government were pledged to work. Nevertheless it was recognised that African reactions to the proposals might be hostile. Every effort would be made to get them to examine the proposals with moderation, but there was bound to be some risk of an emergency developing in Northern Rhodesia. There was also a danger that Sir Edgar Whitehead might feel that, if he were to acquiesce in these proposals, he would lose his referendum; and he might decide to anticipate this situation by forcing the immediate secession of Southern Rhodesia. If, on the other hand, he decided to await the referendum, the Dominion Party might be brought to power; and again secession was likely to result. There was also the danger that, if a Southern Rhodesian Government decided to secede, they might attempt to seize control of the copper belt in Northern Rhodesia.

The Prime Minister said that, despite the serious dangers that the situation held, it was the view of the Cabinet that, subject to further information about the views of Sir Roy Welensky and Sir Edgar Whitehead, the Colonial Secretary should put forward proposals on the lines indicated at the plenary session of the Conference on Northern Rhodesia on the following day. The proposals would not at this stage be presented as an imposed solution, and they would not be made public. It would however be advisable to be ready to present the advantages of the scheme, as the best compromise that could be worked out in the interests of moderation and the concept of a multi-racial partnership. In the light of any further messages from Sir Roy Welensky and Sir Edgar Whitehead, it might be necessary for the Cabinet to consider the proposals again at a meeting on the following day before they were tabled at the Conference.

The Cabinet:—

- (1) Took note that the Prime Minister would consider, in the light of further information on the likely reactions in the Federation, whether the Cabinet should give further consideration, at a meeting on the following day, to the latest proposals for constitutional development in Northern Rhodesia.
- (2) Subject to Conclusion (1) above, agreed that those proposals afforded a reasonable basis for constitutional advance in Northern Rhodesia.

277 PREM 11/3487

17 Feb 1961

[Northern Rhodesian constitution]: note by T J Bligh of a meeting between Mr Macleod and Mr Macmillan on the question of Mr Macleod's intention to resign

[On the discussions over the Northern Rhodesia constitution, Macmillan was keen to keep the government's white paper as vague as possible over possible areas of contention, so as to keep Welensky at the negotiating table. Macleod, by contrast, felt that he had already committed himself on the method of electing the national seats and was determined that the objective of parity or a bare African majority be maintained. He was therefore dismayed by the suggestion from the prime minister's office that significant deletions should be made to the wording of the White Paper (Bligh to Pearson, 17 Feb 1961).]

The Prime Minister saw the Colonial Secretary at 12.45 p.m. on Friday, February 17, at Admiralty House.

The Colonial Secretary said that having received the minute from the Prime Minister of February 16 and having seen my letter of February 17 he now felt that he had no option but to resign immediately.

The Prime Minister asked the Colonial Secretary to think it over. He should certainly try to bring the Conference to an end whilst he was still Colonial Secretary. He asked why the Colonial Secretary felt in this way. Mr. Macleod said he was impressed with the sense that we were continually giving in to Sir Roy Welensky and that he was not being allowed sufficient freedom in his own sphere of responsibility.

The Prime Minister thought it would be very difficult to, as it were, leave the Conference in mid-air.

The Colonial Secretary said that he could not now amend the documents which had been circulated. Everybody attending the Conference had the minutes. It was not possible therefore for him to turn the White Paper into a mixture of historical survey plus proposals. As he saw it, his White Paper must be a record of the Conference. Whether or not there should be a White Paper setting out proposals was another matter. It should anyhow be a different document.

After further discussion it was agreed that the Colonial Secretary should finish the Conference during the course of the afternoon on the basis of the documents as circulated and that he should then report to the Prime Minister at about 6 p.m.

278 PREM 11/3487

18 Feb 1961

[Northern Rhodesian constitution]: note for the record by T J Bligh of a meeting at Admiralty House on the white paper proposals¹

The meeting discussed the Northern Rhodesia Constitutional Conference; the draft White Paper, and what should be the next steps. The Prime Minister thought that the draft White Paper was now a historical document and should therefore be published. At the same time, some statement must be made and published. There were two points still to be settled on the White Paper. The first was whether some sort of note

¹ Present: Macmillan, Kilmuir (lord chancellor), Home, Sandys, Bligh.

should be added to explain what would be the effect in numbers on the Upper Roll of such minor changes as we proposed, and the second was whether the White Paper should conclude with a few paragraphs setting out briefly the views of the different delegations who had attended the Conference.

The Prime Minister thought that the Government's attitude towards the next steps should be made clear in a statement, which should be made perhaps a little before the publication of the White Paper. But in any event no definite plan of action should be settled until the whole question had been put to the Cabinet, which had been summoned for Monday morning, February 20.

In general discussion there was support for the view that the aim should be to make a statement a little before the publication of the White Paper, and that this statement, which should be shown in advance to Welensky and Whitehead, should set out H.M.G.'s attitude over the next few weeks. The Commonwealth Secretary thought that the statement should set out our basic aims and objectives in Northern Rhodesia, and then describe the main principles and features of our proposals, which could broadly be divided into four main points:—

- (1) An enlarged Legislative Council with an equal number of members elected on the Upper and Lower Rolls.
- (2) A substantial number of seats in which members would have to be elected from both Rolls with a minimum percentage qualification from either Roll.
- (3) The maintenance of a high qualification for the Upper Roll.
- (4) The widening of the Lower Roll.

These last two points in particular should emphasise our desire to maintain responsible Government and to develop a multi-racial community.

The Prime Minister said that the statement could go on to say that objections had been raised against these proposals from all sides. There was no agreement to them. It would be a serious matter for the Government to impose a new Constitution without the agreement of the responsible political authorities concerned. Moreover, there were a number of points within the Government proposals that were open to discussion. H.M.G. thought therefore that further time should be taken in consultation with those concerned in order to try to get some measure of agreement.

It was agreed that this was a workable line of approach and a short note was prepared for the Prime Minister to use at the meeting with the Colonial Secretary later in the morning. A copy of this note is attached.

279 PREM 11/3487

18 Feb 1961

[Northern Rhodesian constitution]: note for the record by T J Bligh of a meeting at Admiralty House on the options and risks facing the UK¹

The Prime Minister asked the Colonial Secretary to bring his colleagues up to date with the last day's proceedings of the Northern Rhodesia Conference.

The Colonial Secretary said that the draft White Paper had been circulated to the Conference. Sir John Moffat and his party had expressed agreement with it. The

¹ Present: Macmillan, Kilmuir, Home, Sandys, Macleod, Bligh. Bligh's note was not for circulation.

Chiefs had liked some of it. He thought that the A.N.C. and the U.N.I.P. would probably acquiesce, provided that we were a little more specific on proposals for changes in the Upper Roll. A new sentence was agreed for addition to the draft White Paper—

‘The Upper Roll at present consists of . . . registered Europeans, . . . registered Asians and . . . registered Africans. It is estimated that under the proposals which the Government had in mind something between 15 hundred and 2 thousand additional Africans would become eligible for registration.’

It was decided that this would be more suitable in the form of a footnote.

Turning to what should be the next steps, the Colonial Secretary thought that the White Paper was the ‘rubicon.’ In the light of the telegrams that had been sent by Sir Roy Welensky and Sir Edgar Whitehead, especially those that had just reached London, they might well feel unable to continue working with us after the White Paper had been published.

In general discussion it was thought that the White Paper should probably be published as had been laid before the Conference: this was a matter of fact and could not be disputed. Consideration should however be given to what might be said in the House of Commons before the publication of the Paper. Could not this be a statement of the main principles of the Government plan, and an effort made to try to get Sir Roy Welensky and Sir Edgar Whitehead to concentrate on H.M.G.’s statement? The Prime Minister thought that if there were a ‘rubicon’ in this matter it would not be the publication of the White Paper but any statement that H.M.G. intended to proceed on the lines of the proposals set out in the White Paper. The Prime Minister then outlined the sort of statement that might be made as in the talking points prepared for his meeting with the Colonial Secretary.

The Colonial Secretary thought that it was not possible to proceed in this way. For example, the telegram received from Sir Edgar Whitehead that morning emphasising the need to retain control of the Legislative Assembly in the hands of the Upper Roll was contradictory to the principles of our plan, which had been agreed by the Africa Committee. If we were to try to get a statement agreed with Welensky and Whitehead this could not really be consistent with the White Paper.

The Lord Chancellor thought great weight should be attached to the position of Southern Rhodesia in this matter. They had, after all, been a self-governing Colony for over 35 years. Sir Edgar Whitehead had explained how the proposals in the White Paper might very seriously affect Southern Rhodesia’s position in the Federation, and yet the two telegrams received that morning from Welensky and Whitehead showed that they had moved their position a little. They were, he thought prepared to negotiate and it would not really be practical to ignore Whitehead’s representations and go ahead and publish the White Paper without at the same time indicating that there would be a further period for consultation. The Commonwealth Secretary agreed that it was important to try to avoid an open break with Southern Rhodesia and with the Federal Government. They had already moved from their original positions. The Foreign Secretary agreed. He said that there was a little room within H.M.G.’s proposals for manoeuvre. It would be dangerous to try to rush the matter through by exchange of telegrams. He thought it not out of the question that

we should be able to reach agreement eventually within the terms of the White Paper, provided we did not rush matters.

The Colonial Secretary thought it unlikely that Welensky would agree to the principles of the plan laid down in the White Paper because he had now estimated that the U.F.P. had lost the support of Africans and he had probably calculated that he would not now win the elections in Northern Rhodesia on the basis of H.M.G.'s plan. Indeed, Sir John Moffat, the African Parties and Chiefs might form a common front against Welensky. Such a coalition would certainly win the election. Welensky was himself likely to have made this assessment. The Colonial Secretary thought that we should publish the White Paper and say that this was H.M.G.'s plan and the Governor would have the usual consultations locally before detailed proposals were formulated and implemented.

There was some discussion about the assessment of the risks that might follow from adopting this course of action. The Commonwealth Secretary thought that the crucial decision would be taken by Whitehead and in reaching this decision he would not so much be affected by what he thought would be right and what would be wrong as by what he thought he could get away with. He thought it very likely that Southern Rhodesia would secede. The Colonial Secretary agreed that there was a considerable risk that Southern Rhodesia might follow this course but if we gave way he thought there were other and possibly graver dangers to the British position throughout the whole of East Africa.

The Colonial Secretary said it seemed to him that there were two possible courses of action:—

Course 1. We should publish the White Paper including the short additional passage on the Upper Roll and he would try to see Kaunda and Nkumbula to get them to produce some form of acquiescence. This would then be announced as our plan. There would be many problems—delimitation, the qualifying percentage and so on—that would be open to discussion.

Course 2. The Government would say that of all those attending the Conference only one Party had been able to agree to H.M.G.'s proposals. The U.F.P., the A.N.C. and the U.N.I.P. did not accept them. Therefore H.M.G. thought it right not to proceed at this stage and propose a Constitution. They thought it right to carry out further consultation. They did not therefore propose to publish a White Paper but were prepared to state that the main principles of that plan were as follows. (They should then be set out). They intended to stick to these principles.

The Colonial Secretary thought this was an honourable and practicable course of action but it was not one that he himself could take part in as he was personally committed to the White Paper.

The Lord Chancellor thought that we would really need to give Sir Edgar Whitehead time for consultation. The Colonial Secretary said that under Course 1 there would be available some eight weeks for consultation by the Governor.

The Colonial Secretary added that he thought the risk of Whitehead seceding from the Federation was of less moment than a black uprising in East Africa. The Commonwealth Secretary thought that the balance of risks lay the other way. If

Southern Rhodesia seceded from the Federation they might then annex the Copper Belt. This could lead to war between black and white.

The Lord Chancellor once more urged the need for delay. In the next month or two Lord Alport would be going out to Salisbury and could talk to Welensky. Moreover, they would be coming here for the Commonwealth Prime Ministers' Conference. Surely the sensible thing was to try to go for further consultation but on the principles of our plan.

There was some discussion as to whether Course 2 necessitated non-publication of the White Paper. It was agreed that this was probably right. The Lord Chancellor felt there was no reason why the Colonial Secretary should not make the statement referred to in Course 2. The plan had the Government's full support and the fact that it had not been accepted by the Conference could not really be regarded as a resigning matter.

The Colonial Secretary said he was too personally committed to the White Paper and had given too many personal pledges in the course of this discussion in the Conference, but he thought Course 2 was an entirely honourable position to adopt. It was just that he did not feel himself able to take part in it.

The meeting then adjourned.¹

¹ On 20 Feb, the Cabinet authorised the publication of the Northern Rhodesian constitutional proposals the following day in a White Paper (Cmnd 1295). It also authorised a Parliamentary Statement by Macleod, which was also to be published as a White Paper (Cmnd 1301); see Hyam & Louis, 502.

280 PREM 11/3488

23 Feb 1961

[Federal coup d'état]: inward telegram no 54 from Sir E Hone to Mr Macleod on what action might follow in the event of an attempt to overthrow the government of Northern Rhodesia

Northern Rhodesian Constitution.

Attitude of Federal Government.

My Personal No. 54.

Since my return today I have been considering the situation arising from 'total rejection' by Welensky of H.M.G.'s proposals for revision of Constitution. As you know, Federal Parliament has been summoned to meet on Friday. Atmosphere in Northern Rhodesia, particularly amongst Europeans, is very tense and dramatic developments are expected by the public. I am informed that great majority of European opinion is solidly behind Welensky in opposition to H.M.G. Africans are quiet but apprehensive and await word from their leaders when they return to the territory.

2. I do not know whether Welensky intends to declare independence or take other unconstitutional action in pursuance of his quarrel with H.M.G. But I do consider that some such possibility and its consequences must now be faced. The likely pattern is that Federal Prime Minister would declare continued allegiance to the Crown and retention of Governor-General as Her Majesty's representative but would reject completely any authority over federal or territorial matters at present exercised by H.M.G.

3. Proceedings in Federal Parliament when it meets are likely to be heated and in Welensky's present mood he might well be led to some unilateral and unconstitutional action. In pursuance of such action Federal Government might consider a physical *coup d'etat* backed by its military forces, in which an attempt would be made to negative authority of Governor of Northern Rhodesia and possibly Nyasaland—but my own opinion is that Welensky would let Nyasaland go and confine his attentions to this territory.

4. Although it seems incredible that such a situation could arise, I feel I must seek your instructions about action to be taken here if I am faced with attempted overthrow of authority of Territorial Government backed by Federal military forces. I understand that H.M.G. considers that it would be virtually impracticable to send in any British troops from outside Federation in opposition to wishes of Federal Government. In these circumstances my opinion is that it would be wrong to order Northern Rhodesia Police to offer any physical resistance to Federal military forces who would be better armed and trained for military combat. On the other hand it would go heavily against the grain to acquiesce in Federal *coup d'etat* or to expect me or my officers to co-operate willingly with Federal Government in such circumstances. Such co-operation would clearly be regarded as a gross betrayal by Africans of Northern Rhodesia.

5. I have it in mind therefore to issue immediate instructions to Commissioner of Police that if, because of our refusal to acquiesce, I or senior officers of Northern Rhodesia Government are 'arrested' or 'detained' by Federal forces he is not (repeat not) to intervene physically on our behalf. His task should be to use his forces for maintenance of public security and to retain his independence from Federal forces in this regard until overborne by superior military force. If so overborne, he should submit only under clear protest. Similarly Provincial Commissioners would be instructed, in event of Governor and senior H.Q. officials being put out of action to retain control of their provinces on their own initiative as long as possible and to submit themselves to Federal control only when compelled by *force majeure* and then only under protest.

6. If H.M.G. were unable to assert their authority in this Protectorate against unconstitutional action by Federal Government, the blow to her prestige would, of course, be immense and might be irretrievable. Since Welensky has rejected H.M.G.'s plan for Northern Rhodesia—a plan which he has no constitutional standing to reject and has 'reserved his position', I suggest H.M.G. should consider sending him a clear warning against unconstitutional action in Protectorate territory and should make it clear that H.M.G. has no intention of surrendering her responsibilities in Northern Rhodesia. An indication that in those circumstances Federal Constitution itself would be in jeopardy might be salutary. I appreciate that if such warning were to be effective it might mean reconsidering decision not (repeat not) to send British troops to Northern Rhodesia against wishes of Federal Government. I am not asking for any movement of British troops at this stage but only that an effective warning to Federal Government should be considered.

7. Grateful for any guidance you can give by early telegram on attitude which I and my officers (particularly police) should take in event of action by Federal Government backed by force.

281 PREM 11/3488

23 Feb 1961

[Military intervention in Northern Rhodesia]: minute (PM(61)26) by Mr Macleod to Mr Macmillan on Sir E Hone's telegram

I am attaching a copy of an emergency top secret and personal telegram from Sir Evelyn Hone¹ and sending copies of the telegram and of this minute to the Foreign Secretary and the Commonwealth Secretary.

2. These are very much first thoughts, but it seems to me that on balance the most likely courses for Welensky to take are in the following order:—

- (i) to get a mandate at the end of the debate on Monday for an election which would in effect be a vote of confidence in him. The advantage of this would be that he would not have to commit himself on secession or independence, or even to having a status in the Northern Rhodesia talks which, as you know, the constitution itself denies him except for the right of consultation;
- (ii) for the debate to end again with a demand for a general election but on a more specific issue such as authority to demand full or limited independence from H.M.G.;
- (iii) that the debate might end in a vote of confidence in Welensky and that armed with this he should, perhaps at the time of the Commonwealth Prime Ministers' meeting have one more try with us.

All these and other possible permutations seem quite likely in the light of the information we have, but we have no special Branch information about the situation and I would like to make a point orally on this when we meet.

3. One must go on from this to consider the possibility raised in Hone's telegram of the tea-party situation. I believe this to be unlikely, but it is clearly one that we must consider. It seems to me that if this was really in Welensky's mind more indication of it would have been given in the press in Rhodesia, which is known to speak his words. One extremely difficult problem is raised by Hone's telegram and that is the question of the advice that should be given to the police. I think there are great dangers in Hone sending round any instruction, which would have to be given a fairly wide circulation, at this time until we have more definite information that a coup is contemplated. It is clear that the police have responsibility always for maintaining law and order and that they should only take orders from the lawfully established authority, in this case the Governor. It is clear also, I think, that we would prejudice our case very much both at home and in the world if the police in fact at any time acted on the orders of a usurping authority. But on the other hand there is an argument against this, that whatever the circumstances may be, and if we are clear that we cannot meet a coup with military forces, the police should be used under whatever *de facto* authority there is on their ordinary tasks of maintaining law and order and within their normal legal powers. I find this balance a difficult one to strike and I would be grateful if we could discuss what advice should be given to the Governor.

4. There are other possibilities of action for us that could arise in the event of a tea-party situation; but again I would prefer to make these points orally when we meet.

¹ See 280.

5. There is one point that we might consider in particular, that is whether some message should go to Welensky this weekend before he commits himself to a course of action from which perhaps he could not turn back even if he wished to. This might be in formal terms, as Sir Evelyn Hone suggests, although my implication is rather against this, or informally from you, perhaps backed by a direct intervention from one or more Commonwealth Prime Ministers. But on the whole I am inclined to think that the balance of advantage lies in not sending a message at this stage and with the information that we have.

6. Some of these problems may raise matters of very great legal complexity and you may think it right for either the Lord Chancellor or the Attorney-General to attend our meeting. I am therefore enclosing two extra copies of this minute and of the telegram.

I am also sending a copy to the Minister of Defence.

282 DO 158/10, no 114

24 Feb 1961

[Southern Rhodesian constitution]: despatch by M R Metcalf to Mr Sandys on the Commonwealth secretary's visit and the conference

The Commonwealth Relations Office will already have received a confidential report by Mr. G. B. Shannon of the Southern Rhodesia Constitutional Conference, which resumed in Salisbury from 30th January to 7th February, 1961. In this despatch I have the honour to give a brief account of your own visit to Southern Rhodesia, the purpose of which was to preside at this Conference; to summarise the main findings of the Conference and to give an account of the attitudes of the main political parties and racial groups to them.

2. A list¹ of your main engagements is enclosed. You had planned to arrive in Salisbury, accompanied by Sir Ralph Hone² and Mr. G. B. Shannon, on 26th January, in order to have time for private discussions with the participating political parties before the Conference resumed. An unfortunate accident to your aircraft in Rome delayed your arrival until the early hours of 27th January; but you were nevertheless able to talk with Sir Roy Welensky, Sir Edgar Whitehead and representatives of all the parties and groups represented at the Conference, with the exception of the National Democratic Party, whose leader had visited Dar-es-Salaam, before it resumed. You were also able to spend part of the weekend at the Victoria Falls, which you visited by R.R.A.F. Dakota kindly placed at your disposal by the Federal authorities.

3. During the Conference itself you were able to leave Salisbury on two occasions; the first on the morning of 1st February when you paid a brief, surprise visit to Mabvuku School on the outskirts, to see for yourself a typical African primary school, providing education up to Standard VI; and the second on the weekend of the 4th–5th February, when accompanied by Mr. H. J. Quinton, Minister of Native Affairs in the Government of Southern Rhodesia, you flew to the resettlement area of Binga, to which the Batonka tribes, who are among the most primitive in Southern

¹ Not printed.

² Assistant legal adviser, CO and CRO since 1954.

Rhodesia, were moved from the Zambesi Valley when Lake Kariba started to fill. You left Salisbury by air for London on the night of 7th February.

4. There was a certain despondency in some quarters about the difficulties with which you would be confronted in trying to secure some measure of agreement among those of widely differing and apparently rigid views. Although the preliminary talks by the Southern Rhodesia delegation in Salisbury from 16th to 24th January under the chairmanship of Sir Edgar Whitehead were known to have gone well, it was held that this was so only because the major controversial issues were all being held over for discussion under your chairmanship. Your statement on arrival that, given a spirit of realism on all sides, you saw no reason why agreement should not be reached on all outstanding points on a fair, honourable and workable basis for all, was therefore thought by many to be an outside hope rather than an accurate forecast of the outcome. That a very large measure of agreement, brief details of which I give in the following paragraph, was, in fact, reached was attributed, in large measure, by delegates at the Conference and in the Press, to your skill, patience and perseverance as Chairman.

5. The main proposals set out in the published report of the Conference (Cmnd. 1291) which all the delegates present, except those of the Dominion Party, agreed to invite the United Kingdom and Southern Rhodesia Governments to implement were: a Declaration of Rights to be enshrined in the Constitution (with an appeal to the Judicial Committee of the Privy Council in cases of its infringement); a Constitutional Council of 12, with the principal duty of examining future legislation with a view to determining whether or not it was unfairly discriminatory or otherwise infringed the Declaration of Rights and a revision of the existing franchise and representation arrangements. The new franchise proposals provided for two voters' rolls—an 'A' and 'B' roll—instead of the present common roll. The qualifications for the 'A' roll were the same as the 'ordinary' qualifications for the existing roll, with the addition of Chiefs and Headmen, who number about 500. The qualifications for the 'B' roll were the same as the 'lower' qualifications for the existing roll, with certain extensions designed to enable Africans to enrol in greater numbers and more quickly. For example, under the existing income qualifications a person has to have earned the requisite income for a period of two years preceding the date of his application for enrolment; under the new proposals he will be required to earn that income for a period of only six months preceding the date of his application. It is hoped that, in the light of the recent spate of wage increases which have been awarded by the Southern Rhodesia Government to the police and African teachers and by industrial boards to African workers, this new provision will enable a larger number of Africans to qualify for the vote in a considerably shorter time than is presently possible. The Legislative Assembly would be increased to 65 members. Of these 50 would be 'A' roll constituencies (delimited on the basis of the number of voters on the 'A' roll). The remaining 15 would be 'B' roll constituencies (delimited on the basis of the number of voters on the 'B' roll). One member would be elected for each of the 50 'A' roll constituencies by the voters of both rolls voting together and, conversely, one member would be elected for each of the 15 'B' roll constituencies by the voters of both rolls voting together. But in the first case the 'B' roll votes would be devalued so as not to amount to more than 25 per cent. of the other votes cast and in the second case the 'A' roll votes would be similarly devalued. This would preserve the principle of non-racial voting, ensure that a reasonable

number of Africans were returned and serve to reduce the danger of extremists of both sides being elected. It would not be possible to amend the basic clauses of the Constitution without a majority of each racial group, voting separately in a referendum, being in favour of the amendment. The British Government would in turn relinquish the majority of its reserve powers.

6. The report of the Conference received a very favourable Press in the Federation. Most newspapers described the proposals as offering Southern Rhodesia its 'last chance' of racial harmony and urged the electorate unreservedly to support them. The attitude of the main political parties and of other communities represented at the Conference have so far been as follows.

7. The Dominion Party have dissociated themselves entirely from the report. Their delegates took only a cursory interest in the proceedings of the Conference and during it launched a campaign for the secession of the Colony. At the conclusion of the Conference they issued a separate statement, dissociating themselves from the Conference's report. It is clearly their intention to fight tooth and nail against the proposals at the referendum which the Government proposes to hold in June. And indeed they must do so if they are to have any hope of getting into power, because Sir Edgar Whitehead has indicated that, if the electorate approve the constitutional proposals at a referendum, the next general election will then be fought (probably not until April 1962, he told his Party Congress) under the new constitutional arrangements, including the new arrangements for representation and the franchise, which would make a Dominion Party victory virtually impossible. On the other hand, if he loses the referendum, he is almost certain to resign and call for a general election forthwith under the existing constitutional arrangements which might well, especially if the Federal issue is still in doubt, bring the Dominion Party into power.

8. The Southern Rhodesia division of the United Federal Party, with the backing of the Federal division, in particular of Sir Roy Welensky, have now approved the constitutional proposals. A special Congress of the Territorial division of the party, which was convened for this purpose on 22nd February, carried, with only one dissentient, a resolution approving the proposals and expressing confidence in Sir Edgar Whitehead's ability to carry them to a successful conclusion. This was in many ways a remarkable achievement, because some of the proposals undoubtedly constitute a major departure from previous party policy and it was well known that many of the rank and file were startled by them. Moreover, the Congress met on the day after Sir Roy Welensky had rejected the British Government's constitutional proposals for Northern Rhodesia, had summoned an emergency session of the Federal Parliament, which meets to-day, to discuss the Northern Rhodesia proposals and had announced the call-up of several Territorial battalions as a precautionary measure. With feeling running so high against the British Government on these issues, it says a good deal for party discipline or organisation that the Congress decided so overwhelmingly to endorse the constitutional proposals for Southern Rhodesia, though it must be said that the rattle of U.F.P. drums over the Northern Rhodesia issue may have given some delegates the greater courage to do so. It was fully recognised by the delegates to the Congress that they would have their work cut out in trying to sell the proposals to the electorate before the referendum.

9. The Central Africa Party, without yet having held a Congress to approve the proposals, have made it quite clear that they will support them at a referendum. A Bill or Declaration of Rights is a feature of their party policy and, although, like other

parties represented at the Conference, they maintained their position on the franchise, they have been able to claim that most of the report coincided with their political aims. In a recent broadcast speech the leader of the party, Mr. Palmer, expressed his confidence that the adoption of the proposals would pave the way to political stability and economic prosperity. One domestic consequence of the successful conclusion of the Conference has been the resignation of Mr. Leo Baron, the party's vice-president, on the grounds that the function of the party, as a bridge or a buffer between the races, is completed and that its continued existence will be an obstacle in the way of the future political development of the Colony. The other leaders of the party have not taken the same view as Mr. Baron—perhaps rightly in the light of the National Democratic Party's subsequent repudiation of the report of the Conference.

10. The National Democratic Party delegates, having agreed to the report of the Conference, soon found themselves under heavy pressure from their followers, and under still heavier pressure, I suspect, from their nationalist colleagues in the North, to repudiate it. Mr. Nkomo, the party's president, who does not strike one as being a man of much intelligence or determination, began himself by repudiating, albeit in a rather ambivalent fashion, the representation and franchise proposals. Then Mr. Takawira, the party's Director of External Affairs in London, and Mr. Mawema, a member of the National Council—both former presidents of the party—issued statements totally rejecting the constitutional proposals and strongly attacking the N.D.P. delegates at the Conference for subscribing to them. Messrs. Takawira and Mawema were promptly suspended from the National Council and Mr. Nkomo flew off to London with the announced intention of taking disciplinary action against Mr. Takawira. He was not long there, however, when, presumably due partly to pressures arising from the dissatisfaction of African nationalists with the conduct of the Northern Rhodesia Constitutional Conference, he held a Press conference in which he strongly repudiated not only the representation and franchise proposals but, to a very large extent, the entire report of the Southern Rhodesia Constitutional Conference. By a useful intervention of sunspots, reports of his Press conference were not received in Salisbury for a day or two, by which time the local Press apparently did not consider it to be newsworthy. But the fact that they did not report it also, of course, shows how much less significance is habitually attached to Mr. Nkomo's statements by the European Press and public here than by the London Press.

11. It is too soon to assess the outcome of these dissensions within the National Democratic Party and their effect on Mr. Nkomo's position as leader. On the one hand, Messrs. Mawema and Takawira have, until now, had the reputation of being on the moderate wing of the party and, since Mr. Nkomo's election in October last year, of having no great influence. On the other hand, Mr. Nkomo is probably now regarded as a failure by the younger and pan-Africanist element amongst his followers and his shifts of front, combined with his almost continuous peregrinations overseas, must be causing others as well to have second thoughts on the quality of 'our great' Nkomo as a leader. But, if he is to be replaced, we are not likely to know by whom or how the party's policy will subsequently shape, until it holds its annual congress, scheduled for 18th and 19th March. It is also impossible to say at this stage that the National Democratic Party will stand aloof from the referendum. It is hoped that they will decide in the interests of keeping the Dominion Party out and of

improving their own prospects at a subsequent election to encourage their followers, either publicly or privately, to vote for the proposals.

12. Of the others represented at the Conference, the Asian and Coloured communities have signified their support for the proposals. In addition, the National Front Movement, which was formed by Sir Robert Tredgold after his resignation from the office of Chief Justice and which seems as yet to be confined to a handful of enthusiasts in Bulawayo, has now issued a considered statement approving the proposals as affording, in the main, 'the best possibility for racial co-operation in the political field yet put forward'.

13. Thus, assuming the National Democratic Party do not actively campaign for or against the proposals, the referendum is likely to be a straight fight between the Right-wing Dominion Party on the one hand and all moderate and liberal opinion on the other. It is very encouraging that the United Federal Party have come out solidly in favour of the proposals at a time of headlong clash with the British Government over Northern Rhodesia. But it is, of course, too soon to say whether they will carry the country with them or whether in fact further developments in the Federal field will not have a bearing on the outcome.

14. I am sending copies of this despatch to the United Kingdom High Commissioner in Cape Town and, on a secret and personal basis, to the Governors of Northern Rhodesia and Nyasaland.

283 DEFE 4/134, COS (61)15, Confidential Annex 28 Feb 1961
 [Military intervention in Northern Rhodesia]: Chiefs of Staff
 Committee minutes

The Committee had before them a report by the Joint Planning Staff examining the problems of deploying in Northern Rhodesia, as rapidly as possible, the maximum military force in support of the Governor, and covering an outline plan.

Sir Francis Festing (Acting Chief of the Defence Staff) invited the Representative of the Colonial Office to make a statement on the latest political aspects of the problem.

Mr. Vile (Colonial Office) said that Ministers wished to be in a position to continue to carry out their responsibilities towards the Protectorate of Northern Rhodesia in the face of any challenge by the Federal authorities. In furtherance of this aim they planned, whilst keeping the Federation nominally in being, to suspend the powers of the Federal Government and to invest these powers in the Governor General. The latter would then delegate powers to the Governors of the three territories. Such action might follow an illegal act by the Federal Government amounting to calculated and continued defiance of H.M. Government. However, it seemed that Sir Roy Welensky was apparently aiming to achieve political deadlock in Northern Rhodesia, if possible without violence or the use of force. He might pursue these aims by various means; first, by political pressure on H.M. Government during his forthcoming visit to London; or secondly, taking advantage of his executive and legal position in the Federation, by taking steps which would aggravate the difficulties of H.M. Government in implementing their policy. There were many ways in which he could quite legally do this. It seemed improbable that he would take any direct

military action, or other measures involving the use of force or exceeding his strict rights, pending the outcome of his political manoeuvres, but this presumption could not be entirely relied upon. The Rhodesia and Nyasaland (Constitutional Review) Committee was considering the political and constitutional aspects of such action as Sir Roy Welensky might take and of the counter-measures which were open to H.M. Government.

Major General Price (Commonwealth Relations Office) said that the immediate danger of a military crisis seemed to have receded. For instance, he had just heard that the six Federal Territorial battalions which had been called up were to be stood down on the following day, and that normal leave for the Police was to be resumed.

Sir Francis Festing said that the report before them arose from a meeting of Ministers on 23rd February, 1961, at which the Minister of Defence had been invited to report on the military problems which would arise if, as a result of some unconstitutional and extreme action on the part of the Federal authorities, it became necessary to reinforce Northern Rhodesia in support of the Governor in the face of active Federal opposition.

He had had some discussion with the Commonwealth Relations Secretary on this matter on the previous Friday, when the latter had clarified certain points. He had passed on these points to the Joint Planning Staff and the report took them into account. The principal points made by the Commonwealth Relations Secretary had been, first, that if we had to carry out an operation in support of the Governor of Northern Rhodesia against unwarrantable acts by the Federal authorities, we could assume that African opinion would on the whole be at least not unfavourable to us, and that consequently military operations would be largely confined to action against Federal forces and that part of the population which supported them; there should therefore be no requirement for large-scale internal security operations, and this might affect the level of forces which we should have to deploy. On the other hand, we should still be responsible for law and order, and even if the bulk of the African population were sympathetic to our cause, there was no doubt that unruly and extremist African elements would take advantage of the inevitable chaos; we might also have trouble from the European population again, although we might expect that there would be no undue interference with essential services, nevertheless, we must be prepared to take over those services which were necessary to our operations, such as transport.

Secondly, the Commonwealth Relations Secretary had urged the need for the swiftest possible intervention and had asked that all possible ways of achieving this should be examined, including the use of helicopters and of minor or unprepared landing grounds. The report showed that factors of distance and topography ruled out such expedients.

The Joint Planning Staff had also concluded that the difficulties of introducing our forces into Northern Rhodesia by land were insuperable and that consequently the operation must be carried out entirely by air. To this end there were two cardinal requirements: first, that we should be assured in advance that the Royal Rhodesian Air Force would not intervene against us or, alternatively, that if such an assurance was not forthcoming that the R.R.A.F. should be destroyed before the proposed airborne assault was launched; and secondly, that we should secure a strategic airfield (Lusaka) at the outset.

Concluding, Sir Francis Festing said that he believed the Committee would wish to congratulate the Joint Planning Staff on their report, which had been produced over the weekend. After a preliminary study of the report, he had instructed the Joint Planning Staff to prepare amendments, which he circulated, to the draft memorandum for the Minister. These amendments were designed, first, to bring out in more detail the reasons which had led to the conclusions that overland intervention was not practicable and that consequently a strategic airfield in Northern Rhodesia must be captured at the outset; and secondly, to explain in detail why the use of 24 Brigade from Kenya could not improve timings in the first eleven days of the operation.

In discussion the following points were made:—

(a) It was important to point out to Ministers that the plan only covered, in outline, the period of the actual arrival of our forces in Northern Rhodesia, and that it took no account of possible developments, including reactions from Southern Rhodesia or elsewhere; the military aspects of this question could be very serious, but could not be examined without Ministerial guidance. This point should be included in the opening paragraphs of the memorandum for the Minister.

(b) Political and economic steps to isolate the Federal authorities should form an important part of H.M. Government's measures to defeat their aims. It would not be proper for these points to be included in the report, but the Ministry of Defence should comment on them in their briefs for subsequent Ministerial discussions.

(c) Ministers had directed that military planning should assume the availability of the air route over Libya and the Sudan and of the Suez Canal. In order, however, to produce a political climate in which we could expect these facilities to be available, considerable political preparations would be necessary in presenting to world opinion the nature and purpose of the intended operations. This would involve complete loss of security and therefore of surprise. It was important that the memorandum for the Minister should stress this point and draw attention to the fact that the availability of these sea and air routes was basic to the plan.

(d) The references in the report to the neutralisation of the R.R.A.F. were insufficiently precise. Since even a single operational aircraft could cause us very serious damage and casualties, it was necessary that the entire operational strength of the R.R.A.F. should be destroyed or damaged beyond immediate repair. The report should make this clear.

(e) Although the destruction of the R.R.A.F. might be achieved in one strike, it would take 48 hours for post-strike reconnaissance to confirm total success. Thus, if the parachute operation was mounted within 24 hours, as suggested in the report, there would be risk of air interference. Moreover, the loss of surprise resulting from the point at (c) above was likely to cause the R.R.A.F. to be widely dispersed (including possibly elements in Nyasaland) and this would increase the difficulty of destroying it in one strike. These points should also be brought out in the report.

(f) There was considerable discussion on the relative merits of an assault by parachute troops delivered by day or by night. In favour of the daylight assault was the increased accuracy of the drop, the comparative ease with which the troops could subsequently rendezvous and proceed to their objective, and the fact that

close air support could be given at the time of the drop. On the other hand, since it was questionable whether a single parachute battalion group was really sufficient, and since a larger force could not be used because of the limited tactical airlift available, a night drop, for which the troops were trained, might have more chance of success by achieving tactical surprise against a defence which would not be accustomed to night operations. A night operation would virtually eliminate the threat posed by any R.R.A.F. fighters but would not avoid the need to destroy them, since they would otherwise be able to attack the follow-up and perhaps even the transport aircraft which had carried the parachutists. If the dropping zone was sufficiently large, e.g. the whole of Lusaka airfield, it might be possible to achieve sufficient accuracy in spite of darkness and weather. The whole question of the relative merits of a day and night drop should be further considered and the plan revised as necessary in the light of the conclusions; the Minister of Defence should be informed that this was being done.

(g) The Committee's previously expressed view that we should maintain a capability of dropping simultaneously two parachute battalion groups had been criticised; the present problem served to confirm that such a capability was required.

(h) Account should be taken of the possibility that loyal officials selected by the Governor of Northern Rhodesia might be able to assist in the operation, e.g. by placing of beacons and by cutting of the defenders' communications. But such measures would need careful planning with the Governor, and this planning could not be initiated under present security restrictions.

(j) If it appeared that the operation might have to be carried out, it was highly desirable that an experienced officer should proceed to Northern Rhodesia on reconnaissance in order to fill in the many gaps in our operational intelligence.

(k) The Federal authorities were likely to be uncertain of the dependability of their regular African battalions. We should therefore assume that they would guard key points with Territorial troops.

(l) Although it was known that the Rhodesia and Nyasaland Army had no artillery units, it was important to establish whether any guns existed in the Federation which might be used against us. Any artillery support for the defence would have a considerable effect on the practicability of our plans.

(m) It would shortly be necessary to take decisions on the future programme of H.M.S. BULWARK, HERMES and VICTORIOUS. BULWARK was due to leave Aden on 13th March to return to the Far East and participate in a SEATO Exercise. It would be necessary to tell the Commander-in-Chief, British Forces Arabian Peninsula and the British Defence Co-ordination Committee (Far East) not later than 7th March if this programme was to be changed. The Committee should accordingly take a decision on her programme at their meeting on Tuesday, 7th March. H.M.S. HERMES was due to leave Aden on 18th March and to pass through the Suez Canal to the Mediterranean on 23rd March. In her case a decision could be deferred for the time being. H.M.S. VICTORIOUS, at present in South African waters, was due to sail from Aden for Singapore on 18th March. In her case also a decision could be deferred.

(n) Exercise RETURN MATCH, involving the move of the 1st Battalion the Gloucestershire Regiment from the United Kingdom to Libya, was due to start on 7th March. The same aircraft were due to bring back the Royal Welsh Fusiliers

who would by then have completed Exercise AWAY GAME. There was no need to cancel these arrangements unless there was an imminent prospect of the operation having to be carried out. If cancellation became necessary, a decision would have to be taken on Friday, 3rd March.

(o) It was desirable that the 5 transport aircraft at present positioned in Nairobi should be brought home as soon as possible. The remaining transport aircraft were at the moment being held in the United Kingdom at such short notice that they could not take part in route flying. It would be a great help if the lift for the first two battalions, at present at 48 hours' notice, could be relaxed to 4 days' notice. This relaxation would also reduce the risk of our precautionary measures attracting undesirable attention.

(p) It was expected that a further requirement would arise for Britannias of Transport Command to relieve the Ghanian Forces in the Congo. It was desirable that this commitment and similar ones should be met in view of the deductions that might be drawn from a refusal.

(q) The strictest possible security precautions must continue to be taken in relation to this planning. All copies of the report before them, which was now to be revised, should accordingly be withdrawn.

The Committee:—

(1) Instructed the Joint Planning Staff to revise their report in the light of their discussion, for consideration by the Vice Chiefs of Staff at their meeting on Thursday, 2nd March, 1961.

(2) Invited the Ministry of Defence to take note of the point at (b) above.

(3) Took note that the Acting Chief of the Defence Staff would report progress to the Minister of Defence.

(4) Took note that the Acting Chief of the Defence Staff would seek the approval of the Minister of Defence to the relaxation of the state of readiness of the strategic transport force in the United Kingdom as at (o) above.

(5) Took note that the Acting Chief of the Defence Staff would inform the Minister of Defence of the situation regarding planned moves of H.M. ships and army/air exercises as at (m) and (n) above.

(6) Instructed the Secretary to take action as at (q) above.

284 DO 158/17, RN(61)5

1 Mar 1961

**[Northern Rhodesian constitution]: Rhodesia and Nyasaland
(Constitutional Review) Committee minutes on the limited room for
manoeuvre¹**

The Committee were informed of the Colonial Secretary's view that the Governor of Northern Rhodesia should be in touch within the next few days with Mr. Roberts, Leader of the Northern Rhodesia Division of the United Federal Party (U.F.P.), on

¹ Present: B StJ Trend (chair), Sir H Lintott, F A K Harrison, G E B Shannon (CRO), Sir J Martin, W B L Monson, N D Watson (CO). Also present was Sir Ralph Hone (see 282, note 2).

questions relating to the national seats, and any other proposals which his Party might think likely to have a similar effect (paragraph 19 of Cmd.1295).

In discussion of the room for manoeuvre left by the White Paper, the following points were made:—

(a) The Federal Prime Minister wanted to ensure that upper roll voters should dominate the elections to national seats. Any scheme which allowed the upper roll to dominate such elections would, however, be a complete departure from the scheme in the White Paper, which was essentially one which did not guarantee either race a majority. So long as the averaging of votes was a feature of the scheme, dominance could not be given to the upper roll. Indeed such dominance could not be secured except by means of devaluation of votes, which the Colonial Secretary was committed, at any rate by informal assurances to the Africans, not to use. On the other hand it could be that the 'similar result' which an alternative scheme should produce was not one which necessarily equalized the voting strength of the two rolls, but merely one which would require candidates to have some support from both rolls. In that case it would not be reasonable to refuse to consider in Lusaka any scheme which U.F.P. representatives might produce which included an element of devaluation, provided that it also fulfilled the requirement about support from both rolls. But any such scheme might prove, for political reasons, quite unacceptable.

(b) The Colonial Secretary might be prepared to abandon one category of voters which he had proposed to add to the upper roll, but this would account for no more than 250 Africans. Any other concession would seriously affect the number of responsible Africans added. Not to amend the upper roll at all, as proposed by the Federal Prime Minister, would be embarrassing to the Colonial Secretary because the Africans would be highly suspicious even though it would not greatly damage African prospects of election to national seats. In any case the proposed amendments were designed also to give the U.F.P. desire in Northern Rhodesia a little more African support against the right wing Dominion Party. The main argument used against the changes proposed was that they would disturb the uniformity of qualification now achieved between the three Territories and the Federation; but it was unreasonable that the two Northern Territories should be held back by the slower rate of progress in Southern Rhodesia.

(c) The averaging of the votes cast on the two rolls would make it practically impossible to engineer any concession to the Federal Prime Minister. Although there were practical difficulties about devising sensible boundaries for national constituencies because of the concentration of upper roll votes on the line of rail, Northern Rhodesia officials were convinced that the difficulties were not insuperable and that it would be practicable to delimit fifteen constituencies and to avoid recourse to multi-member constituencies.

The Chairman said that the discussion had clearly revealed that there was very little room for manoeuvre. He would prepare for Ministers a paper which would set the position out briefly and include the draft of a message to the Federal Prime Minister which could be conveyed to him orally, preferably in London, but, if he did not come to London, by Lord Alport in Salisbury. The message might concede that there had been little time for the Federal Prime Minister to consider the proposals finally put to the Conference and since published, but might attribute a large share of the blame

for that to the Federal Prime Minister's own action in preventing the attendance of members of his Party from Northern Rhodesia at the Conference. It would point out that, although we had suggested one method of filling the national seats, the White Paper made it clear that they would be prepared to consider any alternative proposals which would have a similar effect.

The Committee:—

Took note that the Chairman would prepare a paper on the lines he had suggested, for consideration at a further meeting at 4.30 p.m. the same day.

285 CAB 128/35/1, CC 14(61) 20 Mar 1961
[Northern Rhodesian constitution]: Cabinet conclusions on the
discussions with Sir R Welensky

The Prime Minister said that in the last few days a number of difficult discussions had been held with Sir Roy Welensky, the Prime Minister of the Federation of Rhodesia and Nyasaland, about the proposals set out in the White Paper on Proposals for Constitutional Change in Northern Rhodesia (Cmnd. 1295). Sir Roy Welensky had put forward several different proposals for the election of the Legislative Council—all based on the principle that political control in Northern Rhodesia should remain in 'responsible hands'. He had maintained that the major influence in the election as a whole must remain with the upper roll electorate; that there should be no downward adjustment in the income or educational qualifications for the upper roll; and that the principle of cross-voting should be introduced in order to give voters on both rolls an influence in the election in each constituency. He was opposed to the concept of a group of unreserved 'national' seats for which candidates would be elected by equalising the votes cast by the voters on each of the upper and lower rolls.

It might be possible within the framework of the White Paper to meet Sir Roy Welensky's views on the number of members to be elected by the upper and lower rolls, and to include some measure of cross-voting which would give both rolls an influence on each of the seats to be contested. Furthermore, the adjustment of the upper roll qualifications might not be an insuperable problem since Sir Roy Welensky was willing to consider the addition of certain categories, such as graduates, to the roll. But it would not be possible to accept the principle that the electors on the upper roll should have a dominant influence in the election as a whole.

It had been made clear to Sir Roy Welensky that it would not be proper for the United Kingdom Government at this stage to negotiate a settlement with the Federal Government, and he had been advised to arrange for the United Federal Party to put forward alternative proposals for consideration in the course of the discussions which the Governor of Northern Rhodesia would be holding in Lusaka with the main political groups in the territory. The United Kingdom Government would, in accordance with the undertaking they had given consult with the Federal Government before final decisions were reached on the recommendations made by the Governor in the light of those discussions. In view of the forthcoming

referendum on constitutional changes in Southern Rhodesia it was important that Sir Roy Welensky should accept this procedure, and should also avoid making any public statement which might cause embarrassment to the Prime Minister of Southern Rhodesia in regard to the referendum.

The Commonwealth Secretary said that in further discussion that day he had again made it plain that the United Kingdom Government could not enter into negotiations with the Federal Government on the constitutional changes to be made in Northern Rhodesia, and he had given no assurances that the points raised by Sir Roy Welensky would be met. He had advised Sir Roy Welensky to arrange for all his proposals to be put before the Governor by the local United Federal Party representatives in Lusaka, and had stated that at those discussions the Governor would be prepared to consider any other possible constitutional arrangements which fell within the framework of the proposals put forward in the White Paper. He had assured him that we should be ready to consider any alternative proposals which would produce the same result. Sir Roy Welensky appeared to be conscious of the serious situation which could arise if public statements were made which induced the Prime Minister of Southern Rhodesia to propose secession from the Federation or influenced the Southern Rhodesia electorate against the constitutional changes which had recently been agreed in Salisbury and were to be the subject of the referendum. He had suggested that a joint communiqué should be issued on that day to the effect that the United Kingdom Ministers and the Federal Prime Minister had taken the opportunity of the Meeting of Commonwealth Prime Ministers to hold further consultations about constitutional changes in Northern Rhodesia, that there had been a valuable exchange of views, that the United Kingdom Government had confirmed that they would be willing to consider any proposals which might be put forward by the political groups in Northern Rhodesia within the framework and general spirit of the White Paper, and that due regard would be paid to the considerations which the Federal Government had brought to the attention of the United Kingdom Government.

The Cabinet were in general agreement with the course which had been proposed to Sir Roy Welensky. In discussion it was pointed out that if he were to agree to this course there should be little difficulty in prolonging negotiations until the Southern Rhodesian referendum had taken place. If, on the other hand, Sir Roy Welensky declined to accept this course and issued a statement likely to prejudice the result of the referendum it would be necessary to consider urgently what statement should be made by the United Kingdom Government in reply.

It was suggested that on detailed examination the scheme for the composition of the Legislative Council set out in the White Paper might not achieve the objective of providing a majority of members of moderate views if the addition of a number of Asians and Africans to the upper roll had the result that candidates of extremist views were successful in many of the seats. It would therefore be expedient that the Governor should examine Sir Roy Welensky's latest proposals in Lusaka, together with any other proposals put forward, with the object of formulating a scheme which would provide a genuinely multi-racial solution.

The Cabinet:—

Endorsed the course of action put forward by the Prime Minister and the Commonwealth Secretary in their discussions with Sir Roy Welensky.

286 DO 158/70, no 10

31 Mar 1961

[Barotseland]: outward telegram no 80 from N D Watson to Sir E Hone on consultation with the paramount chief

Your despatch No. 83. and telegram No. 86.

Barotseland.

Following from Watson.

We have been considering this problem at official level, pending Secretary of State's return to the Office on 10th April which will leave very little time for final discussions with Thomas¹ before formal talks with Paramount Chief begin. We should therefore welcome your further views on tactics in light of following paragraphs.

2. We fully realise the difficulty in inducing the Paramount Chief to accept the new constitutional proposals unless some means can be found of safeguarding the Barotse position to his full satisfaction. We are not happy, however, about the proposal to do so by means of a new Order in Council, particularly the intention to enshrine therein the special relationship between Barotseland and the Crown and the relative legislative powers of the Governments involved. Paramount Chief would inevitably regard this instrument as stating the position for the future, and in drafting it we should therefore be brought immediately up against the ultimate issue of Barotseland's relations with an independent Northern Rhodesia on which it would surely be premature to take decisions at this time. It could be argued that logical conclusion of this formal restatement of the special relationship was eventual separation of Barotseland from Northern Rhodesia, and the proposed Order in Council would create an impetus in that direction. We recognise that you suggest countering this by a flat rejection of recession but that too involves immediate prejudgment of ultimate question. On the assumption that we wish to pursue a policy of integration of Barotseland with Northern Rhodesia, which means that the Barotse Native Government will have to come to terms with an independent Northern Rhodesia Government, it would seem to be better to look for alternative approach.

3. We wonder if we might tackle Paramount Chief on the basis that we appreciate his apprehensions for the future, whilst emphasising that the new constitutional proposals will not change the basic constitutional position in Northern Rhodesia: and that, to meet his fears, we should be ready to consider including in the new constitution a special provision in respect of legislation and its application in Barotseland. We might, for example, provide that, apart from legislation in those fields where the Paramount Chief's consent is already required, the application of territorial legislation to Barotseland would depend on a special Act by the Governor certifying its extension to the Barotseland Protectorate and that wherever possible there would be consultation with the Paramount Chief. Do you think this would be enough to hook him on the constitutional proposals? If not, might a promise to negotiate a new agreement between you and him to cover broadly the same field clinch matters? In this approach, we have in mind a first move towards the sort of enshrinement of Barotseland's position which might be made in the final constitution but without prejudging the ultimate arrangements.

4. As regards the ultimate issue, we feel we shall have to buy time. It is difficult

¹ F M Thomas, minister of native affairs, NR.

now to reject him outright on secession if we can only go part of the way in other matters. On the other hand we do not wish to mislead him and we agree that he must be told frankly of the great difficulties which we see in the proposition. We might then go on to say that, until the federal review is complete, we cannot foresee the future constitutional development of the area and would not wish to take decisions in relation to Barotseland until this aspect of the future was clarified. There would at that stage be further consultations with the Paramount Chief. We should wish to be quite straightforward on this, recognising the moral as well as legal considerations that must affect the final judgment, which clearly we are not yet in a position to take.

5. Whilst our efforts must be to bring the Barotse along the path of integration, we cannot ignore the ultimate possibility that we might be faced with a decision either to withdraw our protection unilaterally or to acquiesce in secession. The former could only be done on the basis that it was in the best interests of the future of the Barotse people as a whole and was politically unavoidable. We should therefore like to discuss with Thomas the suggestion that we might set up for our own benefit an official working party which would examine the whole future problem from the economic and administrative point of view as well as the legal and moral aspects, and provide H.M.G. with full data on which to base their decision after the federal review has been completed, on the future course which should be set for Barotseland. (This would, of course, be confidential and the Paramount Chief would not be aware of its work.)

6. This working party proposal is of course for later stage. The present tactical approach which we are suggesting is briefly as follows. The Secretary of State should aim to keep the Paramount Chief in play on secession issue, although presenting him with frank expression of the difficulties as we see them; to meet him on his legislative and administrative requests so far as we can, preferably informally but if necessary by including appropriate matters in the new constitution and/or concluding a new Agreement; and in the light of this we must hope that he will acquiesce in the new constitutional proposals on which he will have to be pressed very hard as we shall be in considerable difficulty if he holds out on this.

287 DO 158/14, no 40

7 Apr 1961

[Southern Rhodesian constitution]: letter from G B Shannon¹ to D A Scott² on a revised draft of the white paper

Our telegram No. 583 of 29th March mentioned that, when Hone comes for discussion of a draft Declaration of Rights, he will bring with him a revised draft White Paper.

2. The preliminary draft that Hone and I prepared in Salisbury, in consultation with Jarvis and Clarke, and then showed to Whitehead and Stumbles, was shown under the express reservation that we could not commit the Secretary of State as to either its form or its content; we only produced it there in order to show the Southern Rhodesia authorities what a possible further White Paper might look like, and to get Whitehead's view as to the sort of draft that would suit him. Whitehead

¹ Assistant under-secretary of state, CRO, from 1956.

² Deputy high commissioner, Salisbury, 1961–1963.

agreed generally with our draft, though he made certain suggestions, which we discussed with him and accepted as far as we could, always with the reservation that we could not commit anybody in London.

3. Before the Secretary of State left for Nigeria at Easter, he went through the Salisbury draft very carefully with Hone and myself and other officials, and, as a result, a revised draft has emerged, which differs in several respects from that prepared in Salisbury.

4. The main reason for the changes is that, as Whitehead will realise, the new White Paper will have to serve two purposes—Whitehead's referendum in Southern Rhodesia and a debate in Parliament here. These requirements are conflicting. Whitehead, we gathered, would like the White Paper to be as full as possible and modelled on the 1953 White Paper on the Federal Scheme (Cmd. 8754): on this basis he contemplated a White Paper in three parts—an introduction, a brief description of the new Constitution, and a full summary of the new Constitution. The annexes were to include a list of the powers which the Secretary of State would be surrendering and a full draft of the proposed Declaration of Rights. The Secretary of State feels, however, that, the more surface that is exposed, the greater risks we shall run in Parliament—e.g. of criticism of the extent of the surrender of powers. Also, it may well be impossible to reach a final draft of the Declaration of Rights before the referendum. He therefore considers that it would be dangerous to include a list of his powers, a detailed summary of the new Constitution or a detailed draft of the Declaration of Rights, and, for Parliamentary purposes here, he thinks it advisable to keep the White Paper as short as possible.

5. The revised draft which Hone will be bringing will accordingly be a good deal shorter than the one prepared in Salisbury in February. Hone will be able to explain the reasons for the changes that have been made in individual passages and sections, but it may be useful to you to have this explanation for your own information, and for giving to Whitehead when you see him with Hone, as you no doubt will, at the outset of the impending further round of discussions. If Whitehead thinks that, with the omission of a detailed outline of the new Constitution, a fuller description of some passages ought to be included in the White Paper, I have little doubt that the Secretary of State would like to go as far as possible to meet him, subject always to our own Parliamentary exigencies.

6. *Constitutional Council and Electoral College*

This section of the White Paper was left open by the Salisbury Conference—see paragraph 9 of Cmnd 1291. The Salisbury draft contained a passage based on the report of the Conference Committee chaired by Hone. This report was not fully discussed by the Conference. On considering the scheme, as elaborated in the Salisbury draft white Paper, the Secretary of State came to the conclusion that it would be very complicated, and would not offer the compensating advantage of assuring a satisfactory Constitutional Council. He has accordingly authorised Hone to consult Whitehead about a different type of Electoral College, combined with the idea that the first Constitutional Council should be nominated. It is, we think, vital that the first Constitutional Council should be composed of the right people, who will get it off to a good start. There will be a risk of the whole Constitution being discredited if the first Constitutional Council does not command the confidence of all races and cannot be relied on to give sensible opinions. Hone is bringing with him a description of this alternative scheme. We shall hope to have Whitehead's views on the substance as soon as possible.

288 DO 158/15, no 60

17 Apr 1961

[Southern Rhodesian constitution]: letter (reply) from D A Scott to G B Shannon

Would you please refer to your letter of 7th April¹ about the revised White Paper. You will have seen our telegrams 551 and 552 from Hone reporting progress and our telegram No. 555 containing a message from Whitehead for the Secretary of State.

2. I am afraid that Whitehead's anxiety that the White Paper should be as detailed as possible reflects a fairly general feeling amongst Europeans here. It was a point which was made by delegates at the United Federal Party Territorial Congress in February (point (10) in the enclosure to McIndoe's letter of 28th February to Le Tocq) and the press gave prominence to it under the headline 'White Paper for S.R. will stick to agreement'. Underlying the anxiety is the electorate's mistrust of the British Government's intentions and methods of negotiation which Welensky has, of course, done his best to encourage, e.g. by his references to the 'new diplomacy' (paragraph 3 of Miss Archer's letter of 15th March to Kirkness about the Federal U.F.P. Congress refers). But I imagine also that Whitehead, who stands to gain most by the introduction of the new Constitution, does not feel that the white electorate will trust *him* not to acquiesce in any innovations which the British Government may propose after the referendum is won. Conversely, of course, (though Whitehead has obviously not raised this point) the C.A.P. and N.D.P. might be inclined to be more distrustful if the White Paper leaves out too much detail.

3. I am sure that Whitehead appreciates the Secretary of State's difficulties vis-à-vis the House of Commons. These would no doubt be increased if the Southern Rhodesia Government happened to win the referendum by a substantial majority since the question might then more confidently be asked whether the proposals had conceded too much in any particular. But Whitehead himself is naturally far more concerned at the opposite danger—that the referendum will not be won at all, far less by a substantial majority. The general mood of the electorate towards the proposals is still one of suspicion and this has been reflected in the pro-U.F.P. press which has consistently over the last few weeks doubted both the feasibility and desirability of holding the referendum as early as June. Some right wing U.F.P. supporters are disposed to vote for the Southern Rhodesia constitutional proposals as a means of preserving Federation, but before committing themselves will want to know whether the Northern Rhodesia Constitution is going to be such as to make Federation acceptable at all to Southern Rhodesia. If the Northern Rhodesia issue were still in doubt at the time of the referendum it is possible that such people (and they may well constitute a substantial section of the marginal vote) would abstain from voting at the referendum, even if they did not vote against. On the other hand, it is undoubtedly true that the U.F.P. campaign to sell the constitutional proposals to the electorate is not yet properly launched. The Governor confirmed this view the other day when he told me that the party did not want to dissipate their energies (or finance) before the date of the referendum was even settled. For this reason it would, of course, be very difficult, and probably quite useless, to attempt to assess at this

¹ See 287.

stage how the referendum will go. All one can say is that in the opinion of many observers it could, if held to-day, quite easily be lost.

4. One of the aspects of the constitutional proposals which is worrying the Government most is the fact that the United Kingdom Parliament will retain, in an unqualified way, its power to legislate for Southern Rhodesia. I understand from Hone that Whitehead is still pressing for the United Kingdom Parliament to pass legislation voluntarily denying itself this right. Here again we fully understand the Secretary of State's difficulties. The United Kingdom Parliament's right to legislate is, however, a point which Harper has been making the most of, and the right-wing 'Citizen' in an editorial of 31st March urged him to lose no time in circulating a copy of the relevant extracts from the recent debate in the House of Commons which was held on the motion of Mr. Thompson. (A copy of this editorial was sent to Le Tocq.) In a subsequent issue the 'Citizen' harped back to it as clear proof that the U.F.P.'s contention that the constitutional proposals removed the possibility of United Kingdom interference was so much eyewash. I hope, therefore, that careful thought will be given in London to the compromise solution which I understand Whitehead is suggesting.

5. Another point on which I feel that we should perhaps comment is Whitehead's rejection of the suggestion, which first appeared in the minutes of RN(61) 11th Meeting, that Money Bills should be brought in some way within the scope of the Declaration of Rights. McIndoe, who, of course, attended most of the Constitutional Conference as a secretary, believes that it was the sense of the Conference, and of its report, that they would be excluded. I fear that if we press an opposite view, we shall again be thought somewhat disingenuous.

289 DO 158/70

18 Apr 1961

[Barotseland]: minute by D J Kirkness on UK obligations

The letter from Mr. Watson opposite encloses the draft of a letter which the Paramount Chief of Barotseland saw over the weekend and appeared to find generally acceptable. It is hoped to get his final agreement this afternoon that a letter in these terms would meet his immediate desires; and that he will agree to discuss with the Governor in Northern Rhodesia the application to Barotseland of the proposed constitutional changes for Northern Rhodesia, and to have included in a press communique an indication that he will do this.

2. Mr. Shannon felt that we ought without delay to send a telegram to Salisbury so that the Federal Government could be aware of the position before this letter was in the hands of the Paramount Chief. I, therefore, cleared, late last night, with the Colonial Office and Mr. Shannon a telegram of which a copy is opposite.

3. If a letter in the terms proposed is given to the Paramount Chief, it will amount to no more than a re-statement of the existing position. It will not commit either side in respect of the application to Barotseland of the coming changes in Northern Rhodesia; but it will indicate that if these changes are applied Barotseland's existing position and rights will in no way be prejudiced. This is because the Governor still retains full responsibility under the new proposals and will be able to ensure that nothing is done which would adversely affect those rights.

4. If the Paramount Chief accepts that this will be so, he will still be concerned for the future, since it must be assumed that further constitutional changes will come sooner or later as a result of which there may be full ministerial government in Northern Rhodesia; and it would be open to such a Government, perhaps controlled by Mr. Kaunda or other African nationalists, to take executive or legislative action which would affect Barotseland's position. The Colonial Office recognises that in those circumstances the Paramount Chief could legitimately resist the application of such changes to Barotseland and they do not rule out the possibility that it might then be necessary to agree to some separation of Barotseland from Northern Rhodesia.

5. The Secretary of State spoke to me yesterday about this and indicated that he would oppose any attempt to enforce the application to Barotseland of constitutional changes which would so affect its position. He felt that our obligations to the Paramount Chief made this impossible; that it was desirable that Barotseland should be allowed to go its own way under its own traditional system; and that there would be an advantage in having in the Federation an area which was governed by Africans but not by African nationalists. He asked that the arguments for and against allowing Barotseland to separate should be set out for him to see and perhaps to discuss with Sir Henry Lintott. I attach opposite a note on these lines.

290 PREM 11/3490

27 Apr 1961

[Northern Rhodesian constitution]: minute (PM(61)45) by Mr Macleod to Mr Macmillan on UK options

I have been thinking in advance of our meeting of the courses that are open to us in relation to Northern Rhodesia. There seem to me to be four of them, although no doubt there are many variants and permutations possible. Each of them requires in different degree the co-operation of Welensky and Whitehead. Each of them has both advantages and disadvantages. The courses seem to me to be these:—

(1) To produce our more detailed plans in the form of a despatch, which we would publish, from the Governor of Northern Rhodesia about the third or fourth week in May, which would probably be in good time for the Southern Rhodesia referendum. The advantage of this course is that it is the one we are expected to follow and the one which Welensky anyway at first favoured. Its great disadvantage is its uncertainty, for of course if the referendum were lost and Federation thereby also shipwrecked we would have a major crisis both in Africa and at home. There is much to be said for this course, however, if Roy could be brought to say exactly the right thing. That is to say, he would have to claim for his party that although it did not give them everything they wanted he thought it a clear improvement on earlier schemes and obviously some notice had been taken of their representations. But even this would be dangerous, and if he goes beyond this we could have a truly explosive situation in Northern Rhodesia where we might end up with only the half-hearted support of the U.F.P., who are themselves probably a declining party in Northern Rhodesia.

(2) For the U.K. Government to impose a constitution on Southern Rhodesia. This would mean that Whitehead could protest against our interference but then

swallow the protest and go on to a general election, thereby dropping the referendum. This has great attractions and I know that Duncan Sandys gave it some thought earlier. But it may well be an impossible exercise.

(3) We should also consider the idea that I have been reverting to in recent minutes of going to a Federal Conference without a referendum. The justification would be that the Federal Conference was adjourned to make progress on the territorial constitutions. This progress has been made. Moreover Nyasaland in August will be submitting their plans to the newly based electorate. Northern Rhodesia in due course after the Lusaka talks will have a general election perhaps at the end of the year when whatever emerges will be submitted to the new electorate. It is only logical to argue that Southern Rhodesia's plans agreed in large measure at a conference should also be submitted to the new electorate. For this I would have thought that we would have the support of the Africans and of the C.A.P. as well as the U.F.P., if they can bring themselves to get out of the referendum situation. We need not mind too much—indeed in a sense it would help us—that the Dominion Party would rage furiously against us.

(4) That we should delay the Northern Rhodesia details until after the Southern Rhodesia referendum. The attractions of this are obvious and I think Welensky is less set against it than he was. Alport, I believe, is a convert to this idea. It would mean, of course, that Welensky would have to say openly (and so would Roberts) that the delay was not H.M.G.'s fault but was necessitated by the need to give careful consideration to representations made by the U.F.P. and others in Northern Rhodesia. There are also such complicated discussions as those with the Paramount Chief of Barotseland to take place. Indeed, if it were not for the Southern Rhodesia referendum I would not press the Governor to produce a scheme till something like August or September, when incidentally the House of Commons would not be sitting. This certainly would be a more realistic timetable for Northern Rhodesia, but it would mean that Southern Rhodesia would vote in the referendum without sure knowledge of what was happening in the north. Nevertheless Roy's prestige is such that he could carry this and we would, of course, give him a private assurance that he will get at least the White Paper plus some or all of the matters that we have discussed and sent to Evelyn Hone. Then with the referendum won we could go on to a Federal Conference. A Federal Conference at that time would include Dr. Banda as a Minister, but personally I believe our combined influence over Banda is such that we could get him to accept if not the word Federation at least an association that would amount to federation.

2. Looking carefully at these difficult matters I feel on balance that course No. 4 is perhaps the best, although I do not underestimate the difficulty of avoiding the suspicion that H.M.G. were going to trick the electorate later. It is only Welensky who could clear us of this charge.

3. I am sending copies of this minute to Duncan Sandys and to Trend.

291 CO 1015/2256, no 1

9 May 1961

[Nyasaland]: letter from Sir G Jones to W B L Monson on nominations to the Legislative Council

I have been giving some thought to the question of the circumstances in which it would be proper for me to use the power to nominate additional members of the Legislative Council which it is proposed, at paragraph 8 (B) (iv) of the Report of the Nyasaland Constitutional Conference, that I should have and which are being written into the new Constitutional Instruments. I start off by saying that I am assuming that my aim should be to avoid using this power if at all possible.

As you will appreciate, it is on the cards that almost before the 'shake-down' period following the elections is over we shall be faced with preparations for the resumed Federal Review. This in itself would be unfortunate because it would leave us with very little time to 'educate' Dr. Banda and his colleagues on their assumption of ministerial responsibility and towards a more reasoned approach to the question of Federation before the Review talks are upon us. If these are to take place this year it seems certain that anti-Federation feeling will still be very strong amongst Malawi ministers, particularly since the destruction of the Federation is expected to be one of the main planks in the Party's election platform. In such circumstances it would seem wishful thinking to expect that there would be hope of persuading Dr. Banda to lend any form of support to Government policy on that vital issue at that time. We must consequently anticipate the possibility of a crisis arising over Government policy on this issue which might wreck the new Constitution at the outset.

As I see it Banda would be bound to oppose the line on this which I take it H.M.G. would undoubtedly wish us to take and indeed he might try to insist upon a meeting of the Legislative Council before the Review talks open with a view to securing the backing of the Council for his policy if he decides to attend the Review talks. This would mean that he and his colleagues in Executive Council would either have to resign their appointments as Ministers and cross the floor, or else seek my permission to exercise a free vote. Unless therefore I was to accept a situation in which Banda felt compelled to resign, I should be bound to permit him and his fellow Ministers to exercise a free vote on any motion which might be debated opposing the continuation of Nyasaland as a member of the Federation.

On a division Banda would carry with him all the Malawi M.L.C.s and unless I were to use my special powers of nomination in such circumstances, a defeat for the Government in Legislative Council would presumably result. We would then be in the difficult position of having to come as a Government to the Review talks with one line of policy whilst faced with a majority opposition to that policy in the Legislature.

In such a situation I should be inclined not to use my powers to 'pack the House', bearing in mind the wording of paragraph 8(B)(iv) of the Report of the Nyasaland Constitutional Conference. The wording of that paragraph seems to me to be quite clear, viz 'this power should be held in reserve and should not be exercised unless it should become necessary in the interests of good government to appoint additional members to the Government side of the Council'. To my mind that could imply that these powers should only be used either for security reasons or to prevent a decision inimical to the financial or economic interests of the Protectorate and should not be used merely to avoid a Government defeat on a political issue, particularly over a

matter in which the local Council has no legislative competence. I am not unmindful of the fact that, while the Government's defeat on such a motion might, in certain circumstances, strengthen H.M.G.'s hand in dealing with Welensky and others at the Federal Review, it would have a very unfortunate effect on local European morale. I should be glad to have your views as to the precise intentions regarding the use of powers to 'pack the House' particularly in the context which I have described, as it may well become a very real issue before many more months are out.

If I appear to be crossing my bridges before reaching them my excuse is that this could be quite a bridge! Naturally any decision in a matter of this sort would have to be taken in the light of the situation existing at the time, in particular the blood pressures of the people concerned and the extent to which the country is behind the politicians on the 'smash the Federation' policy.

292 CO 1015/2256

12–24 May 1961

[Future of the Federation]: minutes by N D Watson and W B L

Monson on possible secession by Southern Rhodesia

Mr. Monson

You have seen the attached rather odd telegram from Lord Alport about the possibility that Sir Roy Welensky and Sir Edgar Whitehead may perhaps be moving together on the line of thought that the best course for Southern Rhodesia may be to secede from the Federation.

This is no more than a straw in the wind at present, but perhaps it is not too early to be thinking forward towards our own position should this idea take firmer hold in Salisbury. If the outcome of the current battle with Sir R. Welensky is, as it may be, that H.M.G. is obliged to announce decisions on Northern Rhodesia fairly soon on lines which, at the best, are no more than barely palatable to Sir R. Welensky and Sir E. Whitehead, this idea might take firmer hold; and the tactic of transferring to H.M.G. the blame for breaking up the Federation could be turned from bluff into actuality.

It has crossed my mind to wonder whether this would be as much of a set-back and a problem as it might appear at first sight; or whether it might not be transformed into a springboard towards achieving the kind of solution in Central Africa which we have always had in mind.

It has always seemed to me that even if we succeeded in getting over the hurdles of the Northern and Southern Rhodesian constitutions, and reconvening the Federal Review Conference, it might prove to be impossible to secure general agreement to the continuation of a federal association without some pretty formal step to bring the present Federation to an end. In other words, H.M.G. might find itself in the position at the Federal Review Conference of saying that it was clear that agreement could not be secured to the continuation of the Federation in its present form, and that therefore there was no alternative but to dissolve the present Federal constitution; but that H.M.G. would not propose to take such a step without making an effort to secure agreement to some other form of association to put in its place. An effort would then be made to obtain agreement to the convening of a new conference, after an appropriate interval, to consider the future association of the Central African

territories (and the objective at this conference would be, starting more or less from scratch, to work back as far towards a federal association on the Monckton pattern as we could possibly get).

It now appears to me that, if Southern Rhodesia should decide to take the secession road before the Federal Review Conference can be reconvened, H.M.G. might adopt a similar line, which would take some of the sting out of the political accusations that our policies had broken up the Federation, and possibly even help towards keeping the Central African territories together. The line would be that although Southern Rhodesia had expressed a wish to leave the Federation, H.M.G. were not prepared to dissolve the Federal constitution without making the effort to consider what alternative form of association might be negotiable in its place. If we could succeed in getting a conference together on that basis (in place of a Federal Review Conference), with Southern Rhodesia having taken this step, it seems to me that the prospects of negotiating with the Africans an effective association, and one possibly stronger than a mere 'High Commission' arrangement, might be more favourable than they would be at a renewed Federal Review Conference.

As I say, this is all very tentative, thinking forward, but you may like to let the Secretary of State see this minute. It is of course the sort of question which we ought to examine together in the Trend Committee, as developments take firmer shape in the next few weeks.

N.D.W.
12.5.61

Mr. Watson

You are not the only person to be 'thinking forward'—see the attached letter which I have just received from Sir Glyn Jones.¹ His premises are different from yours but the two lines of thought certainly have some relevance to each other and it would be convenient if we made the submission to Ministers suggested in your minute in a form which also takes account of Sir Glyn Jones's letter.

2. At this stage I make only one comment on your interesting minute viz. I am not sure whether there is any difference in practice between your suggestion that 'the possibilities of an alternative form of association might be explored at a conference' and the recommendation in paragraph 267 of the Monckton Report.

W.B.L.M.
15.5.61

Mr. Monson

I now attach, in addition to Sir G. Jones's letter, an extract from Sir E. Hone's latest Secret and Personal letter of 21st May to the Secretary of State. (I have not attached the original on which immediate action on the Northern Rhodesian constitution is required).

From our talk with the Secretary of State yesterday afternoon, it now appears likely that Ministers will shortly be faced with a decision to announce, about the middle of June, a solution on Northern Rhodesia which is unlikely to be acceptable to Sir Roy Welensky or Sir Edgar Whitehead. We have asked Sir E. Hone by telegram for an assessment of the security position which may arise should Sir R. Welensky

¹ See 291.

decide, for example, to appeal to the Federal electorate for a free hand to oppose H.M.G.'s unsatisfactory policies in Northern Rhodesia, in order that the dangers involved in that situation may be balanced against those to which Sir E. Hone has repeatedly drawn attention of reaching an accommodation with Sir R. Welensky at the expense of African trust in the good faith of H.M.G.

That is one part of the dilemma. The other part is whether our main purpose of holding the Central African territories together in association is likely to be better served by taking a risk in the north (with the serious consequences which Sir E. Hone has emphasised in all his recent communications), or by taking a risk on the Southern Rhodesian referendum (with the possibility—or the probability as Sir R. Welensky and Sir E. Whitehead maintain—that the Europeans in Southern Rhodesia will decline to remain in the Federation). It is to this latter point that my minute of the 12th May was directed; and my line of thought on this point has been fully supported by Sir E. Hone, who considers that even a loss by the U.F.P. of the referendum in Southern Rhodesia need not necessarily lead to the breaking up of the Federation: and that, even if popular opinion moved towards secession, that might well provide the impetus for all three territories 'to re-examine the conditions of their association from the grass roots'.

The latter is precisely the thought which I had tried to develop in my earlier minute; and it is in this respect that the problem of dealing with Dr. Banda, to which Sir G. Jones refers in his letter of 9th May, also links up with the main issue. The question of a possible debate in the new Nyasaland Legislature is a particular complication; but from the point of view of handling Dr. Banda I would have guessed (knowing what we do about his general outlook) that we should have a far greater chance of getting him to a conference table prepared to take a moderate and realistic attitude towards the future association of the three territories if Southern Rhodesia had been the first to make a move towards breaking 'this stupid Federation'. If, on the other hand, it appeared to Dr. Banda that the solution in Northern Rhodesia had been tailored to meet the requirements of Sir R. Welensky and the U.F.P., and European support for the new S. Rhodesian constitution (which it now looks as if the Southern Rhodesian African parties will reject) had been bought at this price, I do not think we could expect anything less than absolute intransigence from Dr. Banda at a renewed conference, even if we got him to the conference table at all.

As regards paragraph 2 of your minute of the 15th May, I agree that my thinking on this could generally be described as looking for a federation under another name. But I do not believe that a mere change of name will be enough to get us over the main hurdle. As I said in my minute of the 12th May, I think there may well have to be a formal indication by H.M.G. that it is left with no alternative but to dissolve the present Federal constitution before there can be profitable discussion about continued association.

I take this opportunity of attaching a draft reply to Sir G. Jones's letter, for consideration.

N.D.W.
24.5.61

I do not dispute there is much force in the arguments put forward by Sir Evelyn and by Mr. Watson but I still have doubts whether the amount of political recrimination which would undoubtedly be stirred up both in Central Africa and here by the action

envisaged would allow the representatives of the different Governments concerned to get down to plan their future in the atmosphere of calm deliberation which would be necessary to think out a new relationship. I still see a better chance of getting a new look, including a new name, for the Federation if we got all the parties into a Federal Review related pretty firmly to the recommendations in the Monckton Report.²

W.B.L.M.
24.5.61

² Sir J Martin commented: 'On the whole I agree with Mr Watson. It is going to be very difficult to bring Dr Banda (? and Mr Kaunda) to anything which is simply a resumption of the Federal Review Conference' (minute, 25 May 1961).

293 PREM 11/3491

26 May 1961

[Northern Rhodesian constitution]: letter from Mr Macleod to Mr Sandys¹ on the electoral rolls

You know the history of the Northern Rhodesian talks so well that I need not cover every point with you in this letter, but I am sure it would be helpful to you to have an indication of where I think there is some room for manoeuvre. As you know, we are agreed that there is little enough.

First of all, two background points seem to me of great importance. We are in a sense at a stage that was reached in 1958, when after protracted discussions under the chairmanship of the Governor in Lusaka a Northern Rhodesia White Paper on constitutional proposals was produced which would have carried acquiescence if not full agreement. But promptly on its publication it was disallowed by the UFP, with Welensky's full backing, and they embarked at once on private discussions with Alan² and H.M.G. In consequence they secured a number of alterations to the White Paper which upset its balance; for example, the provision that upper roll votes as well as lower roll should be devalued was struck out. The reaction of the African parties was to say that Welensky was negotiating behind their back, and this led to a considerable boycott of the election, to a dangerous security situation and to a number of African leaders having to be restricted. Trouble, as you know, shortly afterwards flared up in Nyasaland where we had to declare a state of emergency. The parallel with events is clearly very close and, as Hone is always emphasising in his letters, there is at the moment amongst the African parties trust both in his administration and in the good faith of H.M.G. If these were lost by major concessions to Welensky, and in particular if this was seen to happen as a result of talks between you and Welensky in Salisbury. I have no doubt at all that there would be a far graver security position in Northern Rhodesia, and perhaps in Nyasaland as well, and that moderate African leaders could not hope to hold their positions.

The second point is that I attach in this considerable importance to the position of Sir John Moffat and the liberals. The UFP have made in these talks three major blunders. The first was not to attend the Lancaster House Conference; the second to

¹ Sandys began talks with Welensky in Salisbury on 28 May.

² Lennox-Boyd.

resign their Ministerial portfolios; and the third for Welensky to come out so fiercely against the White Paper. When the UFP Ministers resigned I am sure they thought that government in Northern Rhodesia would be impossible. But, more important, the Africans who have always identified UFP with Government saw when Sir John Moffat and the independents took up the reins and went quietly on with the business of the government of the country in association with officials that the UFP were not the Government but were a political party like themselves. This has had a great effect in keeping the situation steady and in the general success of the talks which Hone has had in Lusaka. Moreover moderate business opinion as represented by people like Prain and Harry Oppenheimer³ is clearly with the White Paper approach and I think it would be disastrous if we lost their goodwill. To put it in Kenya terms, we can't put through a policy without the goodwill either of Cavendish-Bentinck⁴ or Blundell. Ideally, of course, we would like to have both. But we mustn't lose the one we have for what is going to be at best a grumbling acquiescence from the other.

I come now to the points on which I think there may be some give in the situation:—

- (a) We could probably alter the upper and lower roll conception to one of urban and rural seats. Assuming 16 urban seats where the upper roll vote is concentrated, 13 of them would be ordinary upper roll seats which would return Europeans and the other three would be these 13 seats grouped together to return Africans by lower roll votes. Similarly in the rural areas there would be 13 rural seats controlled by the lower roll and these 13 would be grouped together to return three Europeans by upper roll votes. It is just possible that in one or two seats reservation might be necessary to ensure the result we wished to see. Cross-voting and devaluation seems out on all grounds and I hope you will not seek to re-introduce it into the discussion. There is a possibility that Welensky might like one or two Africans returned by Europeans, although we know he is reluctant to accept the corollary which we would have to insist on that one or two Europeans were returned by Africans. He fears, of course, the return of people like Gore-Browne on African nationalist votes. My impression is that it would not be a good idea to push this, but you will no doubt be discussing this with the Governor.
- (b) I think 16:16:12 or 16:16:13, if a special national seat is reserved for Barotseland, is probably preferable to 15:15:15 for two reasons: first because it shows that we have taken other points of view into account and are not wedded to every comma of the White Paper, and secondly because it reduces slightly the number of national seats where the result is to some extent at risk.
- (c) I would hope that the agreed number of African additions to the upper roll seats could be done almost entirely by categories. This would clearly help Roy and leave the educational and income qualifications intact.
- (d) The great problem, of course, concerns the national seats. There are some attractions in the idea the Prime Minister put forward yesterday of going for simple parity and dropping the national seats, but I am convinced that this would be on balance a mistake. Obviously it is entirely outside the White Paper. It is a purely racial and therefore to some extent a retrograde approach and we would

³ Harry Oppenheimer, chairman of the Anglo-American group of companies.

⁴ Sir Ferdinand Cavendish-Bentinck, leader of the Kenya Coalition organisation.

lose the support of the Liberal Party in particular, to which for the reasons I have mentioned above I attach some importance. We have always seen a real difficulty in the White Paper solution, which is still in many ways the best of all those put forward, in that it might well result in frustrated elections. But we do want, as you put it in your speech to the House of Commons, to see some Jo Grimonds in the next Legislative Council.

The question is how we can do this within the framework of the White Paper. Here the Governor has put forward the idea of four three-membered seats with reservation for one European and one African and one open in each case. Each voter would have three votes, making a total of four in all, and would be obliged to vote for one person in each category. I see great difficulties in this scheme as it stands because UNIP, for example, would put up one of their own people in the African bloc, somebody like Gore-Browne in the European seat and anyone those chose in the open seat. If then they could obtain a solid racial vote the moderates would have virtually no chance at all.

Accordingly we must, if we are to have this approach and even at the risk of some additional complication, add a hurdle to it which would eliminate the stooges. One idea we thought of was of having a number of assentors to your nomination, as we do in this country in a small way and as was done in Tanganyika when the requirement was 30. It has been suggested here that a candidate for a European reserved national seat would have to find 40 sponsors, 30 of whom would have to be Europeans; that a candidate for an African reserved national seat would have to find 40 sponsors, but 30 of these would be of his own race and 10 European; and for the remaining open seats as a further refinement candidates might be expected to find 40 sponsors divided equally between Africans and Europeans. The Prime Minister also put forward an interesting idea yesterday which would preserve in particular the idea of the qualifying percentage, that a successful candidate whatever his vote would have to have included in it a percentage of votes cast by members of his own race or racial group. This should effectively eliminate the stooges on both sides. The difficulty with both these ideas is that they would involve racial registration, which is something we have not done previously in Northern Rhodesia, and to this extent would be thought to be a backward step. Nevertheless I think both these ideas are well worth looking at.

Again a possible runner seems to be the third roll, provided the rolls and not the races are equalised and perhaps one or other of the hurdles mentioned above is also incorporated. I imagine that one of Welensky's anxieties here is the level of income qualification that one would have to produce to enfranchise about 28,000 new electors from the lower roll for the middle roll. The figure has been given by Hone at some £215; but it has occurred to me since our meeting yesterday that if we concentrated again on enfranchising categories for the lower roll this might be easier for Welensky to take on the grounds of responsibility, and would also mean that the income and educational qualifications could be substantially higher. Hone and Tucker will have precise figures on this sort of calculation, but at Lancaster House when we put forward detailed proposals for the lower (although not of course for the upper) roll they were estimated to produce under the income and educational qualifications some 45,000 eligible voters and under the categories which you will find enumerated in Annex 2 of our White Paper, Cmnd. 1295, some 25,000 voters,

giving a total of 70,000. I cannot judge the practicability of this without discussion with Hone (and there would be difficulty in selecting the categories for inclusion) but there seems to be some possibility here.

Finally, although of course you know the arguments, such as they are, that will have any effect with Welensky, I think these points have special relevance from my point of view:—

(1) Nyasaland has been remarkably quiet for some months, and indeed the latest security reports say quieter than for some years. In part this is due to preparations for the election; in part, though Welensky would be reluctant to admit it, to the responsible attitude of Dr. Banda; and in part perhaps to the sentence of three years' imprisonment on Chipembere. But all this calm would certainly be at risk in the turmoil of a Federal election, particularly if Welensky went to the country on a platform that Africans would interpret as being designed to take away the protection carefully spelt out in the Preamble and reaffirmed so often by members of H.M.G.

(2) The Northern Rhodesia situation itself is obviously potentially a dangerous one. Hone has done far better than we thought he could do at Lusaka, but there are tensions within the African parties and the examples not only of the Congo but of Angola are on the very borders of Northern Rhodesia. It would be an appalling conclusion to our months of work if we ended up with a security situation there.

(3) You know all the arguments to put to Roy about the inevitability of failure if he embarked on the course that he has in his mind's eye and also the economic destruction that it would bring swiftly to the Federation and I need not comment further on this.

(4) Roy is reluctant to accept the argument, but it must be hammered into him, that the six officials whom he has regarded for so long as his enemies are in fact a bulwark for H.M.G.'s policies, which include that of Federation or Federal association between the territories. Indeed if we have the partial reservation contemplated above for the national seats there would be more white faces than black in the Legislative Council, whatever happened to the four remaining open national seats.

(5) We are committed to the White Paper and Roy is committed to schemes within 'the spirit and frame-work of the White Paper'. If in spite of everything we cannot turn Roy, who may well have taken his decisions for tactical reasons, from the idea of an election, it seems to me more and not less important that the proposals we produce in a week or two's time should incorporate some or all of the points above so that we can show that we at least have gone to the limit to try and help.

I have just seen Salisbury telegram No. 738 and I am sure that this is a non-starter. It is against our firm undertakings and I was surprised to see the mildness of the comment attributed to the Governor in paragraph 5. Accordingly I have just telephoned him in Lusaka and he confirms my view that there is really no prospect of success in this idea at all. We should therefore concentrate on the points mentioned in this letter and bring Roy squarely up against them.

I am sending copies of this letter to the Prime Minister and Mr. Trend and I enclose two extra copies for your own use.

294 DEFE 32/17, JP(61) note 19 14 June 1961
[Military intervention in Northern Rhodesia]: Joint Planning Staff
note for the Chiefs of Staff Committee. *Annex*: draft memorandum for
the minister of defence

In accordance with the instructions of the Chief of the Defence Staff, we have prepared a draft memorandum for the Minister on the implications of attempting to support HM Government's policy in Northern Rhodesia by the use of military force at this time.

2. We have not considered how these forces, if successfully introduced, would be employed nor the problem of their long term maintenance. Nor have we considered the implications of such a plan on other plans and commitments.

Recommendation

3. We recommend that, if they approve our report, the Chiefs of Staff should forward it to the Minister of Defence as an expression of their views.

Annex to 294

We are informed that a decision on the Constitution of Northern Rhodesia is expected to be taken on Tuesday, 20th June, and notified to Sir Roy Welensky next day; and that this decision is likely to evoke the gravest reactions from Sir Roy Welensky. In this connexion we are alarmed to learn that the Colonial Secretary may again ask you how armed force could be deployed in Northern Rhodesia to enforce HM Government's decision.

2. You will remember that on 3rd March, 1961, we sent you the outline plan we prepared for the opposed move by air to Northern Rhodesia of a force of up to three brigades with armoured cars. This plan took seven days to mount and a further 36 days to complete the concentration of the force. We pointed out that even a force of this size might not be adequate; that the plan could not be put into effect unless the RRAF had previously been neutralized by air action; that there was no guarantee that the initial parachute assault to capture Lusaka airfield would be successful and that the third brigade could not be committed until we had ensured its subsequent maintenance, which could not be done by air.

3. Since then the only change to our advantage is the improvement in weather conditions; this makes it conceivable to open an, admittedly long and very difficult, land L of C from Kenya and allow the landing of tactical aircraft in certain circumstances away from concrete runways. However, we now know from reliable Rhodesian demi-official sources that there was in fact firm determination to resist us and that we would have encountered even greater opposition than we had in March believed possible. South Africa's changed relationship may well mean that we should modify our previous assumption that she 'would not actively intervene in support of the present Federal Government or supply them with major weapons or equipment'; it is certainly possible that the RRAF might be removed to South Africa and operate from bases in the Republic. Finally, there is some change in our dispositions in that HMS BULWARK and HMS VICTORIOUS are both at Singapore, as is the Commando

Brigade Headquarters; HMS HERMES is in United Kingdom waters and the only RN LST south of the barrier is in the Persian Gulf with half a squadron of tanks embarked. Of course these ships could all be brought to shorter notice, and in the case of the major units south of the barrier, could perform their tasks, in the original plan.

4. This concept remains in outline only, Ministers having directed that the paper be withdrawn. In the present situation, however, we are even more convinced that no plan on these lines for an opposed entry into Northern Rhodesia could be put successfully into effect. Although since March tension has lessened and Territorial forces have been stood down, Sir Roy Welensky would be bound to receive warning of the mounting of this operation and therefore would be able to bring his forces to readiness before it could be launched.

5. We have therefore examined the possibility of introducing British forces by surprise into Northern Rhodesia before the decision on the Constitution has been communicated to Sir Roy Welensky, in the hope that this would obviate prepared resistance and place the onus for attack on Sir Roy.

6. Since it would be easy to obstruct the terminal airfields in Northern Rhodesia and to destroy fuel stocks essential for our medium range aircraft, complete surprise would be vital. The staging and concentration of aircraft in East Africa could not be carried out secretly; Federal civil aircraft operate regularly in and out of Nairobi and would report at once any unusual military activity, and other opportunities of obtaining intelligence of our movements may well exist. Possible cover plans would be a strategic air mobility exercise in East Africa in substitution for the exercise planned to take place in Portugal in July or the move of reinforcements for internal security in Zanzibar. We do not believe that either of these would deceive Sir Royal Welensky.

7. Any force introduced must be large enough to confront Sir Roy with an earnest of HM Government's determination to enforce its award. The most that can be done with available aircraft towards achieving this aim is to fly in a force of three battalions with some armoured cars and a brigade headquarters.

8. An outline concept is at Appendix. From this you will see that if landings are to begin on Tuesday 20th June, the operation must be ordered today (14th June).

9. The currently available airlift can only introduce two battalions, six armoured cars and a tactical brigade headquarters on D-Day. The major part of this force, about 1700 men, could arrive between H hour and H + 3 with the balance of some 350 men arriving about H + 9. To achieve even this concentration, aircraft would have to stage through Entebbe and Mombasa as well as Nairobi. The fly-in of the third battalion and the balance of the force could not be completed until D + 4 and the balance of the armoured car squadron by D + 4/5. These timings could be reduced to D + 2 if it were acceptable to use the Theatre Reserve in Kenya.

10. If, as we expect, surprise was not achieved, the operation would be abortive. Even if the force were successfully flown in, it could not be supplied in the face of Rhodesian attack. The force would not be organized or equipped to defend itself for long against determined attack by Federal Forces. Effective air cover would not be available at short notice. No early reinforcements could be brought in.

11. Thus, in the event of attack, we should have to face the near certainty of eventual surrender or eviction. A full scale British attack on Rhodesia could not then be mounted until after lengthy preparation.

12. We see no military solution of the dispute between Sir Roy Welensky and HM Government short of war with the Federation.

295 CAB 21/4625

23 June 1961

[Northern Rhodesian Constitution]: Cabinet Office note of meeting at Admiralty House on the electoral rolls¹

The Meeting were informed that the proposals put forward to the Prime Minister of the Federation of Rhodesia and Nyasaland (Sir Roy Welensky) in Commonwealth Relations Office telegram 1226 of 20th June, had not proved entirely acceptable to the Federal Government and Sir Roy Welensky had proposed further adjustments as follows:—

- (i) in addition to the seven double-member national seats there should be one national seat reserved for the Asians and Coloureds, who would not vote in the other 14 seats;
- (ii) as well as a minimum qualifying percentage of both races for the national seats there should be a further requirement that a successful candidate must obtain either 20 or 25 per cent of the votes on one of the rolls;
- (iii) instead of the minimum qualifying percentage of each race being 12½ per cent (or 400 votes) in the national seats, it should be 10 per cent (350 votes);
- (iv) the division between reserved and open seats in the national block should be 10 : 4 instead of 8 : 6.

The Colonial Secretary said that he had now received a despatch from the Governor of Northern Rhodesia containing his recommendations on the detailed provisions of the new constitution for Northern Rhodesia, as provided for in paragraph 30 of the White Paper (Cmnd, 1295). The despatch was consistent with the proposals put to Sir Roy Welensky, except that it included the recommendation that one of the qualifications for admission to the lower roll should be literacy in the vernacular. The Governor considered that some such concession to the Africans was essential in the interests of preserving law and order; the one he had proposed could be justified on its own merits, since it corresponded to the literacy in English qualification for the upper roll and conformed to the qualifications for the equivalent roll in Nyasaland. Its effect would be to add about another 30,000 Africans to the lower roll.

In discussion it was the view of the majority of the meeting that in view of the terms of telegram no. 1226 to Salisbury it would not be possible at the present late stage in the negotiations to insist that the literacy qualification in the vernacular should be added, since this would be regarded by Sir Roy Welensky as a breach of faith. But there would be no objection to our putting this forward as a counter

¹ Present: Kilmuir (chair), Home, Sandys, Macleod, Trend, Lord Hailsham (lord president of the Council), Martin Redmayne (chief whip and parliamentary secretary to the Treasury, Oct 1959–1964), and Sir E Hone. A meeting of the Cabinet on 20 June had agreed the text of a message to Welensky, rejecting his proposal for a 60/40 ratio between the upper and lower rolls in voting for the national seats, but suggesting other modifications to the Feb white paper on the NR constitution (CAB 128/35/1, CC 34(61)2.)

proposal to any or all of the four points proposed by Sir Roy Welensky. We could not accept his points (iii) and (iv), but we could suggest to Sir Roy Welensky that we would accept points (i) and (ii) in return for the inclusion of literacy in the vernacular as a qualification for the lower roll. Mr. Trend was authorised to convey these suggestions to the Federal Government's representatives in London.

After a short adjournment Mr. Trend informed the Meeting that the proposal for literacy in the vernacular was quite unacceptable to the Federal Government. The Federal Government had however appreciated the importance of making some adjustments in favour of the Africans, and had unofficially suggested that provided Sir Roy Welensky's four points were accepted, it might be possible to agree to an increase of about 500 Africans on the upper roll. This would give the Africans greater influence both in the upper roll seats and in the national seats.

The Governor said that in view of the difficulties to which his recommendation for literacy in the vernacular would give rise, and also since it was strictly outside the terms of reference contained in paragraph 30 of the White Paper (Cmnd. 1295) he would be willing to omit it from his despatch in favour of the proposal that Africans should be given greater representation on the upper roll. He also considered that there was merit in the suggestion for a separate seat for Asians and Coloureds and would incorporate a recommendation to this effect in his revised despatch.

After further discussion it was agreed that the Federal Government should be offered a choice either of (i) of Sir Roy Welensky's points, on condition that 500 additional Africans were added to the upper roll; or of points (i) and (ii), on condition that 1,000 Africans were added. The Meeting authorised Mr. Trend to convey these alternative proposals to the Federal Government representatives in London.

The Meeting then discussed the situation which would arise in the national constituencies if no candidate was elected because of the operation of the minimum qualifying percentages. It was agreed that in such circumstances one further election for the seat should take place on the same terms as the original ballot, but if there was still no candidate elected the seat should not be filled during the life of that Legislative Council.

The Meeting agreed that a statement should be made in the House of Commons early in the following week giving details of the new constitutional proposals for Northern Rhodesia, based on whichever of the two alternatives was acceptable to the Federal Government, and that the Governor's despatch on the subject should be published at the same time as a White Paper. The Meeting considered the draft of such a statement, circulated by the Colonial Secretary, and a number of drafting amendments were agreed.

The Meeting:—

- (1) Agreed that alternative proposals should be put to Sir Roy Welensky under which, in addition to the points set out in telegram no. 1226, we could offer either
 - (i) to accept an additional national seat reserved for Asians and Coloureds, provided that Sir Roy Welensky agreed to an additional 500 Africans being registered on the upper roll; or
 - (ii) to accept the national seat as at (i) above, plus a minimum qualifying percentage in the national seats of 20–25 per cent of one of the rolls, provided that Sir Roy Welensky agreed to an additional 1,000 Africans being registered on the upper roll.

(2) Agreed that if at an election for one of the national seats no candidate was elected, one further ballot should be held on the same conditions.

(3) Agreed that a statement should be made in the House of Commons early in the following week giving details of the future constitutional proposals for Northern Rhodesia, accompanied by the publication of the Governor's despatch.

296 DO 158/19, no 312

25 June 1961

[Northern Rhodesian constitution]: minute by B StJ Trend on proposals to put to Sir R Welensky

Mr. Monson and I saw Mr. Evans¹ at 2 p.m. on 25th June in order to discuss Sir Roy Welensky's message of 24th June to the Commonwealth Secretary and the Aide Memoire given by the Federal High Commissioner to the Commonwealth Secretary on 25th June.

We asked Mr. Evans to confirm that the Aide Memoire had the full authority of the Federal Government and could be regarded as putting forward their official proposals. Mr. Evans confirmed this.

We next considered the point in paragraph 1(b) of the Aide Memoire. We explained to Mr. Evans that, as regards the Asians and Coloureds, the Governor had expressed some doubt during his recent visit to London whether the Coloured community as a whole would accept that they should be joined with the Asians for the purposes of the 'national' elections; he thought that some of them might represent to him that they should be accorded either 'European' or 'African' status for this purpose. The most appropriate wording of the relevant passage in the Colonial Secretary's draft statement might, therefore, be 'Accordingly, those registered for this single member constituency will not take part in the election of the remaining 14 National seats'. We undertook to seek the Colonial Secretary's agreement; and Mr. Evans said that he would inform his Government.

As regards the delimitation commission, we referred Mr. Evans to the statement in paragraph 17 of the Governor's despatch that 'the Chairman should be a person who holds, or who has held, judicial office'. We agreed that the Colonial Secretary's draft statement might therefore refer to 'an independent commission on the lines proposed by the Governor in his despatch'. We confirmed once again that the Federal Government would be consulted about the commission's terms of reference.

We next discussed the points in paragraph 1(c) and paragraph 2(c) of the Aide Memoire. We undertook that the points contained in paragraphs 7, 9, 10/11 and 12 of Sir Roy Welensky's message of 24th June to the Commonwealth Secretary would be examined with representatives of the Federal Government, provided that it was clearly understood that:—

- (i) there could be no question of this examination being undertaken before the Colonial Secretary made his statement on the following day;

¹ A D Evans, federal secretary for home affairs, 1953–1963.

- (ii) There was no commitment on our part as regards the outcome of the examination in respect of any of the points;
- (iii) our decision at the end of the examination would be accepted as final.

Mr. Evans accepted these conditions and added that none of these issues was a sticking-point. It was agreed that further consideration should be given to the method by which the proposed examination should be undertaken. It might be appropriate that the United Kingdom High Commissioner in Salisbury should be invited to arrange for consultations to be set in train in the Federation at a time, and in a manner, convenient to the various parties, subject to reference to London as necessary.

We took note that under paragraph 2(b) of the Aide Memoire, the proposal in paragraph 8 of Sir Roy Welensky's message of 24th June (which was a repetition of the third of the Federal Government's original four points) was withdrawn.

We then turned to paragraph 1(a) and paragraph 2(a) of the Aide Memoire. We began by asking Mr. Evans whether we could take it as certain that the further 'hurdle' was to be 20%, not 25%. Mr. Evans confirmed this. We then asked him whether there was any significance in the fact that paragraph 2 of Sir Roy Welensky's message of 24th June referred to the percentage in relation to 'the votes passed by his (i.e. the candidate's) roll', whereas in all my earlier discussions with Mr. Evans he had spoken in terms of 'a percentage of votes cast on one or other roll (but not both rolls)'. He replied that the word 'his' was an error and that the correct formulation was as in his earlier discussions with me.

At this point I told Mr. Evans that, if we could regard ourselves as having reached a settlement with him as regards the questions discussed up to this point in our interview, the United Kingdom Government were now prepared to agree to the inclusion of the second 'hurdle' in the new Constitution, on the understanding that the income qualifying period would be reduced from two years to one year. I emphasised to Mr. Evans that this decision had been taken by the Prime Minister personally; that he had reached it only with great difficulty and after the most anxious consideration; and that he regarded it as conditional on no further new issues being imported into the discussions at this late stage. In addition he hoped that Sir Roy Welensky would accept this settlement in the spirit in which it was offered and that in any utterances addressed to public opinion either in the United Kingdom or in the Federation he would adopt a restrained and objective attitude towards it.

Mr. Evans replied that he would certainly convey the Prime Minister's message to Sir Roy Welensky. It was impossible for the latter to avoid some degree of public and Parliamentary comment on the new Constitution—if only to extricate himself from the position in which he had been left by the stormy debates in the Federal Legislature last February and from his undertaking at that time to publish a White Paper describing his exchanges with the United Kingdom Government (an undertaking which he had not implemented either then or since and was unlikely to implement now!) But Mr. Evans undertook to do his level best to restrain Sir Roy Welensky from any provocative or ill-timed comment on the settlement.

In conclusion we reminded Mr. Evans that it was important that no publicity should be given to our discussions before the decision of the United Kingdom Government was officially announced by the Colonial Secretary in the House of Commons on the following day. Mr. Evans agreed.

297 CAB 21/4625

24 July 1961

'The development of the political situation in the Federation, March–June 1961': despatch no 6 by Lord Alport to Mr Sandys on military tension and the constitutional negotiations

On my arrival in the Federation on March 2nd I found an atmosphere of considerable tension. This derived partly from the circumstances surrounding the publication of the White Paper on the Northern Rhodesia Constitution, but more particularly from a misunderstanding which had arisen with regard to the assembling of R.A.F. transport aircraft at Nairobi. As Minister of State I had been in charge of the Commonwealth Relations Office during your absence overseas when the Colonial Secretary had proposed that precautionary measures should be taken in the event of civil disturbances amongst the African population of Northern Rhodesia following the publication of the Northern Rhodesian constitutional proposals. It had been agreed at the time, as far as I could remember, that in view of the Federal Government's known opposition to the use of British troops in an internal security role within the Federal Territories, no mention of these preparations, which included the assembling of aircraft at Nairobi, should be made to the Federal Prime Minister.

2. There is, however, close and continuous traffic between R.A.F. command in East Africa and the R.R.A.F. and the arrival of the transport aircraft in question naturally did not escape notice. When information was received from East Africa that a force of transport aircraft was being built up, Sir Roy Welensky instructed the R.R.A.F. authorities to send to Nairobi a Canberra bomber, ostensibly on a routine visit. This confirmed earlier reports that something between fifteen and twenty transport aircraft were parked at Eastlea. It was at the same time confirmed from the various sources available to the Federal Government that these aircraft were for use in transporting troops to Northern Rhodesia. Furthermore, it has been the practice over a considerable period of time, for the R.R.A.F. station in Salisbury to be the terminal point for training flights by R.A.F. medium bombers, known as 'Lone Ranger flights'. These were suddenly stopped and the R.R.A.F. drew its conclusions accordingly.

3. Part of the precautionary measures taken by the United Kingdom Government at this time was to alert the military forces in Kenya as to the nature of their possible role. As with the R.A.F., the relations between the Federal Army and the British Army, are extremely close. Officers and other ranks are exchanged on secondment or for training and there were at this particular juncture several Federal Army personnel serving in East Africa. It is alleged that as a result of gossip they too learned that there was some possibility of British troops being used in Northern Rhodesia. The consequence of all this was that the Federal Government assumed from the evidence at its disposal that Her Majesty's Government intended to impose a White Paper solution in Northern Rhodesia, if necessary by force, and against the views of the Federal Government.

4. On the other side, the Federal Prime Minister in his communications and earlier talks with you had spoken provocatively about his plans if the new constitution for Northern Rhodesia was such as to make inevitable the entry into power of Mr. Kaunda and the United National Independence Party. He had gone so far as to suggest that he had intended to arrest the Governors and to take control by

military means of the administrative apparatus in the two Northern Territories. This apparently was to be a prelude to the declaration of some form of independence.

5. His reaction to the publication of the White Paper was to call out six battalions of Territorials ostensibly for the purpose of preventing trouble among the European community in Northern Rhodesia which might arise over the heat of their reaction to the constitutional proposals. This may have been his purpose but it is more likely that it was an ill-thought out and instinctive reaction to circumstances which were distasteful to him. I do not think that he had initially a clear plan as to what he would do with the Territorials when they were called up. His action was more a gesture of defiance.

6. From this point the process of misunderstanding developed in a classical manner which on greater occasions in the past has produced war.

7. My Service Liaison Officers normally have the run of Army and Air Force Headquarters in Salisbury and direct access to Major-General Long and Air Vice-Marshal Jacklin. They suddenly and simultaneously found doors and files shut against them. This did not, however, prevent them from picking up a good deal of information on the 'old-boy' net. They learned that General Long had addressed officers and invited those who felt unable to serve the Federation loyally in the event of a conflict with the United Kingdom forthwith to resign their commissions. It was known that Air Vice-Marshal Jacklin had decided that before ordering his aircraft into the air against any United Kingdom 'invasion' force, he would send a 'flash' signal to the Chief of Air Staff, London, to notify him that with the deepest regret he proposed to do everything in his power to meet and destroy any R.A.F. aircraft approaching Northern Rhodesia in connection with the landing of United Kingdom troops there.

8. Although there had been no movement of troops other than the deployment of sub-units of infantry in such a way that they could cover the major Northern Rhodesian airfields, it was known that the Federal Cabinet had been engaged in making detailed plans which presumably could be put into operation within a relatively short time. Aware of all this, the authorities in Northern Rhodesia and Nyasaland were naturally taking such action as seemed appropriate and was available to them, and thus suspicion bred suspicion, and an attitude was created of reluctant determination on both sides to see the thing through, if necessary by force, which characterises the period preceding the outbreak of any civil war.

9. It was perhaps fortunate that I knew at first-hand the reason why it had been decided originally to assemble the transport aircraft at Nairobi. I was thus able to explain to the Federal authorities that the whole build-up of tension arose from a complete misunderstanding of the intentions of Her Majesty's Government. It was, however, already becoming clear in political circles that to permit a situation amounting to civil war to arise without making some further effort to prevent it would be the height of folly. As there had been no move on the part of British forces in East Africa as the Africans in Northern Rhodesia had remained completely calm, and as the Territorials, like the Anglo-Saxon fyrd,¹ get restive if called up for more than a few weeks at a time without any prospect of an active role, the Federal Government had already ordered the stand-down of some of its Territorial

¹ English militia before 1066.

battalions, and the call-up of a number of second-line units to take their place. Thus, the explanation which I was able to give, although perhaps not carrying conviction with the anti-British members of the Government, did something to strengthen the hands of those who saw the tragic absurdity of the situation. Even those most suspicious of United Kingdom policy must have shared in the general relief felt at the announcement that Sir Roy Welensky intended to go to London as previously arranged for the Commonwealth Prime Ministers' Conference in order to discuss the Northern Rhodesian proposals and allied matters with your colleagues and yourself.

10. There is no doubt that this visit was successful from many points of view. In the first place, Sir Roy Welensky obtained from the Prime Minister and yourself the firm impression that, contrary to his earlier beliefs, the United Kingdom Government were most anxious to find ways in which to make the Federation a success. Secondly, Sir Roy believed that he had been promised a chance of obtaining agreement to certain amendments to the White Paper which would make the proposals in it more politically acceptable to him. And thirdly, he came back convinced that the United Kingdom did not intend to impose its policies in Northern Rhodesia by the employment of armed force from without the Federation.

11. When I saw the Prime Minister shortly after his return to Salisbury, we agreed that the tragic misunderstanding of the earlier weeks must never be allowed to occur again and that everything must be done to work together to achieve a fair solution in Northern Rhodesia.

12. When I returned to report to you, the situation was therefore much less intense. The possibilities of immediate armed conflict were removed and although the episode left a residue of bitterness and suspicion, there seemed every chance that continued negotiations on the Northern Rhodesian Constitution could be conducted in a spirit of reasonable understanding.

13. During the next four weeks, the Federation as a whole enjoyed a political lull. In Northern Rhodesia Sir Evelyn Hone was engaged on a series of talks with the various parties about the constitutional proposals. In Nyasaland, Sir Glyn Jones and Mr. Foster were taking over as Governor and Chief Secretary respectively and were engaged in playing themselves in. In Southern Rhodesia preparations for the new constitution were being undertaken by Sir Ralph Hone, your legal adviser, and Mr. Julian Elliston, Parliamentary Counsel, in consultation with ministers and officials of the Southern Rhodesian Government.

14. It had been made clear to me during my first interview with Sir Roy Welensky in March that the Prime Minister attached great importance to reaching a decision with regard to the Northern Rhodesian constitution before the Southern Rhodesian referendum took place. In this he was supported by Sir Edgar Whitehead who believed that continued uncertainty regarding the Northern Rhodesian constitution would militate against the success of his referendum campaign. The two Prime Ministers do not always see eye to eye on political matters. Apart from the normal strains in the relationship between a Federal and a Territorial Government, the two Prime Ministers have completely different characters. Sir Roy is approachable, at any rate by Europeans, impulsive and devoted to his family and his old companions of his political and trade union life. Sir Edgar is highly intelligent, unapproachable, calculating and a determined bachelor. Both, in their different ways, are resolute to the point of obstinacy and for both the real horizon of politics

stretches not much further than the Equator to the north and the Cape of Good Hope to the south. There is one other difference between the two Prime Ministers which is, perhaps, worth noting. Sir Roy is normally an optimist, though subject to dark moods of depression, and has little interest in the economic aspects of the Federation. Sir Edgar is a pessimist by nature and is intensely interested in the financial problems of Southern Rhodesia for which, for a long period, he had ministerial responsibility. Indeed, I have been told that the late Sir Stafford Cripps, when Chancellor of the Exchequer, regarded Sir Edgar as the best Finance Minister in the Commonwealth at that time.

15. Thus, although circumstances have compelled the two Prime Ministers to work closely together during these last weeks, it would be a mistake to believe that they work in complete harmony or that they invariably are seeking to achieve the same objectives. Their differences of character and point of view indeed contribute significantly to the problem of maintaining the cohesion of the Federation at the present time.

16. However, their dependence on each other for the prosecution of their policies respectively has been greater than the differences between them. Sir Edgar has needed Sir Roy's help in his referendum campaign, while Sir Roy has needed a stable Southern Rhodesia from which to cope with the uncertainties in the two northern territories. Such inter-dependence may not last for ever but up to now it has produced a sort of gentleman's agreement for mutual support.

17. Immediately after my return, work on the next stage of the drafting of the Southern Rhodesian constitution was begun. It had been agreed that the Southern Rhodesian Government should put forward proposals on such subjects as the Constitutional Council and land, on which it had not been possible to obtain prior agreement at your February conference. In accordance with the conclusions of this conference, the Southern Rhodesian Government were under an obligation to consult the other parties to the February agreement on any proposals which they might wish to put forward for your approval. The method by which this consultation was carried out comprised a meeting between the Southern Rhodesian Government and the other parties at which I attended as an observer. It was to this meeting that the Southern Rhodesian Government put its proposals for an electoral college to choose the Constitutional Council, certain sections of the Declaration of Rights and new provisions with regard to protecting rights in land in substitution for those in the present constitution. All the parties attending the February conference accepted invitations to this meeting and all were present when it was opened by the Prime Minister on 15th May.

18. Within a few minutes of the meeting starting, Mr. Nkomo and other officials of the National Democratic Party walked out. This caused no surprise since both the Prime Minister and I had learned previously from different sources that a decision to walk out had been taken by the N.D.P. Executive some days before the conference started. The N.D.P. claimed that their gesture was intended to draw attention to the refusal of the Southern Rhodesian Government to allow the N.D.P. to hold meetings in the Native Reserves in order to consult with African opinion on the Government's land proposals. The real reason however was the desire of the easy-going Mr. Nkomo to conciliate the militant section of his party by some sort of gesture of defiance. Sir Edgar Whitehead had probably guessed at a much earlier stage that the N.D.P. would withdraw from the meeting or perhaps try to frustrate its work in some other way

and had previously announced that he intended to consult the chieftainship as the representatives of the traditional authority and the rural population.

19. For many years the effect of the Southern Rhodesian Government's policies had been to clip the powers of the chieftainship, but disturbances in some Native Reserves following N.D.P. propaganda against the implementation of the Native Land Husbandry Act had led to the convening of a full assembly of chiefs (early in May) at which methods of increasing the powers and prestige of chiefs were discussed. Further, Sir Edgar had realised soon after the February conference that he would be at a great disadvantage if nobody remotely representative of African opinion, other than the N.D.P., was available for consultation. He saw that the conference provided precisely the occasion he required. When it assembled the conference consisted of over 200 of the 210 recognised Chiefs and a long *indaba*² followed led by Sir Edgar and the Minister of Native Affairs, Mr. H. J. Quinton. Subsequently, the Conference of Chiefs was invited to appoint a council consisting of a score of leading personalities drawn from their own ranks and equally divided between the various provinces.

20. In the meantime, the situation in Northern Rhodesia was changing. The first round of Sir Evelyn Hone's consultations with the Northern Rhodesian parties had been completed and increasing pressure was being exercised by the Federal Government towards obtaining a solution which, by being reasonably acceptable to the Federal authorities, would enable the full weight of the Federal U.F.P. to be put behind the forthcoming Southern Rhodesian constitutional referendum campaign. There is no need to record in this despatch the detail of the exchange of views which was proceeding at this time between ministers in Great Britain, the Governor of Northern Rhodesia and the Federal Authorities, or the various ideas put forward from different quarters with the object of achieving a satisfactory solution to the problem. At this stage, however, it became clear that the time factor was beginning to operate. Sir Edgar Whitehead had undertaken to publish a White Paper on the Southern Rhodesian constitution by the end of May. Political opinion in Northern Rhodesia was becoming increasingly restless at the delay in reaching a decision on the constitution of that territory and the anxieties of the Federal Government were obviously such as to be likely to reproduce the state of tension which had done so much damage on more than one previous occasion. In these circumstances, you decided to come to Salisbury to try to determine, in consultation with the Southern Rhodesian Government, the final details of their new constitution and at the same time to take an opportunity of consulting with the Federal Prime Minister on the Northern Rhodesian situation.

21. As it happened, I had, some weeks previously, invited the Governors of Northern Rhodesia and Nyasaland to join me in Salisbury at the end of May for informal talks on our respective problems. The object of this meeting was to exchange the information available to us respecting our various spheres of responsibility and at the same time to establish a precedent which might be extremely useful in the future when consultations on matters affecting Her Majesty's Government, the Territories and the Federation seemed appropriate. It happened, therefore, that almost simultaneously with your arrival in Salisbury, Sir Evelyn Hone and Sir Glyn Jones flew in here as well.

² In this context, a conference or council of African chiefs.

22. During the week May 29th-June 3rd it was possible to hold a series of discussions with Sir Roy Welensky and his advisers as well as with Sir Evelyn Hone about the constitution of Northern Rhodesia without undue publicity. It was not, in fact, until after these talks had been concluded that the Press either here or in the United Kingdom realised that the negotiations on the Southern Rhodesian constitution with Sir Edgar Whitehead were not the only, or even the most important, reason for your visit to the Federation. As a result of these discussions with the Federal Prime Minister about Northern Rhodesia, it was agreed that the Governor would use his best endeavours to persuade the Northern Rhodesian Parties to accept an amended version of the White Paper providing for Upper Roll control of the National seats in exchange for a number of important concessions to the African Parties.

23. In the meantime, the ostensible object of your visit i.e., the completion of the preparatory work for the publication of the Southern Rhodesian constitutional White Papers, had been satisfactorily concluded and Sir Edgar Whitehead consequently had been enabled broadly to maintain the time-table which he had set himself. Your visit had, in fact, achieved its two objectives and what is more, succeeded in convincing both the Federal and Southern Rhodesian Governments that Her Majesty's Government in the United Kingdom are determined to make strenuous efforts to carry the Federation over the difficult period through which it is at present passing. Although it was obvious that there were still many hazards ahead in the Northern Rhodesian situation, I felt, when you set off on your return journey to London, that whatever eventuated, tensions similar to those which arose in the February/March period were unlikely to arise again.

24. The next three weeks were devoted to tidying up the final details of the Southern Rhodesian White Papers, the publication of which took place on 13th June. In Northern Rhodesia the efforts made to sell the 'sixty-four' formula to the Northern Rhodesian parties provided heavy going for the Governor. Sir Evelyn had never under-estimated the difficulties with which his task presented him and it was not long before it became clear that although the United Federal Party and the African National Congress were broadly in favour of the proposals, the United National Independence Party, the Liberals and the Chiefs were strongly opposed to them. By this time it was becoming increasingly clear that a decision by Her Majesty's Government could no longer be postponed because of the effect which continuing uncertainty would have upon the Southern Rhodesian referendum and upon the political and economic situation in Northern Rhodesia and indeed the Federation as a whole.

25. As was perhaps inevitable, details of the discussions being carried on by the Governor with the various parties had begun to leak. U.F.P. leaders such as Mr. Roberts referred, with increasing lack of discretion, to the probability that the original White Paper proposals would be amended to meet the United Federal Party's point of view. At the same time Liberal and U.N.I.P. leaders were expressing increasing concern at the possibility of a decision being made which would be less advantageous to them than the one announced in January. With the announcement on Wednesday, 14th June, that Sir Evelyn Hone was to fly to London, it became pretty obvious that the present phase in the Northern Rhodesian constitutional negotiations was about to reach its climax.

26. On Sunday morning, 18th June, I was called to see the Federal Prime Minister in the presence of Mr. Greenfield and Mr. Evans. I was informed that the

Federal High Commissioner in London had telephoned the previous night to report that Ministers in London had decided against the sixty-forty solution and in favour therefore of the fifty-fifty plan. The Prime Minister said that in the circumstances he intended to leave for London on the following Tuesday night with the object of having a showdown with the British Government even though, as he realised, this would make the disintegration of the Federation inevitable. Having spoken to you on the telephone, I then discussed the situation again with Welensky that afternoon and did my best to explain to him the seriousness of the step which he proposed to take. Similar advice was given to him by Mr. Robinson and by some of his supporters in the Conservative Parliamentary Party. Again on Monday, I saw the Prime Minister and once again put the issues to him. Again on Tuesday, 20th June, I had a further meeting with him and after a discussion between the Prime Minister and the Federal Cabinet it was agreed that Mr. Greenfield and Mr. Evans should be sent to London, while the Federal Prime Minister remained in Salisbury, at any rate, until the following day. I need not go through all the details of the subsequent discussions, except to note that by Friday, the advice which the Federal Prime Minister received from London was, so he informed me, that it would be right for him to set off for London forthwith.

27. By this time the pressures which had been exerted on him not to do so had begun to work and there is no doubt that while he was prepared to go to London, and indeed had every intention of doing so, he was anxious to find some way of avoiding the trip. At about 6 o'clock on Friday evening, he told me on the telephone that his luggage had been sent to Salisbury Airport and that he would be following in about 15 minutes' time. I promised him that if I had any message, I would bring it straight to the airport and I accordingly got through to you on the telephone. You will remember that your telephone call caught the Prime Minister at about 7.35 p.m., which was 10 minutes before the London-bound Comet took off, and that you were able to persuade him that his journey was not really necessary. After speaking to you, the Prime Minister returned to the V.I.P. lounge and announced that he no longer intended to catch the plane, but would return immediately to his home. The atmosphere of tension and surprise which followed this dramatic announcement was broken by Lady Welensky's characteristic exclamation, 'good heavens, what on earth am I going to give the old man for dinner now?'

28. Apart from Sir Roy's statement to the Federal Parliament, in which he took the line that despite its disadvantages the constitution was something which could and should be made to work, the immediate problems created by the Northern Rhodesian situation in the Federal field appeared at any rate to be temporarily out of the way. The outcome of the various discussions seemed more satisfactory than appeared possible at an earlier stage in the long drawn out negotiations. It remains to be seen, however, how far the various Governments involved will be able to take advantage of the breathing space which has been gained in order to create a situation throughout the Federation and in each of its Territories whereby government can be carried on with the genuine consent of at any rate a large number of both Africans and Europeans. I believe that there is still a chance that Rhodesia, with or without Nyasaland, may be able to evolve a political system in which that much abused word 'partnership' becomes a reality and through which the great material resources of this part of Africa can be fully developed in the interests of all the communities who form part of the Federation.

29. I am sending copies of this despatch to all United Kingdom High Commissioners in Commonwealth countries, to Her Majesty's Ambassadors in Pretoria and Dublin and to the Governors of Northern Rhodesia and Nyasaland.

298 CO 1015/2442, no 3

25 July 1961

[Activities of Lord Lambton]: letter from Mr Macleod to Mr Macmillan

I thought I would send you as much background as possible about the very loaded question that Lambton¹ is to ask you on Thursday.² He has, as you know, been in the Federation. He has seen the Prime Minister and it is quite clear from comments that he has been making openly in London that Welensky has shown him copies of correspondence that has passed between you and between H.M.G. and Sir Roy. In the same sort of way, for example, copies of my statement on the Northern Rhodesia constitution were issued to Conservative back benchers at Rhodesia House before I made it. I make no comment on these activities because frankly, as you know, I have always said that this was in the nature of the man.

Lambton's particular question seems to relate to the letter delivered to you by Dingle Foot, the text of which is in C.E.O. telegram from Salisbury Track No. 72. I am sending you a copy. In my view there is nothing particularly important in this, although Welensky seems to read the most significant inferences into it. In C.R.O. telegram No. 180, of which I am also sending you a copy, it is clear that Welensky knows all this and raised it with the Commonwealth Secretary. You will also see from your own Track No. 71 the message Tim Bligh sent back from Salisbury in relation to this matter. Lambton is frankly out to cause trouble and he has been taken into Welensky's confidence. There is nothing remotely improper in what has happened in relation to Dr. Banda and the only behaviour that does call for censure is that of Lambton and Welensky. You may be asked why you didn't communicate this to Welensky, and I suppose the best answer is that this was given by the man's confidential legal adviser and that you thought it wrong to give it any wide circulation.

Lambton may also conceivably be getting at another matter of which you are aware and which Welensky hinted at to the back-benchers' committee some months ago. He said in short that he had proof which he could not reveal that I as Colonial Secretary had told a Labour Member of Parliament of my intention to release Banda before the Federal Government had been so informed. I think it is clear that the facts of the matter are that Welensky had installed a listening device in Banda's cell at Gwelo, although in theory Banda was supposed to be alone with his lawyer. I have no

¹ Viscount Lambton, Conservative MP for Berwick Upon Tweed division of Northumberland, 1951–1973.

² Lambton's question asked whether the prime minister would publish the communications he had had with Banda during his visit to Nyasaland in Jan 1960. It related to a memorandum passed to Macmillan by Dingle Foot on 25 Jan which appeared to set down the conditions under which Banda would give evidence to the Monckton Commission (PREM 11/3496, note by Bligh, 1 Aug 1961). The question was withdrawn and does not appear in *Hansard*.

idea what Dingle Foot said to him.³ As you know, no decision in fact was taken to release Banda until some time after the interview in question. But it may well be that Foot told Banda that his view was that he was to be released.

I hope this will enable you to reply to Lambton's question, but I am afraid I have no doubt about the venom towards you and towards myself that lies behind it.

I am sending a copy of this letter to the Commonwealth Secretary.

³ Macleod's claim that he had 'no idea' what Foot said to Banda is a little surprising, given that the FISB summary of the conversations (see 219) had been in the possession of the CO since Feb 1960, and was seen by ministers (CO 1015/2442, minute by K J Neale, 7 Mar 1960).

299 PREM 11/3496

25 July 1961

[Activities of Lord Lambton]: minute by Mr Redmayne (chief whip)
for Mr Macmillan

I have seen Lambton. He has heard the tape-recording and claims that facilities were given to him by the Security Department of the Federal Government, presumably on Welensky's instructions. He states that Welensky does not care what use is made of it and believes that he cannot be blamed for using any means to obtain information in a state of emergency.

Lambton's purpose is not very clear, except that he is determined that Macleod must be moved from his present Office. At one time he appeared to threaten that he would disclose these papers unless he was assured that Macleod would go, but subsequently he hedged on this.

He says that he has seen all the papers which have passed between the United Kingdom Government and the Federal Government, including your own personal telegrams; that what distresses him most is the political dishonesty with which these negotiations have been conducted and that his purpose is to remove the cause of it (Macleod).

He had intended to speak to-day in the Colonial debate but will not now do so. Further, he had intended to circulate the document about Foot and Banda among his friends. I have persuaded him not to do so, but I understand that a copy has already gone to John Morrison. I asked him whether he would withdraw his Question to you about Banda's letter to you in Salisbury, but he would give me no undertaking at present.

In so far as the document itself is concerned, I think that Lambton is a little frightened of using it, at least too publicly. I have asked the Attorney to advise me on various points:—

- (a) Whether any action would lie against Lambton for disclosing the contents of this or other documents which he has seen in Salisbury;
- (b) Whether any particular action lies against him or Welensky in respect of disclosure of the record of the interview with Banda.

The Attorney's first reaction was that there was not much profit in these questions but that Foot has very strong reason to complain to the Bar Council and that this

might be a weapon which could be used. The Attorney will put his advice in writing this evening.¹

Lambton renewed his request that he should have an interview with you. I did not encourage him; yet I wonder whether it might not pay to let him get all this off his chest if you could find the patience to listen to it. The trouble is, of course, that we all know—and the public knows—that the personality of Macleod has been an adverse factor in these negotiations. To that extent, therefore, Lambton is only reflecting a popular view. If you were to see him, you could say very little but I feel that there is a possibility that it might put a stop to some of his worst mischief.

¹ Redmayne attached the advice and commented on it: 'You will see that on consideration, the Attorney regards the interview as political and therefore not a matter for the Bar Council'.

300 PREM 11/3496

2 Aug 1961

[Activities of Lord Lambton]: note for the record by T J Bligh of a meeting between Mr Macmillan and Lord Lambton

[In advance of this meeting, Bligh briefed Macmillan that it was not clear what Lambton wanted 'except that he does not like Mr Macleod and wishes him to be removed from the office of Colonial Secretary' (note by Bligh, 1 Aug 1961).

The Prime Minister saw Lord Lambton at 6.00 p.m. on Wednesday, August 2 in his room at the House of Commons. Lord Lambton said he was concerned only to make the point that all the people he had met in Africa had made adverse remarks about the Colonial Secretary. Sir Roy Welensky was not on speaking terms with Mr. Macleod and had not been, apparently, for over ten months, and Sir Edgar Whitehead had devoted nearly half of a half hour's conversation to speaking against him. This personal animus against Mr. Macleod was very real. Lord Lambton was concerned that the Prime Minister should know of this, especially as many people in Africa associated the Prime Minister closely with the Colonial Secretary. The Prime Minister said that he was aware that this feeling existed in some quarters in Africa; it was very sad. At the same time, Sir Roy Welensky was a somewhat volatile man and tended to get rather excited when the going was hard; but when things went smoothly he seemed to recover his equanimity. The situation in the Federation was not now too bad—the Southern Rhodesia Referendum had gone through all right. The next step was the resumption of the Federal Review Conference and this affected the whole future of the Federation.

There was some short discussion about the interview the Prime Minister had with Mr. Dingle Foot in Zomba. The Prime Minister explained to Lord Lambton that he had been handed by Mr. Dingle Foot, who was Dr. Banda's legal adviser, a memorandum which purported in somewhat general terms to give the conditions on which Dr. Banda would give evidence to the Monckton Commission (in the event he had been released in time to give evidence to the Monckton Commission as a free man in Nyasaland but had elected not to do so). The Prime Minister also explained that the transcript of the tape recordings from which Lord Lambton had made his notes had been sent to him by Sir Roy Welensky earlier this year and he had returned

them. He did not think there was anything of much importance in the transcript which seemed to consist of a number of the opinions of Mr. Dingle Foot, whose judgment was erratic. The Prime Minister thought that some people might think it rather odd if they learned that the interview had been tape recorded. It was not the sort of thing that we did in this country except in war time. Lord Lambton said that he too felt that it would not be to Sir Roy Welensky's credit should this become widely known. He had not intended to publicise his notes; he had been mainly concerned to talk to the Prime Minister about the feeling that existed in the parts of Africa he had visited about the Colonial Secretary. The Prime Minister thanked Lord Lambton for coming to see him.

Lord Lambton said he would be withdrawing the Question he had down to the Prime Minister about communications he had received from Dr. Banda.

301 PREM 11/3498, PM(61)68 25 Aug 1961
 'Africa': minute by Lord Perth to Mr Macmillan on the security
 situation in Northern Rhodesia [Extract]

The security situation in the Northern Province and Luapula, where the second stage of emergency powers is in force, has been better these last days; elsewhere there have been isolated incidents but on the whole at the moment the outlook is better. The number of incidents in the last 48 hours is down and there has been only one death. Up to August 21st there have been 344 convictions, 209 of these being members of the United National Independence Party (U.N.I.P.). These convictions should begin to tell.

Kaunda (leader of U.N.I.P.) has written and cabled you asking for a Commission to enquire into the causes of the troubles as well as the handling of them by the police etc. He has apparently also asked many non-communist world leaders to press for an enquiry and to bring the issue to U.N.O. I am in touch with the Governor on how you might reply. I believe a Commission into the causes would be a mistake as opening the whole constitutional issue once again, but a local enquiry on the actual happenings and the deaths may be appropriate. Lord Hemingford has also called for an enquiry in the leading letter to The Times. The Times has its first article on Northern Rhodesia today.

On the constitutional side, clearly we cannot consider any change until order is restored. Sir John Moffat (Liberal leader who heads the Government) tried a little while ago to persuade all parties to accept two changes in our proposals. Only U.F.P. refused after, apparently, a considerable difference of opinion in the party caucus. Moffat has written asking whether nonetheless H.M.G. would make the changes and the Governor seeks a decision from us as soon as possible. The Secretary of State gets back midday August 31st, and I expect he will then wish to send you a minute setting out the many pros and some cons (Welensky!) for both Northern Rhodesia and the Federation. . . .

P.S. I have just heard that Kaunda is arriving in London tomorrow at 11 a.m., whether or not to attend a conference in Oxford as planned I am not yet sure.

302 PREM 11/3498

28 Aug 1961

[Northern Rhodesian constitution]: memorandum by Lord Perth on the advantages and disadvantages of change

This memorandum sets out the pros and cons of H.M.G. making limited changes in the present scheme. The restoration of law and order must of course come first, and here progress is encouraging. The Governor (supported by Alport) presses for an urgent decision and favours no change, mainly I think because change now would be interpreted as weakness and because he has lost trust in Kaunda and his ability to lead his people.

1. The changes Moffat seeks are:—

(a) abolish the Asian seat and allow the coloured and Asians to vote in the elections but not in the preliminary hurdle (a sort of primary) which candidates for election have to jump.

(b) Reduce the hurdle from its present 12½% or 400 whichever is less' to a lesser and straight percentage, Moffat has proposed 5% and would probably agree to say 7½%.

All parties save U.F.P. (Welensky's) at a time indicated to Moffat they would play on these sort of changes and it is reported that the Northern Rhodesian U.F.P. had a long debate before turning them down.*

2. Arguments against the changes:—

(a) Violence pays. In the future U.N.I.P., who have been the source of the violence, and indeed all Africans will believe that the way to get what they want is to make trouble. Indeed we may find even now they will no longer accept Moffat's proposal.

(b) We would be going back on the arrangement painfully hammered out with Welensky. This is true and would lead him when we consult strongly to oppose. The Southern Rhodesian Referendum is however out of the way and the Southern Rhodesian constitutional course charted.

(c) To the extent that the changes favoured the Africans, it would to that extent endanger Federation. It will however be recalled that the Monckton Commission held the view that the only hope for the Federation was African acquiescence in it and to this end they should have a major say in the Nyasaland and Northern Rhodesian Governments. In fact our scheme would even if amended only give them 'around parity'.

(d) The belief that U.N.I.P. and Kaunda do not represent the African people. If we are firm the Africans, no longer intimidated, will settle down and real progress under European guidance will then be possible.

3. Arguments for the changes:—

(a) It should mean peaceful progress in the next constitutional stage as all parties (save U.F.P.) have said they will take part in the elections if the changes are made. The churches, the Asians and coloured and some big business press for the

* Note: To agree to (a) alone will not be sufficient, to agree to (b) alone might be.

changes. The position of the Chiefs is uncertain; the Governor was hopeful but by no means certain that he could persuade them to agree that the present scheme should be given a try. Owing to the troubles a meeting of the Chiefs has had to be indefinitely postponed.

(b) The changes should not affect the outcome of the elections in terms of the chances of Nationalist parties, though the Liberals might suffer. Psychologically the whole atmosphere will be different, with the Africans, the churches etc. no longer feeling that H.M.G. has been unfair to them and deliberately favoured Welensky.

To substantiate the point that the changes should not affect the elections, though making all the difference psychologically, one must go back in the history of the negotiations. The original framework of the Constitution announced in the Spring had a technical flaw which if continued would have meant an African majority of up to 15, although the announced basic intention was 'around parity'. The scheme since announced and which filled in the framework properly corrected this flaw but led the Africans and others to feel it was now deliberately weighted in favour of Welensky.

On paper this weighting is true. The hurdle which a candidate has first to jump before he can stand for the final election is now '12½% or 400 whichever is less'. This means (owing to the European vote being only about one third of the African) that African candidates will always have to get the 12½% of the European votes while the European candidate will always rely on the 400 votes which will in fact be only around 5% of the African votes. 12½% for Africans versus 5% for Europeans is unfair: There follows the demand for a straight percentage for both races: the same for everybody.

In practice however Africans and Europeans will have difficulty jumping the present hurdle unless they make a combination with a party of the other race. This is particularly true of U.F.P. who apparently succeeded in getting about 1% of the African votes in the Nyasaland elections. It was this assessment of what would in fact happen under the present scheme which led us to agree to what appears to favour Welensky, but we have failed to sell it in Northern Rhodesia. If the change was made to a straight and lesser percentage (the present level would surely be too high for U.F.P.) statistically things would be harder for U.F.P. and easier for the Africans: in practice the need of a combination for the national seats would remain.

It is perhaps appropriate here to note that the present scheme further and importantly made a change from the earlier framework so that it is virtually certain that neither Africans nor Europeans can obtain an overall elected majority of more than four which could be balanced by the four or five officials in the Legislature. The great value of this change has never been adequately brought out so far as fears of the domination of one race or another are concerned. A 15 majority for the African parties is no longer on.

(c) If there are no changes and we succeed in holding elections, the outcome will not be representative of Northern Rhodesia opinion. In fact there is no certainty A.N.C. would still agree to contest them, U.N.I.P. would almost certainly call for a boycott of registration and the task of a delimitation commission be exceedingly difficult. In the event U.F.P. would presumably be in the saddle, A.N.C. possibly the official opposition, with the bulk of nationalist opinion probably led by extremists

having ousted Kaunda doing all they can to upset things. The chances of Federal talks would be much more difficult with Banda almost bound to refuse to join in. In brief the Northern Rhodesian outlook would be exceedingly stormy with mounting pressure from the Commonwealth and the world for a change, and we forfeiting general African goodwill.

(d) If we announced 'no change', Sir John Moffat will almost certainly resign and the Governor will have to rule until elections can be held in six or nine months—the alternative of another U.F.P. Government seems hardly on. The Governor is ready to face this prospect of direct rule. If we make the changes Moffat seeks we can represent them as due to his initiative rather than that of U.N.I.P.

4. *Summary*

The main 'cons' are that any change would be a concession to violence; is not wanted by the unintimidated African; and would be going back on our agreement with Welensky who would be bound bitterly to oppose such change. The 'pros' are that the changes should ensure a period of peaceful constitutional progress rather than continuing and possibly serious unrest; should avoid loss of African goodwill and perhaps that of the world as it is hard to show that the present hurdle is not deliberately set higher for Africans than Europeans; and that they are limited and in practice should not affect the election.

In any event a decision should not be long delayed.

303 DO 158/27, no 73

31 Aug 1961

'The Federation': memorandum by B StJ Trend for Mr Macleod on the timing of the federal review

1. In your minute of the 10th August you asked that my Committee should consider the timing and tactics of a resumption of the Federal Review, in the light of Salisbury telegram No. 1147 of the 7th August. That telegram summarised Welensky's own suggestions on this subject; and these suggestions have been repeated by the Federal High Commissioner in an interview with the Commonwealth Secretary on Tuesday. In essence Welensky asks us to agree that:—

- (a) The Review should be resumed fairly soon and should be brought to a conclusion early next year—about February.
- (b) Preliminary work should be done between the Southern Rhodesia and Federal Governments and the High Commissioner on the one hand and the two Northern Governments and the High Commissioner on the other hand.
- (c) When this work is complete, the Commonwealth Secretary should visit Salisbury and 'button the whole thing up' after Christmas.

2. My Committee regard these suggestions as quite unrealistic. The communiqué issued when the Review Conference was adjourned in December 1960 indicated that the Conference would reconvene 'on a date in the New Year to be decided by the five Governments in the light of the progress made at the talks on the Constitutions of Northern and Southern Rhodesia'. I think that at that time we had it

tentatively in mind that, if the discussions on the Northern and Southern Rhodesia Constitutions appeared to go reasonably well in the New Year, we would not necessarily wait until they were concluded before resuming the Federal Review. We would then try to drive all three horses forward abreast and to bring them to the finishing post together. In the event, this did not happen. It proved tactically wiser to conclude the Territorial discussions first; and we have now reached a position in which new Constitutions for Southern and Northern Rhodesia can, if we wish, be brought into effect in the fairly near future. In these circumstances it would be pointless, and could be argued to be immoral, to resume the Federal Review until the new Governments envisaged by the new Constitutions have taken office and have had sufficient time in which to find their feet and to form their own assessment of the advantages and disadvantages of federation. If so, when shall we reach this point?

3. As regards Southern Rhodesia, the first step is legislation in this country. This might be enacted by Christmas. Thereafter considerable work will be required in Southern Rhodesia in connection with the registration of voters, the delimitation of constituencies, the conduct of the election campaign, and so forth. Whitehead has indicated that, allowing for these requirements, he does not regard an election as practicable until the autumn of 1962. It may be possible to curtail this timetable a little; but we ourselves regard June 1962 as the earliest feasible date.

4. As regards Northern Rhodesia, the position is bedevilled by the recent outbreak of violence, which will inevitably delay the processes of registration, delimitation, etc. But, even on the most optimistic assumption that violence ceases in the very near future, it is difficult to see how a new Government could be formed before mid-1962; and thereafter that Government would need time to gain experience of the responsibilities of office.

5. Nyasaland is further forward; and the new Government is on the verge of taking office. But the Governor has represented that, if we are to have any hope of bringing Banda to a Federal Review in a constructive spirit, he must be given time in which to educate him and his colleagues in the economic realities of the federal association.

6. In the light of these facts, it would not seem realistic to contemplate resuming the Federal Review before the early autumn of 1962. If so, however, we are liable to have considerable trouble with Welensky; and we must recognise that, insofar as the prolongation of the period of uncertainty about the political future of the Federation is bound to have an adverse effect on the Federal economy, Welensky will be able to argue that it is we who are discouraging investment, delaying development and deliberately making the Federation an unviable entity.

7. There are perhaps two ways in which we can ease this situation:—

(i) We can do everything in our power to hasten the formation of new Governments in Southern and Northern Rhodesia. As regards the former, this is largely a matter of securing high priority for our own legislation and of urging Whitehead to arrange the elections as rapidly as possible. In Northern Rhodesia the problem consists of two inter-related elements; we have to bring violence to an end and we have to decide whether or not to make any further changes in the new Constitution. On the latter issue, both the Governor and Lord Alport have advised firmly against any change. On the other hand, there are strong arguments, summarised in the memorandum appended to Lord Perth's minute of the 29th

August to the Prime Minister, in favour of some concession to Kaunda.¹ The decision is extremely difficult and is almost entirely a matter of political judgments. But perhaps I may be permitted to offer one comment at this stage—namely that, insofar as we succeeded last June in reaching a settlement which was accepted by (though far from being wholly acceptable to) both the Governor and Welensky, we did so largely by a combination of luck and sheer exhaustion of the contending parties! I am very doubtful indeed whether we could bring this off again. I am not advancing this doubt as a conclusive reason against a change or as an argument against trying to discover whether there is, in fact, any change which Welensky could be brought to accept. I am only suggesting that, if we seek to modify the June settlement, we must accept the risk that Welensky may argue that this further ‘breach of faith’ by the U.K. Government entitles him to re-open discussion of the whole basis of the Northern Rhodesia Constitution. And then our whole relationship with the Federation may be back in the melting pot. What follows is based on the assumption that no change is made in the Northern Rhodesia settlement. If a change *is* made, a new situation may arise; and we may have to reconsider the handling of the Federal Review.

(ii) We can try to fill the twelve months’ interval by informal discussions. This would be largely a face-saving device; and it would be a wasteful use of our resources. Moreover:—

(a) We should have to be clear about the content of the discussions. It is tempting to try to limit them to certain subjects—e.g. the distribution of functions, the financial machinery of government—which ought to be capable of being discussed objectively by officials. But experience has shown that officials can make very little progress in dealing even with subjects of this nature unless they have frequent access to political instruction. It would therefore be necessary to provide some kind of political super-structure for the discussions from the very outset.

(b) We should have to recognise that the discussions could not be kept secret; and it would therefore be difficult to confine the political superstructure to the relevant Governments in their existing form. Indeed, it would be virtually impossible to exclude any party which could claim to be interested, whether it was already, or was not yet, formally represented in the Government or Legislative Council of the Territory concerned. But, on this hypothesis, we should in effect be reconvening the Federal Review in the form which it took last December, with the additional disadvantage of having to deal with the conflicting parties piecemeal and, in many cases, at long range. The arrangement would almost certainly break down before very long.

8. In the light of these considerations we are doubtful whether informal discussions would really provide any answer to our problem, at least in the near future; and we have reached the tentative conclusion that, as a first step, the wisest course might be simply to put the ball back into Welensky’s court by saying to him, in effect—‘You have asked us to resume the Federal Review fairly soon. We are quite ready to do so at the appropriate time; but you will, of course, recognise that, in the light of the new Constitutions for Northern and Southern Rhodesia which have been

¹ Presumably a reference to 302, which is actually date 28 Aug.

instituted since the Federal Review adjourned, the Review will be resumed in very different circumstances. Before we reconvene it, therefore, we must ask you how your own thinking about the future of the federal association has been affected by these developments. You will now be dealing with three Territorial Governments in which Africans will either play a dominant role or will at least have obtained far greater representation than hitherto. How does this fact affect your earlier proposals in relation to, e.g. the composition of the Federal Legislative Assembly; the allocation of responsibility for education and agriculture, both European and African; the treatment of law and order; etc.? Presumably you will not merely reproduce your earlier proposals as they then stood; but what changes in them do you envisage in order to bring them into conformity with the basic objective of the new Territorial Constitutions, i.e. the objective of securing greater African participation in the machinery of government?'

9. It is impossible to predict how Welensky would react to an approach of this kind. But it is difficult to see how he could simply brush it on one side or could maintain that the new Territorial Constitutions made no difference at all to his own proposals for the future of the Federal structure. On the other hand, he would not find it easy—and it would certainly take him some time!—to devise an answer which would appear both to satisfy our request and to retain the substance of power in his own hands.

10. This is only a tentative suggestion; and we suggest that Mr. Watson might discuss it with Lord Alport and the two Governors when he attends their conference at Lusaka next week. If they can think of any more plausible means of spinning out time, we shall be only too grateful!

11. I am sending copies of this minute to the Commonwealth Secretary and Mr. Bligh.

304 CAB 21/4625

6 Sept 1961

[Northern Rhodesian constitution]: Cabinet Office note of a meeting held at Admiralty House on Sir J Moffat's proposals¹

The Meeting had before it telegram Personal number 254 from the Governor of Northern Rhodesia, together with the draft of a reply to that telegram and the draft of a letter from the Colonial Secretary to Sir John Moffat.

The Colonial Secretary said that Sir John Moffat was the leading unofficial member of the Northern Rhodesian Government and had given us good support over the measures recently taken to restore law and order. It was his idea that the present difficulties relating to the new constitution might be overcome if the Asian seat were abolished and the minimum support which a candidate on the national list required from voters of both races were reduced to 5 per cent. He had brought Mr. Kaunda down to this; he had got the agreement of the African National Congress (A.N.C.) and the African independents; and his proposals were turned down only narrowly by the

¹ Present: Macmillan, Sandys, Macleod, Trend, Bligh.

United Federal Party (U.F.P.). Thus Sir John Moffat's approach commanded the support of all political parties in Northern Rhodesia except a relatively small majority of the U.F.P. The Colonial Secretary thought that, once law and order had been restored in Northern Rhodesia, it would be reasonable, and in keeping with our normal practice, to consider Sir John Moffat's suggestions, particularly as in his (the Colonial Secretary's) view Sir John Moffat's degree of success in gaining acceptance of them already amounted to the 'general agreement' mentioned in the penultimate paragraph of the draft letter. If we took a completely 'non-possimus' attitude Sir John Moffat would resign with the Liberals and African independents, a period of official government would have to follow and Mr. Kaunda's United National Independence Party (U.N.I.P.) and others would boycott the elections. This would amount to a complete failure of our policy in a vital area of Africa. His draft to Sir John Moffat was designed to avoid closing the door on a way out of our difficulties. He had shown it to Sir John Moffat, who was prepared, with some reluctance, to accept it as it stood. He had not shown it to Mr. Kaunda but had seen him and again impressed upon him the necessity to oppose violence. One of his difficulties was that Sir John Moffat had been promised a reply to his letter; means would have to be found of keeping him and Mr. Kaunda in play while we were working out the immediate problem.

The Commonwealth Secretary said that he was in two minds about the problem. He saw the desirability of carrying Sir John Moffat and his supporters with us and of getting the U.N.I.P. to participate in the elections. On the other hand, he had hitherto accepted the views of the Governor, who clearly felt strongly that we should not move from our present position. Further, he was much concerned about the danger of starting another row with Sir Roy Welensky who, unless we were very careful, might on this occasion be able with some reason to charge us with bad faith in view, first, of the nature of our negotiations with him in arriving at our present position, and second, of the effect which the settlement announced by the Colonial Secretary on the 26th June had had on the Southern Rhodesian referendum. He thought that the crucial phrase in the draft letter to Sir John Moffat was 'a prospect of general agreement'. Sir Roy Welensky would certainly take 'general agreement' to require the agreement of a majority of the U.F.P. in Northern Rhodesia and not merely of a substantial minority of it. (Indeed, it might well be that the U.F.P.'s rejection of Sir John Moffat's proposals had been determined by instructions from Salisbury.) If this were so, Sir Roy Welensky would in effect have a veto in the matter. All these considerations made it important that we should consult Sir Roy Welensky in a manner which made it clear that we were taking his views seriously and that we should do everything possible to carry him with us, especially as he was at present in a state of some tension about Katanga, and this was therefore a thoroughly bad time to approach him with suggestions which we could be certain that he would not welcome. We should not only indicate to Lord Alport the points which we thought should be made to Sir Roy Welensky, but also obtain the former's advice on the best way of approaching the latter.

The Prime Minister said that there seemed to be three main points for decision. First, was the technique of a letter from Sir John Moffat the best way of keeping the door open to an acceptable way out of our difficulties? It might be justified on the ground that he was not only the leading unofficial member of the Northern Rhodesian Government but also the leading protagonist of multi-racialism in the

territory. On the other hand, it might be better if a suitable statement were made by the Governor. Second, there was the question how we should best deal with Sir Roy Welensky. Third, we must be careful how we phrased the crucial passage about 'a prospect of general agreement' in order to avoid either misleading Sir Roy Welensky or giving him a veto.

In discussion it was agreed that we should not maintain a purely negative attitude and should instead seriously consider whether we could not by some means use Sir John Moffat's initiative to find a way of avoiding the grave situation which would arise if there were a substantial African boycott of the elections. The idea of a statement by the Governor, whether on his own initiative or on the express authority of Her Majesty's Government commended itself on general grounds; and it had the additional advantage of moving the whole matter a stage further than a letter to Sir John Moffat from any appearance of a deal with Mr. Kaunda. The Governor's line might be that nothing at all could be done until violence had come to an end, but that it might thereafter be worth trying again to obtain an accommodation over those points on which the opinion of the parties was still divided, and that once peace had been reestablished he would be prepared to join the parties in a further effort at agreement. Among other possible advantages, this would help to avoid breaking with the Liberals, to which we should attach importance, and should meet the A.N.C., to which we owed something for their opposition to violence. It was most desirable to see whether we could not bring Sir Roy Welensky to acknowledge the importance to him as well as to everyone else of getting the new constitution introduced peacefully and with African participation: it would be most helpful if he were willing to get the U.F.P. in Northern Rhodesia to agree to further talks once violence had come to an end. Of Sir John Moffat's two points, Sir Roy Welensky could probably be brought without too much difficulty to accept the abolition of the Asian seat, but it had to be recognised that the crux of the whole matter was the reduction in the qualifying percentage since (rightly or wrongly) the Europeans believed that it was to their advantage at the present level while the Africans believed that they would gain by a reduction (and vice versa). It was important that we should keep the issue limited and not give Sir Roy Welensky grounds for attempting to reopen the whole problem of the Northern Rhodesian constitution. It should be possible to persuade Sir John Moffat that the right way of pursuing the matter, should that prove possible, would be a statement by the Governor rather than a letter from the Colonial Secretary to the former.

The Meeting:—

- (1) Invited the Colonial Secretary to prepare a fresh draft telegram to the Governor, and a draft of a possible statement by him, on the lines agreed in discussion.
- (2) Took note that the Colonial Secretary would be seeing Sir John Moffat at 3 p.m. that afternoon and invited him to speak as agreed in discussion.
- (3) Agreed to meet again at 3.30 p.m. that afternoon.

The Meeting met again at 3.30 p.m. and considered two drafts prepared by the Colonial Secretary as agreed in discussion earlier in the day.

The Colonial Secretary reported that he had spoken to Sir John Moffat as agreed in the morning, and that the latter had seemed reasonably content and would be leaving for Northern Rhodesia next day. If tackled by the Press about the position Sir

John Moffat would find language to stave them off. Mr. Kaunda had gone to ground and could not at present be reached.

In discussion the drafts were approved, subject to a number of amendments, and it was agreed that the Commonwealth Secretary should send a separate telegram to Lord Alport about the best way of approaching Sir Roy Welensky. Our aim should be to persuade Sir Roy Welensky to take a statesmanlike attitude and make a positive contribution to the vital object of bringing the new Northern Rhodesian constitution into operation with at least the acquiescence of all races. We should try to make him recognise that, if the elections were boycotted by the Africans, the resulting situation would be thoroughly bad and could not but do additional grave damage to the prospects of the Federation as a whole. It was thus very much in Sir Roy Welensky's own interest to do everything that he could in co-operation with us to surmount our present difficulties. Our approach to him could be in two stages. First, we should say that we were all facing a serious problem which we wanted to discuss with him earnestly and constructively. In our view, we had a chance, for a small price, of re-establishing peace in Northern Rhodesia and launching the Federal Review with some hope of a successful outcome. Then, if Sir Roy Welensky agreed to co-operate with us, so much the better: if not, it would still be open to us to tell him that we had carefully considered his views but that we still thought that we should not close the door to further negotiations in Northern Rhodesia.

The Meeting:—

(4) Invited the Colonial Secretary to telegraph to the Governor as agreed in discussion.

(5) Invited the Commonwealth Secretary, in consultation with the Colonial Secretary, to telegraph to Lord Alport as agreed in discussion.

305 WP 258/6

6 Sept 1961

[Katanga]: telegram from Sir R Welensky to Mr Macmillan on the threat to regional security

[On 28 Aug, UN forces in the Congo launched 'Operation Rumpunch', to expel foreign officers and mercenaries from Katanga. Although this initial operation was carried out without resort to violence, UN personnel were, as Welensky predicts here, preparing for a more far-reaching plan to neutralise the Katangan forces and arrest leading figures in the regime. This new plan, ('Operation Morthor') was launched on 13 Sept, without the final approval of the UN secretary general, and resulted in fighting between UN and Katangan forces.]

You will no doubt have been told of my previous messages to the Secretary of State about the deteriorating situation in the Katanga and of our grave concern at the turn taken by events there. You may also have been told by your High Commissioner here that it is believed that a further step in the subjugation of President Tshombe's Government by the United Nations forces is planned.

The ill-considered and in my view illegal actions taken by the United Nations have failed in their objective of compelling President Tshombe to capitulate. At present he and his Government are determined to make a stand. The United Nations is thus faced with a situation in which it must either admit failure or take even more extreme action. No one here or in Katanga doubts what its decisions

will be. Indeed I have to-day been reliably informed that the United Nations is poised for stage two of its operation and that this is likely to start upon O'Brien's¹ return from Kamina,² either to-day or tomorrow. The only doubt is precisely what further steps it will take. The probability is however that it will use force to render ineffective the Katanga police and probably arrest the remaining Belgian senior administrative staff. At the same time the excuse will be made of the growing public tension—itsself entirely created by United Nations activities—to disarm the gendarmerie.

Whether these steps will be taken together or in stages is likely to be left to O'Brien's judgment on the spot. O'Brien is himself said to be bitterly anti-British and anti-colonial and his deputy, Tomberlaine,³ is understood to hold Marxist beliefs. The local United Nations judgment is therefore thoroughly dangerous. I am told O'Brien interprets his instructions as being the elimination of Katanga independence and considers anything necessary to achieve this aim to be justified. An example of his dishonest methods is his false report to the press that President Tshombe had had a heart attack. This was calculated to spread alarm.

You will I hope have been told by your High Commissioner here that what has been and is being done in Elisabethville this week does not match the explanations given by the United Nations Secretariat in New York. They are either completely out of touch with events in Leopoldville and Elisabethville or seriously misleading your representative at the United Nations.

What is happening in Katanga is the deliberate use of United Nations troops and political intriguers [sic] to bring chaos and disorder to an area which left to itself has been efficiently run for over a year by an elected African Government. In the face of anarchy elsewhere in the Congo, law and order has been maintained, the economy developed and a moderate and responsible pro-Western policy adopted.

Unless a halt is called immediately to this cynical misuse of the authority of the United Nations it is unavoidable that violence and bloodshed will erupt just across our border. As you know the boundary cuts across tribal affinities, and apart from an expected large-scale exodus to the Federation of Europeans and Africans who have given their support and encouragement to President Tshombe's Government, there is bound to be a considerable movement of trouble-makers across the borders into the already disturbed Northern Province of Northern Rhodesia and the Copperbelt.

It is not at all improbable therefore that we in the Federation will over the next few days face a serious threat to our security which will have been entirely brought about by the United Nations acting, knowingly or otherwise, in support of Lumumbist policies.

I hope what I have said will explain my extreme concern and will persuade you and your colleagues to agree that, notwithstanding your involvement in the serious situation in Europe, matters in the Katanga have reached a stage at which the British Government can no longer avoid an open and categorical repudiation of the action of

¹ Conor Cruise O'Brien, Irish UN representative in Katanga, 1961. O'Brien later recorded his experiences in *To Katanga and back: A UN case history* (London, 1962).

² Kamina, former NATO base in Western Katanga

³ Michel Tombelaine, French UN deputy representative in the Congo.

the United Nations there, and do all in its power to rectify the mistakes already made. I would be glad to have your confirmation as soon as possible.

In the meantime you will agree that common prudence compels me to give consideration to the deployment of Federal forces to protect our border.

For Barrett please also pass copies to Sandys and Home and a private one to Salisbury.

306 CAB 21/5568

8 Sept 1961

[Katanga]: telegram (reply) from Mr Macmillan to Sir R Welensky

I have studied with great care your message¹ on the situation in Katanga which your High Commissioner forwarded to me on September 6th. I have now had the opportunity of discussing it with Alec and with Duncan.

As Duncan told you in his personal message of September 2nd, we fully understand your anxieties over the Katanga. We are in the closest possible touch through our Mission in New York with Hammarskjöld, but, as you will know, we were given no indication of the intentions of the United Nations Force before the latest actions began.

It seems all too likely that instructions from United Nations Headquarters in New York are being misinterpreted by the man on the spot in Elisabethville. We ourselves have become increasingly concerned at some of the acts and statements attributed to O'Brien, the more so since (for your purely personal information) our earlier information about him fully bears out your own assessment.

However, tense though the situation is and fully as I appreciate that you have to live with it hourly on your borders, I do not frankly think that the time is ripe for the British Government, as you suggest, to make an open and categorical repudiation of United Nations action in the Katanga. On the other hand, we are doing and shall continue to do all we can to bring home to Hammarskjöld the dangers of his subordinates' acting in such a way as to destroy all prospects of Tshombe's Government taking a positive and willing part in an overall Congolese settlement. We have instructed Dean² to make yet another approach to Hammarskjöld, to put to him our doubts about where the United Nations action in the Katanga may be leading, and our anxiety lest O'Brien may be out of step with United Nations intentions as explained to us in New York. We will keep you informed about this through Alport.

As you know, we are ourselves committed to the United Nations Resolution of February 21st. It has been our consistent aim to ensure that the territorial integrity of the Congo is maintained. Now that a new Central Government, to which even the Russians have given their backing, has been formed and the secessionist threat posed by Gizenga has been reduced, it would, in our view, be a most, serious setback if the Katanga which means so much to the Congolese

¹ See 305.

² Sir P Dean, UK permanent representative to UN, 1960–64; ambassador, Washington, 1965–1969.

people in terms of wealth and resources were in turn to be encouraged to secede. You will recall how much importance we have attached to Tshombe's collaboration with Kasavubu. We have always feared that the longer he waited the worse his chance of getting a really good arrangement would be. Moreover, Tshombe's refusal to come to terms with the Central Government make it more likely that the balance in Leopoldville will go the wrong way, and that Adoula will be less able and willing to keep the Gizengists firmly in check. If the Katanga joined in, they would provide a valuable counter balance to Stanleyville, but if they continued to resist, there would be a real danger of civil war. As it is, Tshombe himself, through his repeated refusals to throw his weight behind the previous efforts of the Leopoldville Government to bring about a constitutional settlement, has begun to alienate moderate opinion in many Western countries where there had previously been much sympathy for his attitude. And there are now growing signs that because of our own understanding of Tshombe's difficulties, Ministers in Leopoldville are beginning to cast doubt on the sincerity of our desire to see a peaceful and united Congo emerge from the present anarchy.

You may rely on us to do all in our power to persuade the United Nations of the need to act cautiously. And I know that we may look to you to counsel moderation on the Katangans from your side. I sincerely hope that matters will not reach the stage where you feel constrained to deploy your forces along the borders, since this would certainly be misrepresented by illwishers. In any case we shall be keeping you fully and currently informed of the outcome of our approaches in New York.
Ends.

307 DO 158/25, no 8

23 Sept 1961

[Hastings Banda]: letter from Lord Dalhousie to Mr Sandys on
Nyasaland's position in the Federation

I have just returned from a visit to the Northern Province of Nyasaland, calling in at Zomba at the finish.

I saw quite enough to appreciate the tremendous grasp that Dr. Banda and his colleagues have over the whole country. What is worrying is the way he and his colleagues are determined to go their own way independently of the Federation which they do not recognise, and also, to some extent anyway, of the British Government.

At present every effort is being made by the Governor and his able administration in the field to indulge the least whim of the Malawi Party. It almost seemed they would resort to any extreme to keep the mighty Banda happy. It is true some progress may have been made in the right direction. The Malawi Ministers have agreed to take the Oath of Allegiance, and, having been given a lecture by the Governor on the importance of taking care of the interests of minorities, agreed to do so.

It was originally planned, before I went there, that I should meet the new African Ministers. (As I think I have mentioned to you, I have already met Banda in London.)

Some publicity was given to this possible meeting by the Press and F.B.C., as a result of which they all refused to come along, their reason being my link with the Federation—no offence being meant, they said, to the Crown or myself.

I am this week, at the bidding of Prince Phillip [sic], inaugurating Commonwealth Training Week in these territories. Whether it is because I am doing the inauguration here, or because it is on a Federal basis, the Malawi Party—not, mark you, the Government of Nyasaland—have decided to hold the Nyasaland Training Week at some future date, and I understand that no activities will be going on there at the same time as they are in the other territories.

I will admit that, in view of Dr. Banda's power, and, no doubt, the instructions given to him by the Colonial Office, there is very little else the Governor can do other than what he is doing now—namely suck up to the Malawi Party, but some time the day of reckoning must come. Not only will Banda have to face the truth that the Federation exists and that Nyasaland is part of it, but that it is an impracticability for him to secede simply because he and the Malawi Party want to do so. At present the Governor is busy getting the African Ministers interested in their jobs, which, I believe, they are prepared to be, and he is endeavouring to educate them generally. Controversial matters are avoided, and generally it is a case of playing for time. However, some day someone will have to raise the subject of Federation, and I should have thought the right person would have been the Secretary of State for the Colonies.

I have just been speaking to Roy, who tells me that he received a message from Jones asking that no invitations be sent to him or other Ministers in Nyasaland for the Federation Day party in Salisbury! I see no easy solution to the Nyasaland problem, but at least I feel that pettiness, in refusing to face facts, never got anybody anywhere. It is certainly not in the interests of Nyasaland, or even the Malawi Party, that self-delusion should not only be allowed to prevail, but may even be, in the course of encouragement, also stoking up more bad blood between Zomba and the Federal Government.

It may interest you to know that I have just postponed some elaborate, but fortunately unpublished, plans for an extensive visit to the Northern Province of Northern Rhodesia. I have done this for the primary reason that I believe I can do most to help by remaining in Salisbury for the period covering the reopening of negotiations regarding the Northern Rhodesian Constitution. I also realise that my presence in the north might divert an unwarrantable number of security personnel from their posts.

I was impressed, during my last talk with Roy, by the apparently increasing degree of antagonism he feels towards the British Government, and I believe it may be possible to goad him into seeking independence from Britain if we show an insufficiency of sympathy towards his own problems and strongly held views. He told me that he now sees no need for any further talks concerning the Federal Constitution. Indeed, for now, this may be the best way to play it.

308 PREM 11/3191

26 Sept 1961

**[Visit to the Congo and the Federation]: report by Lord Lansdowne¹
on his visit, 15–21 Sept. *Appendices A–D***

[During this visit, UN secretary-general Hammarskjöld died in circumstances that remain controversial. Approaching Ndola in Northern Rhodesia on 18 Sept, his plane crashed. All those on board were killed.]

On my visit to the Congo my instructions gave me five main tasks:—

- (a) to convey to the Government of the Congo firm assurances about the policy of Her Majesty's Government in regard to the Congo;
- (b) to look into the United Nations action of September 13 in the Katanga and to report whether it exceeded the United Nations mandate and was aimed at the destruction of the provincial Government;
- (c) to do all I could to promote a cease-fire in the Katanga;
- (d) to report generally on the political situation in the Congo and the stability of the Central Government;
- (e) to discuss the situation in the Congo with Sir Roy Welensky.

2. My visit began early on September 15 and ended six days later. Owing to the refusal of the Central Government to allow me to go to Elizabethville I have been unable to fulfil a part of my task. At least, however, thanks to the initiative taken by Mr. Hammarskjöld the most important part has been fulfilled with the achievement of a cease-fire in the Katanga.

3. In detailed annexes I have dealt with the points listed at paragraph 1(b), (c), (d) and (e) above and my main conclusions appear below, together with recommendations for future action.

4. I told M. Adoula many times that Her Majesty's Government wanted only to see a Congo independent, united, rich and strong; and that we in no way supported M. Tshombe's pretensions to secession; that for these reasons we had given our support to the United Nations operation in the Congo which cost the United Kingdom a great deal of money; but that the Government and the people of the United Kingdom had been shocked by what appeared to be the resort by the United Nations to the use of naked force. I cannot report that I succeeded in convincing M. Adoula of the sincerity of our policy. Time and time again he asserted that British words did not square with British deeds. He instanced as evidence of this:—

- (a) The actions and speeches of Sir Roy Welensky. He knew that there were limits to the Federation's freedom in foreign affairs. Why would we not restrain him?
- (b) The Federation Government's bellicose acts in moving troops—including fighters and bombers—to the Congolese frontier.
- (c) The assistance in terms of propaganda given to M. Tshombe by the Federation Government. Who provided him with wireless facilities?
- (d) Provision of aircraft by us to carry M. Tshombe to Ndola which M. Adoula claimed had violated Congolese sovereignty by landing at Kipushi.

¹ Joint parliamentary under-secretary of state at the FO, 1958–1962.

- (e) Permitting political refugees to cross and recross the frontier at will and to indulge in propaganda.
- (f) Her Majesty's Government's disapproval of United Nations action of September 13 the object of which—in the view of the Central Government—was to depose a Provincial Government in rebellion and which therefore had their full support.
- (g) British commercial interests supported Tshombe.
- (h) If Her Majesty's Government wished to suppress what the Congolese regard as tendentious B.B.C. and Press reports they could do so.

Needless to say I contested these allegations, but without much success. The Central Government are not altogether rational in their accusations and certainly under the spell of Mr. Hammarskjöld's death less so than usual. I hope that Sir Roy Welensky's message will have served to dispel some of their doubts.

5. I recommend that we should make a further effort to convince them of our good intentions by making a public statement of our position. I would hope that you would reiterate our position in your speech to the General Assembly of the United Nations and that this should then get fullest possible publicity. But we must also seek to avoid giving offence to the Central Government. We could, for example, if it is true that the aeroplane which picked up Tshombe did so from Congolese territory, have sought permission which, I am sure, would have been given—or we could have made him cross the frontier on foot before picking him up. I believe that we should also exercise great care in allowing members of the United Kingdom High Commission at Salisbury² to operate into Congolese territory and that their exits and entries should be whenever possible legally documented.

6. Furthermore I recommend that we should give consideration to saying in the clearest possible terms that we are opposed to the secession of the Katanga; that we have told M. Tshombe this and that he can expect no support whatsoever from us if he persists in demanding it; and that we should not continue to support him if he is unwilling to seek a reasonable reconciliation with the Central Government. Finally I recommend that consideration should be given to telling commercial interests supporting M. Tshombe that they are doing a great disservice not only to the Katanga, but also to their own country in bribing M. Tshombe to resist the Central Government. The most likely outcome is a Central Government invasion of Katanga which the United Nations could probably not resist (even if they were willing to) and which might result in the destruction of much of the wealth of the Katanga.

7. As regards the events of September 13 I think we must recognise that because I could not enter Katanga I have only heard a part of the story. I believe, however, that we should not reject the assurances given to me by the late Secretary-General about the origins and scope of the United Nations action. In saying this I do not overlook the fact that in my view certain of the United Nations people on the spot viewed the operation in a different light and did little to help the achievement of a cease-fire. I recommend that we should be prepared publicly to take the line that:—

- (a) despite our misgivings we have been assured by the Secretary-General of the limited character of the action intended and that we have accepted his assurances;

² This seems likely to be a reference to the MI6 officer attached to the British High Commission in Salisbury. At the time, this was Neil Ritchie.

- (b) we do not feel however that all those concerned on the spot all acted with the same motive; and that the nature of their Press announcements gave us reason for our anxiety and was a factor which caused confusion;
- (c) we believe that the reason why the action went wrong was faulty appreciation and faulty intelligence;
- (d) the cease-fire is now in force and it has been reiterated that all the advisers mentioned in the resolution of February 21 must go and that we support the early removal of these troublemakers.

8. I believe that the recent Katangan military resistance was to a very large extent the result of European influence. The fact that I could not see for myself events in the Katanga makes it difficult to prove this and some of Her Majesty's Consul Elizabethville's reports contradict it, but I nevertheless state it as my conclusion.

9. On the Tshombe-Khiari agreement I recommend that we make clear our full support of the agreement. This we hope will result in a very early agreement between the Central Government and M. Tshombe. Unless it does there is a serious risk of a Central Government invasion of the Katanga. We should also stress our concern that the Katanga should be allowed to develop in orderly fashion and that no precipitate action should be taken against technicians without whose aid the economy of the Katanga cannot be maintained. We should oppose strongly the thesis held by some countries that the United Nations should continue their military reduction of Katanga.

10. I am hesitant about expressing a firm view on the long-term prospects for the Central Government. Despite M. Adoula's present anti-British line I hope it may be only a phase which will soon be forgotten and that my recommendations in paragraphs 5 and 6 above may help to lead to this. His Government, and he personally as Prime Minister, are probably the best we are likely to get. For the present I believe that he is in control and not the Gizengists. What we must avoid is to allow the situation so to develop that he is obliged to undertake a crusade against Katanga. This would, I think, destroy Adoula's Government and give full power to the Gizengists.

11. There are already reports of military advances into the Congo both by small bodies of A.N.C.³ troops and those under command of General Lundula. I could obtain no confirmation of these before I left the Congo, but although they would not amount to a serious invasion the writing is on the wall. We must therefore press ahead and use all our influence to see that an early political settlement is reached. For this I believe the presence of some powerful and acceptable candidate is necessary because I do not believe that any of the United Nations staff on the spot carries the necessary influence. I have in mind Mr. Jaja Wachuku or possibly Mr. Nwokedi. Mr. Gardiner is another possible candidate. I recommend that this should be pursued. His task would not be to propose solutions of what is essentially a Congolese problem, but to use his good offices to bring the parties together and keep them together until agreement is reached.

12. Finally, I cannot help recording that there still seems to be an emotional feeling in favour of an independent Katanga. I cannot emphasise too strongly how

³ Armée Nationale Congolaise (Congolese National Army).

unrealistic I believe is the theory that a friendly independent Katanga can exist alongside a truncated Congo; and that this would provide a buffer for Northern Rhodesia and permit the peaceful exploitation of the copper belt. The Congolese would simply not allow this.

Annex A to 308: The events of 28 Aug and 13 Sept in Katanga

Reports which the Foreign Office had received before my departure left little room for doubt that the United Nations action of September 13 was a determined effort to destroy once and for all M. Tshombe's Government. Not only did the course of events as known to us support this theory, but also the statements of the United Nations authorities in the Katanga seemed to confirm it. Moreover the Central Government authorities in declaring a state of emergency in Katanga on September 13 appeared to be acting in close concert with the United Nations and they lost no opportunity of claiming that the United Nations were acting as their agents.

2. My first meetings with members of the Central Government—MM. Adoula and Bomboko—showed that they supported the objectives of the United Nations action because they believed that the rebellious Katanga Government must be brought to realise what was its proper position and to be stripped of all pretence that it was the Government of an independent State. The United Nations had acted as their agents, they said, and had amongst other things executed their warrants for the arrest of Katanga Ministers.

3. My first meeting on September 16 with Mr. Hammarskjöld made it clear that the Congolese Government views were far from being accepted by him. He denied absolutely that the action of September 13 was taken at the request of or as the agent of, the Central Government. He said that the action was essentially an extension of the operation of August 28 and within the United Nations mandate. It did not therefore require any approval from him and he was not informed before it took place. On his arrival at Accra he had heard of it for the first time. I have reported fully on the Secretary-General's views in Leopoldville telegrams Nos. 1507 and 1516 and will only repeat the tentative conclusions which I drew therefrom.

4. The United Nations authorities felt the need to act urgently against foreign elements still in the Katanga—some of whom were to have been expelled, but who used the period before their departure to form and direct underground cells whose task was to oppose the United Nations. Moreover a campaign of intimidation was mounted against the United Nations consisting of stone throwing, incitement and arson. In planning their action the United Nations failed completely to estimate the degree of opposition which they would encounter and they thus became embroiled in military operations far beyond what they had envisaged. Moreover they permitted the operation to assume a character far from its original purpose, by Mr. O'Brien himself saying that they were acting as the agents of the Central Government and that their aim was no less than to restore the Katanga to control of the Central Government.

5. I believe the Secretary-General honestly and sincerely described to me the scope of the original operation. But I have gained a firm impression that certain of the local United Nations representatives held strong personal views about the future

of M. Tshombe's Government and thus profited by the opportunity to seek to destroy him. Moreover with this objective in mind they made little or no effort to see that a cease-fire was achieved.

Annex B to 308: A cease-fire in Katanga

By the time of my arrival in the Congo the position of some of the United Nations garrisons was fast becoming critical, although Mr. Hammarskjöld told me in my first meeting with him on September 16 that he was satisfied that the United Nations had sufficient troops in Katanga to maintain their position. A new element, however, appeared when Fouga jet aircraft based on Kolwezi began operations. Its effect was such as to paralyse the United Nations air transport service which is based entirely on civilian pilots and thus seriously to affect the mobility of the United Nations force. The material damage caused to United Nations aircraft and troops was not negligible, but the effect of the appearance of the aircraft was out of all proportion to their number.

2. It my first interview with Mr. Hammarskjöld, before I could urge him to make a personal effort to achieve a cease-fire he told me that he had already reached the same conclusion himself. He told me what he proposed and I said that Her Majesty's Government and I personally would give him every assistance in attaining his objective. His choice of Ndola as a rendezvous greatly surprised me, but with your approval the plan went ahead and M. Adoula acquiesced in it I offered my services to the Secretary-General and said I would go with him on his plane—not to participate in the talks, but to help behind the scenes. He said that he preferred that I should go ahead to Ndola to see that all was arranged and that I should thereafter make myself scarce before he arrived. He provided me with a United Nations' plane for this purpose which he told me I could also use to go on to Salisbury to see Sir Roy Welensky.

3. On my way through Ndola I spoke for a few minutes to M. Tshombe and to Lord Alport and Mr. Dunnett. My aircraft took off shortly after the Secretary-General's had made radio contact with Ndola control tower and passed overhead. Minutes afterwards it crashed.

4. On my return to Leopoldville the following day I found that Mr. Linner needed no urging to carry through the late Secretary-General's initiative. Although somewhat disquieted by his choice of M. Khiari as his envoy I gave him such help in preparing for the meeting as I could. Despite gloomy predictions that M. Tshombe might prove unwilling to negotiate with M. Khiari and suggestions that M. Tshombe's terms might be so far reaching as to be unacceptable, I am delighted to report that agreement was reached on September 20 for a cease-fire which came into effect at midnight that night. Before I left Leopoldville the following morning Mr. Linner was able to tell me that it appeared to be being observed.

Annex C to 308: The political situation in the Congo

I was able to have frank discussions with all the leading members of the Central Government. In particular I spoke with M. Adoula, the Prime Minister; with the two

Vice-Prime Ministers, MM. Gizenga and Sendwe; and with the Minister of Foreign Affairs, M. Bomboko.

2. I took a very favourable view of M. Adoula, a man of personal charm who weighs his words carefully and who, despite the emotion to which I am told he frequently gives vent, remained entirely calm with me. Only in speaking of the death of Mr. Hammarskjöld, for which he persists in feeling himself responsible because he invited him to the Congo, did he give vent to his deepest feelings. He made a point of having M. Gizenga with him throughout the greater part of our two long talks, but I did not get the impression that M. Adoula felt he was under the eye of 'big brother'. Although I have no doubt that M. Gizenga is a clever and scheming politician, whom I hope M. Adoula will be able to restrain, I did not feel that M. Gizenga dominated the Prime Minister. The danger—which is a very real one—is that if popular opinion demands military action to effect the return to the fold of the rebellious Katanga, he will not feel strong enough to refuse to resort to force and will find himself carried away by a tidal wave which will end by drowning him. If, on the other hand, the demand for forcible action against the Katanga is made and he seeks to refuse it he will be thrown overboard by the extremists and M. Gizenga and his friends will assume the leadership of the party.

3. This underlines the vital necessity, if a stable Government is to be maintained in the Congo, of early talks with the Central Government following a cease-fire. If M. Tshombe refuses to co-operate in disposing of foreign elements to which he agreed on August 28, or if the United Nations does not take a firm hand and drive on towards the next stage of the political operation, there is a very real danger of the disintegration of the Central Government which, in my opinion, can only be inimical to Western interests.

4. If, on the other hand, plans for bringing together the Central Government and the provincial Government make progress I believe that M. Adoula will sincerely seek a solution within the framework of the *Loi Fondamentale* and I believe that it is within his power to achieve it. I believe that M. Tshombe must realise that he will not enjoy the support of more than narrow sectional interests if he persists in demanding secession or a confederal Constitution. If he wishes to continue to play his part in the politics of the Congo he will have to do so within the Constitution, although of course it is always open to him later to seek its amendment by Parliamentary means. M. Adoula repeatedly expressed this view to me and M. Gizenga concurred.

5. I was also impressed by M. Bomboko who expresses himself with great fluency and does not seek to hide his real fears of the present situation. He is under no illusion about the threat represented by men such as MM. Gizenga and Gbenye, but believes that with Western support the moderate elements can continue to dominate the Government.

6. Since I was not able to visit Elizabethville I did not meet members of the Katanga Government at work. I did, however, meet MM. Tshombe, Kibwe, Kimba and Mwamba at Ndola for a few minutes. M. Tshombe was desperately tired, but calm and courteous. M. Kibwe was exceedingly rude and made a deplorable impression upon me. The others did not speak.

7. My talks with the Government revealed the deep distrust of Her Majesty's Government's policy despite my assurances on the subject. If we are to have any real influence on the Central Government this impression must be dispelled.

Annex D to 308: Discussions with Sir Roy Welensky

I have reported by telegram (United Kingdom High Commission Salisbury telegram No. 139 of September 18), the substance of my discussions with the Federal Prime Minister. I told him the extent of my conversations thus far with Congolese Ministers and with the Secretary-General. Our conversation was to some extent dominated by uncertainty as to the fate of Mr. Hammarskjöld whose aircraft was still missing.

2. I was struck by the firmness of Sir Roy's definition of his policy which was to maintain the unity of the Congo. He stressed that he had frequently told M. Tshombe that the future of Katanga lay within the Congo. He had never supported secession. He admitted that he was a bitter opponent of the United Nations tactics in the Congo and that for this reason he was prepared to assist M. Tshombe to make his position clear since facilities in the Katanga were denied to him. He had provided no military support, nor would he do so. He was willing to provide food and medical supplies for humanitarian purposes.

3. I encouraged him to make his views plain to M. Adoula and he agreed to send him a message which I delivered on September 21.

4. I believe my visit was useful in making clear to Sir Roy Welensky Her Majesty's Government's attitude to the Congo and in giving him our latest assessment of the situation. I hope that it will prove useful in making clear to the Central Congolese Government that Sir Roy Welensky is not the implacable enemy they see him to be. For me it was most useful to hear from Sir Roy Welensky and Lord Alport of the impact on the Federation of events in the Congo. They made very clear to me the dangers which could follow for British territories if a Communist-dominated Government in the Congo should exercise its influence up to our frontiers.

309 DO 158/70, no 52

7 Oct 1961

[Barotseland]: inward telegram no 266 from Sir E Hone to Mr Macleod on discussions between Litunga, the paramount chief, and Mr Greenfield, the federal law minister

Your Personal No. 266.

Barotseland.

I shall now act on lines indicated in paragraph 1 of your telegram and I deal further with this in paragraph 6 and 7 of this telegram.

2. The following further developments have occurred. Federal Government advised in telegram received here on 29th September that Greenfield would visit Mongu on 3rd and 4th October to inspect federal prison and pay compliments to Litunga. He proposed staying with prisons officer but when met at Mongu airport graciously accepted Resident Commissioner's invitation to be his guest. It was learned before Greenfield's arrival that prisons officer had been instructed no publicity should be given to visit.

3. Greenfield told Resident Commissioner on his arrival at Mongu that he had private discussions with Litunga and after a joint visit with Resident on 3rd might wish to return to Lealui alone on 4th October. We were of course aware that Greenfield might want to have private discussions with Litunga and I had instructed

Resident Commissioner that, while he should offer to accompany Greenfield, he was not to risk diplomatic snub if he felt it likely that on arrival at Lealui he would not be received with Greenfield. Resident Commissioner had reassured himself with Litunga that this would not happen and he and Greenfield were received together on the afternoon of 3rd October. There was discussion concerning the Lewanika Hospital, Mongu which is a federal responsibility and which has recently been under attack by U.N.I.P. for its allegedly poor service. This led on to a discussion of U.N.I.P. and African nationalism generally both within and without Northern Rhodesia. Ngambela spoke very critically of the strength of the Northern Rhodesia police stationed in Barotseland. He was taken up by Resident Commissioner and was asked to be specific in his complaint. Ngambela eventually tried to back out of this discussion. When Litunga referred again to dangers to Barotseland of African nationalism Greenfield commented that Federal Government was concerned to see that intelligence was collected and pooled and added that federal forces were available to territorial governments on request. Resident Commissioner's feeling was that the Litunga and his entourage were trying to impress Greenfield and to this end beating of royal drums and singing provided a distracting accompaniment to the discussions.

4. Greenfield paid private visit to Lealui on 4th October unaccompanied (repeat unaccompanied) by Resident Commissioner. Godwin Lewanika who, although at Lealui on 3rd October had not appeared, was, according to reliable information present during discussions on 4th October. Same source of information which cannot be quoted indicates that following emerged. Greenfield said:—

- (a) He would assist B.N.G. in demand for secession from Northern Rhodesia provided their intention was to become a separate state within Federation. He warned that negotiations would not be easy.
- (b) B.N.G. should have permanent lawyer to represent their interests during negotiations.
- (c) That in his view H.M.G. had given assurances that Barotseland could not be affected by nationalistic gains in Northern Rhodesia without full consent of Litunga and Council.

5. Outcome of discussions appeared to satisfy Litunga and Indunas present. Resident Commissioner saw Greenfield after he returned from Lealui and drove him to airport on afternoon 4th October when he left for Salisbury. At no stage did Greenfield indicate or even hint at purpose of private visit to Lealui but was grateful for arrangements made for him generally whilst in Mongu.

6. I intend that Bean should go to Mongu soon to give the Litunga the message contained in your Personal No. 266. He will state the position in clear terms and, depending on the Litunga's reaction, will endeavour to lead the discussions to an assessment of the situation and a constructive approach to the problems facing Barotseland, in particular the stresses within the protectorate's own governmental system and the economic and political relations between Barotseland and the rest of Northern Rhodesia. Bean will not at any time indicate to the Litunga that we are aware of his negotiations with the Federal Government.

7. I would not myself propose meeting the Litunga at present as I think it important that the Governor should not at this stage risk being involved in impasse with Litunga. If Bean's discussions are not successful then I will propose to you an

even firmer message from H.M.G. which I would then convey to the Litunga myself in a further attempt to solve the problem.

8. I do not at this time propose indicating to the Federal Government that I am aware of their activities. However in accordance with paragraph 3 of my Personal No. 279 I shall now inform Welensky of the message which Ministry of Native Affairs is to take to Litunga.

310 DO 158/77, no 2

19 Oct 1961

**'Ministerial responsibility for Northern Rhodesia and Nyasaland':
memorandum by M R Metcalf on arrangements in Whitehall**

Sir Roy Welensky proposed in April 1957 that a special Department in Whitehall should be set up to deal with Central African affairs. The outcome was a statement in the joint announcement to the effect that the whole question of the responsibility of different Ministers for relations with the various parts of the constantly evolving Commonwealth would have to be examined and Sir Roy Welensky's suggestions would be borne in mind.

2. The suggestion that all Central African affairs should be dealt with in the Commonwealth Relations Office was considered by officials (the Trend Committee) in June 1959 in the context of the Federal Review Conference. It was then agreed that administrative convenience pointed to the Commonwealth Relations Office assuming responsibility for all matters in relation to Central Africa; but the Colonial Office while recognising that it would not be practicable for the responsibility to be concentrated in themselves could not advise that in the state of opinion at that time in the Northern territories full responsibility should be vested in C.R.O.

3. The arguments in favour of bringing Central African affairs under the C.R.O. were set out in a C.R.O. note to the Trend Committee. They can be summarised as follows:—

(a) the incongruous position of the affairs of the Federation being handled by two Departments responsible to two Secretaries of State who might be thought to hold divergent views would be remedied. Instead there would be one voice in Cabinet on all matters affecting Federation and the three territories.

(b) concentration of work in one Department would lead to greater efficiency in the co-ordination of instructions sent to the High Commissioner and to the two Governors and eliminate the time now spent by the C.R.O. and the Colonial Office in consulting each other.

Administrative arrangements

4. To bring this change about it would be necessary for the C.R.O. to be able to use the C.O. Advisers and specialist Departments on matters affecting the Northern territories (as they have done for the High Commission territories).

5. The present administrative structure in the Northern territories would not need to be changed; officers on H.M.O.C.S. could still serve there as they have done in the High Commission territories. The Governors would simply report to a different Secretary of State in London. Nor need the present organisation of the British High Commissioner's Office in Salisbury be changed except for some minor

adjustments to meet the position of putting the Governors and the High Commissioner under the same British Minister. The opportunity might be taken to give a co-ordinating role to the High Commissioner (this is already operating in some degree).

6. These new arrangements would be acceptable to the Federal and Southern Rhodesia Governments as a logical development for the future advancement of the Federation. Initially, therefore, confidence between the Federal and British Governments might be increased but disillusion might follow. The hard fact is that so long as the British Government retains responsibility for the Federation, they must from time to time take decisions which are unpalatable to the Federal Government.

7. The African would no doubt be highly suspicious if the Colonial Secretary gave up his direct connection with their affairs. He is, of course, regarded as their champion in the Northern territories while under the present setup the C.R.O. is unavoidably identified in their minds with the Federal Government and the 'white settlers' in Southern Rhodesia. They would no doubt conclude, therefore, that the policy of the British Government had swung in favour of permanently subjugating them to European rule. They will never understand (nor will most Europeans) that the policy of the British Government in Northern Rhodesia and Nyasaland is the policy of the whole Government and not of an individual Minister.

Timing

8. In spite of these difficulties and misunderstandings, the case for the transfer of responsibility in the Northern territories to the C.R.O. is a very strong one if we are to continue to aim at welding together into a successful Federation all three constituent territories. But the question of timing is a difficult one. One can imagine for example that Dr. Banda would become even more restless to break away from Federation if there was a move to introduce this change before the Federal Review Conference is resumed. Kaunda would also suspect that the change would set back further advancement of the Africans in Northern Rhodesia. The Trend Committee, and Lord Alport in his letter, both suggested that the opportunity for making this transfer should be taken when there is an overall distribution of responsibilities between the two Departments. However, this is, I understand, some way off (possibly not before 1963) and may well be too late. The time to have made the transfer was at the start of Federation and if this had been done the Federation might be in a much stronger position than it is today.

311 DO 158/25, no 18

20 Oct 1961

[Nyasaland and the USA]: letter from J D Hennings¹ to K J Neale²

Thank you for your letter of the 6th October about Chisiza.³ I got in touch with him last week, although he seemed slightly surprised that I had found out that he was around.

¹ Colonial attaché, Washington, 1960–1963; CRO, 1963; head of British High Commission, residual staff, Salisbury, 1966–1968.

² Principal, CO, Central Africa Office, 1962–1964.

³ Dunduzu Chisiza, parliamentary secretary to the Nyasaland ministry of finance, 1961–1962.

He seems to have had the customary Leader Grant⁴ run round Washington, for someone with his interests, and to be enjoying himself. He struck me as more than a little under-confident and comparisons of what he said to me and what he told the Americans confirms my impression at the time that he was being extremely guarded with me. This is perfectly understandable, in a way, and I hasten to say that he was entirely friendly and relaxed. To me he said that Banda was not yet thinking of further constitutional advance and had no date in mind for secession from the Federation; he told the State Department Banda was engaged in discussions with the Governor which would lead to further constitutional advance by the removal of official members and the grant of more power to himself; by the end of this year or early next Banda would go to London to seek full internal self-government and a date for independence and Nyasaland would then secede.

In his talk with me he said that the economic consequences of secession were irrelevant; it was political considerations that mattered. Forced unions were doomed, and to prove his point he quoted the Mali Federation and the defection of Syria from the UAR. It was the responsibility of economists to rationalise the economic consequences of political decisions, although personally he felt that Nyasaland could weather those economic consequences with little difficulty. He had hopes of persuading the Americans to help, and of bringing them to a keen appreciation of Nyasaland's needs, although he had discerned certain apprehensions on their part about the Balkanisation of Africa which he ascribed to representations by the Federal Government. As you say, his command of his case is good; the only time he brought me up short was when he told me 'Federation was designed as an instrument to perpetuate white supremacy and had been forced through by a Jew in the Colonial Office to preserve Jewish investments in Rhodesia'!

In the State Department, Chisiza saw most of those dealing with his part of the world up to Wayne Fredericks, who is acting for Governor Williams,⁵ while the latter is in North Africa. He also saw Professor Rostow⁶ and did a varied tour of other U.S. agencies here. He is now in New York and departs on Sunday for a five week trip across this country. The general assessment of him here is that he has read a lot of books, but his exposé of Nyasaland's affairs and prospects has not been wholeheartedly accepted, nor have his assurances about the slightness of the economic effects of defederation been swallowed; but his argument that politics not economics are the decisive factors is recognised as having truth. Apparently, however, a gentleman in ICA, of the name of Mapes, who is newly appointed deputy director of operations in East and Southern Africa, has accepted all he had to say with great enthusiasm. He has also seen the World Bank, where he talked with McIvor, Cope and Léjeune. This was a general survey of the Bank's operations, and did not get to grips with any particular projects that Nyasaland might have in mind. The Bank, however, touched upon the fact that, as they understood the situation, any application by Nyasaland would need to be processed through the Federal and British Governments. Chisiza made a wry face about the former, but did not take the matter further. The Bank tell me that they thought Chisiza intelligent, but have no idea whether the impressions he took away were favourable or not; he appeared to them as to me, to keep his thought very much to himself.

⁴ Presumably a reference to the Smith-Mundt Leader Grants, awarded by the US department of state.

⁵ George Mennen Williams, US Secretary of State for African Affairs.

⁶ Dean of Yale Law School, 1955–1965.

With the Americans, Chisiza's theme was that after independence there would be the inevitable mood of disillusionment, and Nyasaland's friends would come to her aid, or else she would have no alternative but to turn to Russia. She could expect a little help from the UK, but that would be inadequate and grudgingly given. Apparently we would wish to pay Nyasaland out for breaking away from the Federation. Dr. Banda, therefore 'placed himself, his future and his faith in the hands of the President of the USA'.

The dynamic programme of economic development that would dispel this sense of disillusionment would concentrate first upon better land use, secondly upon the creation of the infrastructure for a modern industrialised state: roads, harbours, railways etc; thirdly upon a determined and vigorous programme to train up Nyasalanders to run their own country. The State Department reminded Chisiza that when Dr. Banda was here earlier, he spoke of 'my road, my dam and my university': that is a road round the lake to increase tourist potential, a dam on the Lower Shire river to bring more land into cultivation and to provide hydro-electric power and a university of Livingstonia. Chisiza said that all these were essential, too, as a 'monument to future generations of the faith and courage of their forefathers'. There were, for example, 400 young people in Nyasaland qualified for University education for whom there was no university.

No one in the State Department was greatly impressed with the realism of all this. We have up to now succeeded in persuading them not to count upon the dissolution of the Federation. They are aware of the economic consequences of its break up, and they accept that if considerable constitutional advance can demonstrate that partnership and federation does not mean white supremacy, Africans, once they realise that the ball is, so to speak, at their feet, may be persuaded to remain in a reorganised federation, rather than secede from it only to come together again, as they now say they will, in some different union at a later date. But while they accept that all the arguments are in favour of our trying to keep the Federation together (and indeed Governor Williams in his Philadelphia speech of September 18th, a copy of which I sent Owen Morris, publicly recognised America's interest in the success of the Federation's policy of racial partnership) privately they are, I think, far from convinced that we shall be successful. Governor Williams' commendation of the policy of racial partnership remains valid of course even if the Federation falls apart. I believe they recognise that we cannot give any assurance of success, but inevitably, they are not unaffected by the apparently invincible determination of Banda and his colleagues to take Nyasaland out of the Federation, quite apart from what Kaunda has to say. And they are baffled and concerned when they try to assess the consequences of the Federation's break-up for themselves.

It would, I think, be going too far to say that anyone in the State Department has yet begun seriously to reflect upon the situation that would obtain if Nyasaland did go it alone. Occasionally, in the context of talks about East African Federation, I am asked about the chances of Nyasaland joining up with it, or Northern Rhodesia as well, but generally this is regarded as building castles in the air, though Ernest Vasey⁶ was trying to sell it earlier this year in Washington. Nyerere, when he was here, was definitely unenthusiastic to the idea of Nyasaland dumping itself on Tanganyika, which he thought poor enough already, and let it be known that Banda's

⁶ Finance minister, Tanganyika, 1960–1962.

kite-flying about this wasn't helpful to his efforts to bring an East African Federation into being. I rather pooh-pooh the idea when it is raised with me, pointing out that apart from emotion, Nyasaland has few real links with East Africa, that economically she is oriented southward to the Rhodesias, that emotion is not a sound basis for policy and that our hope is that responsibility in office will lead Banda and his colleagues to become a little better acquainted with the real facts of life for Nyasaland.

But these balls are being tossed around. Governor Williams has returned from his trip convinced of the importance of Central Africa, and someone in the State Department may someday begin to think seriously about the problem. Depending who he is, and given the propensity of Americans to think in terms of the Communist challenge in Africa, it is possible that his conclusion would be that Nyasaland, if she seceded, would present an economic mess, wide open to Sino/Soviet economic, and subsequently political, penetration. You may well tell me that such a thesis does not stand up to detailed examination, but to Americans it can easily seem plausible. While not falling entirely for Chisiza's rather unsubtle 'redmail', therefore, the State Department may indeed begin to wonder whether it should not pre-empt the Communists by adopting a more forthcoming attitude to Banda's present calls for economic assistance. That America should be ready to help—though the actual amount, despite all the noise, is not likely to be large—is all to the good. What concerns me is the political preconceptions about Federation which may play a part in the decision to help. No doubt any extension of American aid would be played up by Banda as evidence of American understanding for his objective of secession, and American disclaimers, even if they were made, might well lack conviction.

I have a hunch that a reappraisal of this sort may be put in hand sometime soon. It will no doubt try to be an objective survey of the pro's and con's, and could conceivably come up with the conclusion that the Federal Union must be preserved (this is good American doctrine, quite apart from the present endeavours to maintain the unity of the Congo!) In any event, I am quite sure that Governor Williams will insist that the fullest cooperation and consultation be maintained with us, but we do not, I suggest, want to find ourselves in the position of talking on the basis of an American 'position paper' which considers that the breakup of the Federation is more likely than its continuance. I suggest that we ought to see if we cannot discreetly get our blows in first, and see if we cannot influence American thinking in the formative stage.

The least, I would hope we could do would be to provide them with some up-to-date assessment of Nyasaland's economic dependence upon (a) the Federation and (b) the U.K., both for its ordinary budget and its present albeit modest development programme, with some estimate of the repercussions on both if she seceded. An assessment on both these Heads was attempted in the recent Africa Committee paper on the future course in East and Central Africa and the likely financial calls upon the U.K. Could this be summarised, or expanded and brought up to date in a form suitable for transmission to them. Their present interest in offering some financial assistance to Nyasaland would provide a useful excuse for this.

I am not so sure about how far we should go in taking the Americans into our confidence on the political prospects for Federation, although we might provide them with some authoritative and comprehensive statement of our present policy, which would, I assume, show that we were as determined as ever to hold the

Federation together, even if we could not give any estimate of our chances of success. I have no evidence here to suggest that we have begun to think about alternatives to the maintenance of federation, and even if we had, there are obvious risks in letting the Americans know this. Information that we had begun to contemplate alternatives could only too easily generate a momentum of its own which would unfavourably prejudice the prospects for Federation. Probably, all that the Americans would want from us is some assurance that even if the Federation collapsed, unlikely though we think that to be, there would still be some time before either of the northern units advanced to independence in which to evolve arrangements which would preserve as much regional cooperation as possible and to produce stable governments in those units.

I have talked these ideas over with John Shaw, the CRO representative in Chancery, but we neither of us know how far our two offices will feel able to go along with them. What I am concerned to ensure, however, is that any American reappraisal that may be undertaken should be based upon the widest knowledge of the facts and be conducted in close consultation with us. I do not suggest in any way that things have got to the point where it would be prudent to have an Anglo/American working party to chew it over. All this letter intends to do is to sound a warning note that as a result of Banda's harping on secession, and Governor Williams' access of interest in this part of the world, there are signs that the State Department's curiosity may be beginning to question the premise that the Federation is a permanent feature of Central African life.

I am copying this letter to Foot in New York.

312 CAB 21/4625

25 Oct 1961

[Federal review conference]: note for the record by T J Bligh of a meeting at Admiralty House¹

The Prime Minister said that in view of the imminence of Sir Roy Welensky's visit it would be useful if the Government could clear its mind on a number of matters that he would wish to discuss, in particular the Federal Review Conference and its associated problems.

The Federal Review Conference had been adjourned the previous December so that discussions could take place within the three separate territories on constitutional advances in the territory. Nyasaland was settled, Southern Rhodesia was more or less settled, Northern Rhodesia alone remained uncertain. It had been envisaged that when the three territorial discussions had been completed the Federal Review Conference would be resumed. Did the Government still believe that to be right?

With regard to Northern Rhodesia, he had seen from a recent telegram that the Governor had put forward the idea not of further written representations but of a round table conference at which the leaders of the main political parties could put forward orally their ideas of what changes, if any, should be made in the scheme that had been announced by H.M.G. in June.

¹ Present: Macmillan, Sandys, Brook, Bligh and Reginald Maudling, who succeeded Macleod as secretary of state for the colonies in the reshuffle on 9 Oct.

The Prime Minister went on to say that the constitutional discussions in Northern Rhodesia had been frozen for so long as there was violence and unrest within the territory. No doubt the Governor would soon advise that the situation had returned to normal. It would therefore be necessary for H.M.G. to take some decision in the near future.

The Colonial Secretary thought it probable that the Governor would report in about a week to ten days that the security situation had returned to normal. He thought it essential that he, as a new Secretary of State, should visit the territory and talk to the political leaders before any decision was announced by H.M.G. He would also like to discuss the position with Sir Roy Welensky, who might well have some ideas on what changes could be made. His own personal view was in general, although he had not had much time yet to study the problem closely, that we should have to make some move from the June position towards the Africans. There was one point that seemed to him important: Sir Roy Welensky was coming to this country and would therefore be talking to H.M.G. before any decision was made and announced. This would give rise to suspicions on the part of the Africans unless they could establish equality of access to H.M.G. There would be a number of difficulties if the African leaders came to this country. It seemed all the more important therefore that he should visit the territory and be available there for talks with the African leaders as a counter-balance to Sir Roy Welensky's visit to the U.K.

In general discussion about the Northern Rhodesian constitution *the Commonwealth Secretary* said that the original intention had been to establish parity between races and in the course of the discussions that had gone on this had become changed into parity between the Rolls. Many of the difficulties and differences that had arisen had been due to this change but when we had announced in June that the minimum qualifying percentage would be on a racial rather than a Roll basis this had aroused no comment. He thought that it would be a reasonable aim to try to get back to a scheme based on parity between the races but perhaps keeping the Asian seat. He agreed that it was important to avoid the appearance of Sir Roy Welensky seeming to settle the issue. He added that most Europeans in Southern Rhodesia would feel it right for the next phase of constitutional advance throughout the Federation to be based on racial parity since in Southern Rhodesia there would be a European majority, in Nyasaland an African majority, and Northern Rhodesia could be exactly balanced. There was, he thought, no logical basis for any particular change in the June proposals for Northern Rhodesia. The only principle that H.M.G. could adopt would be universal but not extreme dissatisfaction. It might therefore be necessary to make some changes in the scheme that would in some respects favour both the Europeans and the Africans.

It was agreed that it would be right for the Colonial Secretary to go to Northern Rhodesia and meet the African leaders, and thereafter announce H.M.G.'s final decision. It might be suitable if he were to plan to leave on or about November 23, namely towards the end of the Tunku's² official visit. It would be desirable not to appear to reach a decision too soon after his visit. The aim should be to make a final announcement on Northern Rhodesia at the beginning of January.

The Commonwealth Secretary thought that Sir Roy Welensky would be mainly interested in the future of the Federation. If the Federal Review Conference were to

² Tunku Abdul Rahman, prime minister of Malaya.

be resumed it would have to wait until there were, in the three separate territories, Parliaments which had been elected on the basis of the new constitutions. This could not come about until at the earliest July 1962. It seemed scarcely feasible to contemplate resuming the Federal Review Conference as adjourned last December and following the same pattern starting up again next July. His own feeling was that we should adopt a different approach and that there should be informal consultations between the different Governments. One possibility would be for himself to visit the three territories and have discussions with their Governments, and then have discussions with Sir Roy Welensky. An alternative possibility would be for him to talk to Sir Roy Welensky and try out a different approach. He was certain that Sir Roy had in mind possible advances within the Federal field. If Sir Roy Welensky were to announce these concessions and secure two-thirds majority for them it might be possible to implement such proposals throughout the Federation. Certainly we could do this administratively if the three territories were agreeable. If the territories had any objections these could be discussed and we could proceed by way of Order debated in Parliament. It was possible to contemplate offering the Federation independence now if Sir Roy Welensky were prepared himself to make sufficiently radical advances. An advantage of proceeding in this manner would be to confront him directly with pressures from the Africans, which at present we were having to bear. It would put the onus on to his shoulders.

The Colonial Secretary thought that a solution on these lines would need extremely careful consideration, especially in the light of our pledges contained in the preamble to the Constitution. His own feeling was that the Federation as at present constituted was a dead duck but he felt he would like to get his own ideas clear. But he thought it might be useful if Sir Roy Welensky were himself to have discussions with the three constituent Governments. The Colonial Secretary added that although the future of any form of federation was very uncertain he thought it would be better to have an African majority in Northern Rhodesia that was in a good frame of mind and could be persuaded of the merits of some form of federalisation rather than have an African minority in a bad frame of mind who would not ever agree to any form of federation whatsoever.

There was then a general discussion on what form a future federation might take. One possibility would be to have a Federal Government which started with few powers and, as confidence in it grew, obtained wider powers.

It was agreed that there should be further consideration of this problem by the two Secretaries of State, and in the meantime the Commonwealth Secretary should send a minute to the Colonial Secretary outlining his ideas about the changes that might be made in the Northern Rhodesia Constitution.

313 DO 158/25

30 Oct 1961

[Nyasaland and the Federation]: minute by J Bourn¹

At a meeting in the Colonial Office today Monday, 30th October, Sir Glyn Jones discussed with officials, including C.R.O. Representatives, the attitude of Dr. Banda

¹ CRO; Central Africa Office from 1962.

to the Federation. The Governor will see the Colonial Secretary tomorrow and Mr. Braine is to attend that meeting.

2. It is already clear that Dr. Banda intends to oppose Federal intervention in Nyasaland affairs as much as possible, and indeed to refuse to have any dealings with the Federal authorities except where statutorily this is essential. The clash between the Nyasaland and Federal Governments has occurred already in two particular matters, the Nkula Falls project and the forthcoming Commonwealth Education conference. The Governor made it clear that these are only individual aspects of the main problem, the key to which is the future of the Federation itself and Her Majesty's Government plans for dealing with that.

3. The Governor emphasised that unless Dr. Banda can be assured by the end of this year that some developments which he would regard as satisfactory relating to the future of the Federation are in sight, a situation could well arise involving violence and calling for the intervention of security forces, in Nyasaland. What Dr. Banda wants is the prospect of the resumption of the Review Conference at a fairly early date, with secession on the agenda.

4. No decisions have of course yet been taken about the date of the resumption of the conference, but present thinking in Whitehall is that the conference should be resumed in about 12 months time after the next elections in Northern Rhodesia and Southern Rhodesia have taken place. On the other hand, Sir Roy Welensky in a statement in Salisbury last month said that he was coming to the conclusion that it was not necessary to reconvene the Conference. This statement evidently disturbed Dr. Banda who has been to some extent reassured by the Governor with the view that Sir Roy Welensky does not have the last word in this.

5. After discussion, the Governor said that he thought that the position could be held with Dr. Banda and possibly some arrangement for a *modus vivendi* reached between Nyasaland and the Federal Government pending the resumption of the Review Conference. It would be necessary for Dr. Banda to receive some fairly firm assurance (in confidence at least) that the conference would be resumed roughly at a certain date and that secession would be on the agenda. It might not be necessary for the Governor to take back with him at once assurances on this point, but the promise of an early visit to Nyasaland by the Colonial Secretary might hold the position for the time being. If it was necessary to have a deferment of the Review Conference for 12 months, then Dr. Banda might well want to have some further constitutional advance promised him in the territorial sphere in the meanwhile.

6. *Comment*

It will be very difficult to get Sir Roy Welensky, who will be in London next week and be discussing the Federal Review Conference, to agree to any formula for transmission to Dr. Banda, which included any promises about the discussion of secession. The Federal Review has recently been considered between the Prime Minister and the Commonwealth and Colonial Secretaries. Mr. Sandys said then that he was thinking of a possible offer of a Federal independence in return for certain concessions to be made by Sir Roy Welensky in connection with the Federal structure. Mr. Sandys has also in mind to visit the Federation shortly to discuss with interested parties.

7. In discussion with Sir Glyn Jones tomorrow, the C.R.O. representatives should, no doubt, emphasise:—

- (i) the difficulty of clearing any agreement with Sir Roy Welensky which appeared in any way to recognise the right of Nyasaland secession;
- (ii) that Dr. Banda should not be given any promise about dates or agenda for the resumed Federal Review which later we could not implement;
- (iii) that the Governor should not in telling Dr. Banda of the proposed visit to the Territory by the Colonial Secretary give him any assurances that the Secretary of State would be able to bring any firm commitments about the Federal Review.

8. Our present intentions are, I understand, to persuade Sir Roy Welensky during his visit to London, that:—

- (i) the Review Conference should take place after the elections in Northern Rhodesia and Southern Rhodesia have taken place;
- (ii) that he should be prepared to offer substantial concessions regarding African representation in the Federal Assembly;
- (iii) that he should make his own proposals for the future Federal constitution and the distribution of functions to H.M.G. in the light of territorial constitutional developments, as soon as possible.

9. It is suggested that a convenient basis for uniform action which could be taken both by the Federal and Nyasaland Governments might be for them to be asked to submit to H.M.G. their comments on the Monckton Report in the light of more recent developments. The Governor thought that the Nyasaland Ministers could be kept busy for some time by the establishment of some working party which could ostensibly be in preparation for the Review Conference and the consideration of Nyasaland's part in that Conference. No doubt the temptation would be to consider the methods by which Nyasaland could leave the Federation, but the study of the problem might bring the Ministers up against a more practical realisation of the difficulties that they would encounter if they left the Federation. The suggestion of calling for comments on the Monckton Report from all the Governments concerned would have a presentational value in that it would suggest that all parties were engaged on the same problem and preparing in similar ways for the resumption of the Conference.

10. *Nkula Falls Project*

It appears from the discussions with the Governor that the Federal Government, or at least Sir Malcolm Barrow the Minister responsible, intend to make an issue of Federal implementation of the hydroelectric scheme, and thus put Dr. Banda on the horns of a dilemma, since he will seem either to be accepting the existence of Federation or denying Nyasaland much needed help. Sir Roy Welensky is perhaps not so adamant about making an issue of this matter. Lord Alport has agreed with the Governor to try to persuade Sir Roy not to force it. But the Federation will certainly use the argument that they must have control of the project in order to reassure investors.

11. The Colonial Office are enquiring about the extent of C.D.C. interest in the project. If in fact that interest is substantial, it might be possible to persuade Dr. Banda that it is the Corporation and not the Federal Government which is really the sponsor of the project and therefore his opposition to it may be reduced, but this is doubtful.

12. The meeting with the Governor did not discuss the Nkula Falls Project in detail, but it appeared clear that the Governor felt that the important thing was to reach an agreement with Dr. Banda about the future of the Federal Review etc. and that then an accommodation on the particular project might be reached.

314 DO 158/43, no 36 16 Nov 1961
 [Federation and the USA]: letter from J D B Shaw¹ to E G Le
 Tocq (CRO)

You will by now no doubt have learned of the impression of H.M.G.'s views on the future of the Federation received in the State Department as a result of the extraordinary gloss placed by Emerson,² the United States Consul-General in Salisbury, on certain views referring to the way the component territories of the Federation were likely to go, which are said to have been expressed in talks between the Governor of Northern Rhodesia and Senators Gore, Neuberger, and Hart. As indicated in his telegram Brief No. 195 of November 15 to the Colonial Office, John Hennings, the Colonial Attaché here, was given a sight of the actual report which had been received from Emerson. There can therefore be no doubt as to the terms in which the latter conveyed to his Government the views attributed to Sir Evelyn Hone.

2. What strikes one as immediately remarkable is the ignorance of British methods and channels of communication, and indeed of the general structure of our interests and responsibility in the Federation displayed in the assumption that a private discussion of this nature with three influential members of the United States Senate would be the chosen vessel through which H.M.G. made known to the United States Administration a fundamental reappraisal of its policies in Central Africa. Emerson is of course an experience career officer who served previously in Lagos before Nigerian independence, and who one might suppose had a reasonably close acquaintance with the way we work in our African territories.

3. The curious notion that United States influence might be brought in to bridge the gulf between 'the lower echelons of the Northern Rhodesian

¹ On secondment from CRO to FO and posted to Washington, 1961–1962.

² According to Emerson's report, Sir E Hone anticipated that an attempt would shortly be made to hold the Federation together through a looser form of association, but had expressed doubts about the likelihood of it succeeding. Hone thought that Nyasaland would secede, possibly joining a federation of East African states, and that any attempt to preserve the association between the Rhodesias would lead to violence and would ultimately fail. He also allegedly expressed some sympathy for the Africans over the recent violence in his territory, claiming that they had been sorely provoked. Emerson concluded that these remarks were intended to enlist US assistance in constitutional negotiations. He suggested the US might have a particular role to play as a bridge between the Africans and the 'lower echelons of the Northern Rhodesian administration' whose opinions did not 'reflect the same liberalism and near identity of view with Kaunda that [the] Governor and his top advisers have' (inward tel no 195 from Hennings to Watson, 15 Nov 1961).

administration' and the mass of the African population in the territory is perhaps particularly revealing if only because it typifies a frequently encountered slant in American ideas about colonial and newly independent areas in Africa. This takes the form basically of a conviction, stemming of course from the anti-colonial or 'revolutionary' traditions of this country, that the United States are peculiarly equipped to deal with Africans on a people-to-people basis. One sees it equally reflected in the attitude of mind that the phase of independence or even near-independence opens up a new chapter in which for the first time the United States Government, itself free of any colonialist stigma, is able to deal directly with the 'real' representatives of the country concerned without going through the Colonial power. It is perhaps understandable therefore that American officials should exhibit extreme sensitivity about identifying the phase of 'near-independence' in its early stages, and that once that point has been reached, there should be a desire to effect as rapid a reappraisal as possible of future United States policies in the country concerned.

4. This however is only one, if an important aspect of American policy. It is certainly not the one uppermost in the minds of State Department officials with whom we have our normal contacts over the affairs of Southern and Eastern Africa. The reverse side of the picture is of course no less deeply held belief that the Colonial powers, and H.M.G. in particular, have a unique expertise in Africa, which the United States cannot expect to emulate, and that we as a major partner in the Western Alliance with a dominant role in Africa, must be left scrupulously free to determine the proper pace of political evolution and progress in the remaining territories for which we have responsibilities. Going beyond this, one normally discerns an attitude of extreme correctness in the State Department, particularly in relation to the Federation. Hitherto this has shown itself in a deliberate desire to avoid any innuendo of United States interference or influencing matters which are recognised as being of exclusively domestic concern between H.M.G. and the Governments of the Federation and the three territories.

5. The position of Governor Mennen Williams rests, I would say, somewhere half-way between these two opposing strands in American policy. His own personal liberal preconceptions inclined him initially to the first of these two points of view, and made him anxious to short-cut the European official and instead to deal direct with the up and coming African politicians. But his extensive first-hand experience of Africa during his three tours, and day-to-day handling of African problems over the last ten months often based on the recommendations of career officials with direct experience of Southern Africa, have since produced a much more pragmatic approach. This of course was reflected in the impressions brought back from his visit to the Federation in August, and in his public statements asserting the United States Government's interest in the success of the policy of partnership. He is also undoubtedly fully alive to the extreme sensitivity of European opinion in the Federation to anything smacking of American interference in its affairs.

6. It is in this setting therefore that Mr. Emerson's report on Senator Gore's discussions in Lusaka is likely to have been received, and in view of the keen interest which we must expect the Americans to show during next week's talks in our assessment of the future of the Federation, it seemed to me worth developing these points. There can be no doubt that if the Americans were once convinced that the break-up of the Federation was only a matter of time, and that this also represented

views held privately in British official circles, we should soon find a rapid re-assessment taking place of future United States policies in the area. There have already been hints in casual remarks dropped by one or two officials in the State Department that the independence of Nyasaland within the next twelve months is perhaps assumed to be a foregone conclusion. There is also, we know, firstly a considerable preoccupation with the idea of an East African Federation, an idea which is particularly attractive in American eyes especially from the aspect of economic aid, and secondly a particular concentration of interest in Tanganyika (and personal admiration for Mr. Nyerere), which will presumably come more into the open after it attains independence next month. The direction which such a reassessment of the prospects for the Federation might take is not easy to predict, but apart from a desire to cultivate more closely the rising stars of the U.N.I.P. and Malawi Parties, it might conceivably be reflected as a decision to accord the two Northern territories a considerably higher degree of attention in the field of economic aid. All of this, coming at what might for us be an extremely premature and inconvenient stage, would, one assumes, be bound to have its effect on our own relations with the Federation Government.

7. A more immediate question is of course the obvious repercussions which would probably result in the Federation from any hint from Washington at the present time of lack of confidence in its future. Senator Gore, who is Chairman of the Senate Foreign Relations Committee, and his two colleagues have been back in this country about a month. After issuing a press statement in which he and his colleagues commented broadly and (from our point of view), unexceptionably on their impressions of Africa, Senator Gore left for the country and is not expected to be back in Washington until the end of November. We have however a useful line of contact with him in the Embassy and hope to be able to have an informal session with him on his return, which may incidentally throw some light on the conclusions reached by him and his colleagues about the Federation. This is of some interest if only because we cannot rule out the possibility that a fairly full and frank account of them may at some stage appear in the published proceedings of the Foreign Relations Committee. The second point which we perhaps need to bear in mind is the possibility of some word of Mr. Emerson's report accidentally leaking back to the Federation authorities in Salisbury, possibly through the State Department and our colleagues here in the Rhodesia & Nyasaland Office. But on the whole despite the cordial relations they maintain with each other (in practice if not in theory independently of this Embassy), the risk of this is probably not very great.

8. As at present seen from here, we could not, I think, disclose the fact that we were privy to the terms of Emerson's report without some risk of embarrassment in our relations with the State Department. If I may perhaps go beyond the proper province of this Embassy it may nonetheless be as well to consider whether the opportunity should not be taken during next week's talks with the State Department to underline the extreme delicacy at the present time of their saying or doing anything bearing on public confidence in the Federation. You will no doubt in any case wish to take into account these unexpected disclosures in the briefing prepared for our delegation.

315 PREM 11/3627

26 Dec 1961

[Katanga]: outward telegram no 3017 from Mr Sandys to Lord Alport (Salisbury)

[Following the outbreak of renewed fighting between the forces of the UN and Katanga, Britain faced criticism that military support was reaching Katanga from the Federation. In order to counter these charges, officials at the Foreign Office proposed inviting the UN to post observers along the border between NR and Katanga. Sandys put this suggestion to Welensky on 20 Dec. Welensky rejected it the following day (Wood, p 988).]

From Commonwealth Secretary for Alport.

We have been giving much thought to the control of gun running into Katanga. It is clearly impossible to stop arms getting in if Tshombe is determined to have them. If he cannot get them through Rhodesia he will do so by way of Angola. What we have to do is to make the Federation and ourselves appear as respectable as possible in the eyes of the United Nations and I am sure it must be possible to achieve that without a constitutional row with Welensky. There are many reasons why we do not want that. Please, therefore tell Welensky as soon as possible that we have not so far received any formal request from the United Nations to post observers on the frontier and that we hope to be able to stave off any such request. Therefore we do not, repeat not, require any decision from his Cabinet on this issue at present.

2. But we do consider that the following three steps are the minimum needed to ease the atmosphere at the United Nations and to forestall awkward demands upon us.

(A) The British Government should inform U Thant¹ that the Northern Rhodesia Government will station some of their police on the Kipushi airstrip to observe and report movements (your telegram No. 2067 shows that Welensky recognises that control of Kipushi airstrip is a territorial and not a federal responsibility).

(B) Welensky should consider seeking the assistance of Northern Rhodesia police to strengthen supervision of frontier and airports by Federal authorities and might send someone urgently to Lusaka to discuss this with the Governor.

(C) Welensky should follow up your idea of inviting a United Nations representative from Leopoldville with a view to convincing him that the Federal Government is doing everything practicable to stop gun running.

3. These three proposals do not in any way infringe on the dignity or status of the Federation. I hope therefore that Welensky will regard them as helpful and that you will be able to obtain his agreement to co-operate on these lines without delay.

4. If he is unco-operative please report back immediately.

5. I would like you to say also that I cannot quite understand why he feels that our policies diverge. We wish to do everything possible to prevent the fighting starting again and to keep the talks between Elisabethville and Leopoldville going.

6. The Bermuda talks showed quite clearly that the Americans have seen the red light and while they are determined to help the United Nations defend itself they are, on the President's instructions, throwing everything into working for an agreed solution between Adoula and Tshombe.

¹ Hammarskjöld's successor as UN secretary-general, 1962–1971 (acting secretary-general 1961–1962).

7. The possibility of achieving an agreement on a mutually acceptable basis depends upon preventing the talks from collapsing. We therefore look to Welensky to maintain his pressure on Tshombe to keep the talks going and to persuade Tshombe not to allow himself to be dispirited by Adoula's intransigence in the opening round.

316 CAB 134/1561, CPC 1(62) 4 Jan 1962
[Northern Rhodesian constitution]: Cabinet Colonial Policy
Committee minutes on Mr Maudling's new proposals

The Committee resumed their discussion of the Colonial Secretary's proposals for a new Northern Rhodesia constitution (C.P.C. (61) 33).

The Lord Chancellor explained that at their last meeting under his Chairmanship, in the absence of the Prime Minister, the Committee had been unable to reach agreement. The Colonial Secretary had been convinced during his visit to Northern Rhodesia that there was no hope of securing local agreement to the proposed constitution in its present form. No minor changes would alter this position. In reconsidering the matter, therefore, he had thought that he should be guided by four considerations—the United Federal Party (U.F.P.) and the United National Independence Party (U.N.I.P.) should have a broadly equal chance of winning elections; it should not be possible for any party to obtain an overwhelming majority; the constitutional proposals as a whole should be kept simple; and they should be such as to obtain at least the acquiescence of the African nationalists. Accordingly, he proposed to abolish the Asian seat and the 20 per cent *poll* qualification, to replace the formula of '12½ per cent or 400 votes, whichever is the less' by a 10 per cent *racial* qualification without any numerical alternative, and to abolish racial reservation in the National seats and reduce them from seven double-member to seven single-member constituencies. He recognised that these changes would be unacceptable to Sir Roy Welensky but he did not think that the settlement with Sir Roy in June, 1961, constituted a binding agreement debarring us from making changes against the wishes of the Federal Government. Other members of the Committee, however, had considered that, although we had not been obliged to do more than consult the Federal Government, we had in June gone further and had negotiated a firm agreement. The Committee were not opposed to the Colonial Secretary's proposals in themselves, but their general feeling was that we could not, without breaking faith with Sir Roy, make changes in the June settlement more substantial than those contemplated when the matter was under discussion in September, 1961. These were limited to the area in which divergencies of view persisted, and what Ministers had in mind was the possibility of accepting either or both of the suggestions put forward by Sir John Moffatt, the leader of the Northern Rhodesia Liberal Party, with the agreement of Mr. Kaunda, the leader of the U.N.I.P.—the abolition of the Asian seat and the replacement of the '12½ per cent or 400 votes' formula by a requirement of 5 per cent without a numerical alternative. The main question now to be decided was whether we were free to ignore what had passed between the United Kingdom and Federal Governments at various stages last year, and thus to consider the Colonial Secretary's proposals simply on their merits, or whether we were bound by the events of last year and so were not free unilaterally

to make any changes in the June settlement, or at any rate changes going beyond modifications relating to the two points put forward by Sir John Moffatt in September. A possible course would be to abolish the Asian seat and increase the number of seats on both rolls and in the National sector to sixteen each, the National sector consisting of eight double-member constituencies, five racially reserved and three 'open', which would effectively limit the full power of Asian votes to the three open constituencies. He did not think that Sir Roy Welensky would ever accept abolition of the numerical alternative.

The Colonial Secretary said that, whether or not the June 'agreement' was binding (and in his view it was not) the statement made on behalf of Her Majesty's Government in September implied readiness on our part to make some change in the June settlement. It had been hoped that agreement on acceptable changes might be reached between the parties in Northern Rhodesia, but he had found on his visit to the territory that there was no possibility of this. He had come to the conclusion that it would be wrong to introduce a constitution which appeared likely to guarantee a larger majority either to the U.F.P. or to the African nationalists: what was wanted was a fair contest which would still only give a small majority to the winning side. One effect of this would be to leave a large measure of control in the hands of the Governor (and it had to be remembered that even under the new constitution the Executive Council would be only advisory), which Sir Roy Welensky should see as being to his advantage. Few people in Northern Rhodesia of any party believed that the Federation could long continue in its present form: to engineer a guaranteed victory for the pro-federal party could only do further harm to the federal cause. The qualifying racial percentage would determine the ease or difficulty of victory in the National seats. He thought that victory should be made difficult, even if that left all the National seats unfilled. Such a result might produce a forced coalition of the main parties. He did not see how he could defend either the Asian seat or the numerical alternative: on the latter point it seemed to him necessary that the test should be the same for both races, which meant that it should be based on percentage alone.

The Commonwealth Secretary said that it was not possible to ignore the events of last year and to take a completely fresh look at the problem. Our agreement with Sir Roy Welensky in June might not have any legally binding force but it was a package deal which bound us morally. We were as much committed to Sir Roy over the concessions which had secured his agreement not to make serious trouble for us in Northern Rhodesia as we had on occasion been committed by undertakings to Colonial nationalist leaders in return for their co-operation in various contexts. The National seats, behind which lay the idea of broad racial parity, were the real issue. No doubt in due course the growth of African influence would lead to a shift away from racial to other forms of distinction between parties, but at present it was race that counted, and we needed to bear this in mind in considering the problem of the National seats.

The Asian seat was difficult to defend, especially as the Asians themselves did not want it, but the Asians were in a sense irrelevant to the National seats and it was necessary somehow to avoid upsetting the voting balance between the main races by including the Asian votes with the others. Moreover, because the Asians were a recognisably distinct racial community there was a certain logic in ensuring for them at least one representative in the Legislature, which they were unlikely to

achieve without a separate seat. We must take account both of the June agreement with Sir Roy Welensky and of the position which we had adopted in September: this meant making some change in the June settlement but only within the narrow limits contemplated in September, which amounted to giving the African nationalists a small net gain. A possible solution might be on the following lines. We could abolish the numerical alternative in order to obtain African acquiescence, but retain the Asian seat. Whatever opposition there might be to the latter, it was unlikely that either Africans or Asians would indulge in renewed violence on account of it. On the other hand, Sir Roy regarded the numerical alternative as of crucial importance (since the Nyasaland elections he had come to think that in Northern Rhodesia the U.F.P. might in places get 400 votes but not 12½ per cent from the Africans) and it would be necessary to offer him something in return for its abolition. This might be a reduction in the National seats so arranged as to provide one single-member Asian constituency and six racially reserved seats in three double-member constituencies. Alternatively, we might abolish the Asian seat but retain the numerical alternative: what we could not do was abolish both.

The following points were made in discussion:—

(a) The Liberals constituted a continuing difficulty. They had in the past made a valuable contribution to government and we should not want to drive them out: but they were now suffering from delusions of grandeur and were thinking in terms of arrangements (e.g., having half the seats National) which might enable them actually to win power on their own. It was suggested that, as the 20 per cent 'second hurdle' had been introduced to restrict the Liberals' chances but was unlikely to be of much real effect in that way, it might be abandoned without seriously upsetting Sir Roy Welensky. On the other hand, it had played a particular part in clinching the June agreement and it was clear from Sir Roy's letter of 13th December to the Colonial Secretary that he still believed it to be of very material importance and set great store by it.

(b) Throughout the consideration of the Northern Rhodesia constitution last year, our aim had consistently been a scheme which would produce something around parity between the main races plus the concept of a serious non-racial appeal by all the political parties. A year ago it might have been possible to settle the whole problem on the basis of straight parity uncomplicated by any other consideration, but this was no longer a practical proposition: for one thing, neither the U.F.P. nor the African nationalists would accept a situation in which they did not have at least the chance of a majority. It was therefore necessary to arrive at a solution which continued to impose upon the parties a need to appeal seriously for support from all races. In this connection *The Colonial Secretary* said that all his advice in Northern Rhodesia had been to the effect that any proposal to abolish the National seats would be very badly received.

(c) It was pointed out that in September the Governor had urged that the best course would be to stand firm on the June settlement; and it was suggested that there might be a lesson for us in Northern Rhodesia in the fact that in Southern Rhodesia Sir Edgar Whitehead had so far succeeded in a policy of consistent firmness. But it was questioned whether serious trouble could now be avoided in Northern Rhodesia unless there were some change in the June settlement, and trouble in Northern Rhodesia might spark off further trouble in Nyasaland.

Summing up *The Prime Minister* said that the question before them was now not simply one of logic—it could not be treated in isolation from the events of 1961. He had much sympathy with the Colonial Secretary, since it was both natural and right that, coming fresh to his office, he should take stock of the problem for himself and put forward his own solution. But the Government as a whole could not overlook their inheritance from last year's negotiations with the Federal Government; it was not possible wholly to disregard agreements into which, whatever their merits, Ministers had then entered with Sir Roy Welensky. Indeed, he could understand the feelings behind Sir Roy's letter of 13th December to the Colonial Secretary for, although we could in June have refused to do more than hear his views, we had gone further and agreed certain measures with him. As a result we must consider how far Ministers might be bound in honour to stand by the June settlement or, if it were to be altered, at any rate to maintain its substantial balance. For example, if it were decided to abolish the Asian seat, would it be necessary to exclude from the Upper Roll the extra 500 Africans whose inclusion Sir Roy had conceded in return for the Asian seat? A further question was whether the whole matter should be governed by the obligations which we had assumed to the Federal Government in June, or whether we could hold that circumstances had since then changed so radically that we should be justified in departing unilaterally from the June settlement and considering the Colonial Secretary's new proposals strictly on their merits. We must look at the probable consequences of both courses, including the view likely to be taken—in the House of Commons and elsewhere—of the extent to which we had in June entered into an agreement with the Federal Government from which we could not unilaterally depart with honour.

Another consideration was that, when the then Colonial Secretary made his statement in September, Ministers could have held fast to the June settlement: instead, the statement on behalf of Her Majesty's Government had expressed readiness, when violence in Northern Rhodesia had ceased, to consider representations within the area where divergencies of view persisted. We had stressed that this was not a matter of reopening the whole question of the Northern Rhodesia constitution, but a normal procedure which Her Majesty's Government were always prepared to follow in a context of this kind before their proposals were finally put into effect. He had always taken this to mean that we stood broadly on the June settlement, subject to the possibility of minor changes in connection with Sir John Moffatt's two points relating to the National seats. On this basis the only courses open to us were to say either that, since the representations put forward in response to the September statement had shown no prospect of general agreement between the parties in Northern Rhodesia, we had decided to make no change in the June settlement, or that, despite that lack of agreement, we were prepared to make certain minor adjustments—which would be in relation to the two points which he had mentioned.

Further thought must be given to the whole matter, including particularly the Government's position vis-à-vis the Federal Government as a result both of the June settlement and of the line taken in September.

The Committee:—

Agreed to resume their discussion at a later meeting.

317 PREM 11/3942

7 Jan 1962

[Northern Rhodesian constitution]: Mr Macmillan to Mr Macleod on the views of the former secretary of state

[Macleod (now chancellor of the duchy of Lancaster) wrote to Macmillan on 5 Jan setting out his own views on the Northern Rhodesian constitution. He was implicitly critical of the course advocated by Maudling and Perth, and advocated a policy of more 'moderate change'. Macleod argued that if the government were either to refuse to make any changes to the constitution, or to insist on 'sweeping changes' as advocated by Maudling, this 'would be regarded by the main political parties as a breach of faith after the combined effect of our June and September statements'.]

Many thanks for your letter and memorandum on the Northern Rhodesian situation which you sent me on January 5. I feel sure that yours is the right approach both to the problem itself and to the way in which it should be put to the Colonial Secretary.

Those of us who have lived closely with this question for many months are, of course, much more in the picture than a Minister coming newly to it. I had the record looked at again and I think that we had, in fact, reached an agreement with Welensky which, whether or not legally binding, is certainly morally binding. Moreover, any breach of it would be impossible to sustain against the double attack of those who think we have 'consulted' without 'negotiation', and those who think that having negotiated an agreement we should carry it out in full. In these difficult circumstances I think yours is the best approach for Wednesday's talk. That in effect gets us down to what you call one and a half points. It would be of great service if, in the course of the discussions, you could develop this theme and we could get a general agreement up to this point. We could then concentrate discussion on the one and half points and how they were to be handled.

But first things first. I am most grateful to you and hope you will argue on these lines. I will ask the Lord Chancellor to support you. He will not carry the same weight with the Colonial Secretary because of course he has not, like you, had the experience of being in the Colonial Office, and I think it would be best for you to start and for him to give some support. I will try to get Duncan to speak on the same lines.

If we can get this far, we can decide on the next step with the good hope of ultimate success.

318 DO 158/26

11 Jan-12 Feb 1962

[Nyasaland and the future of federation]: CRO minutes by W L Dale,¹ F Mills,² and Sir S Garner

Mr. Le Tocq asked me to send a note on the legal aspects of an arrangement whereby the Federation should be 'granted or promised independence', with liberty to a territory to secede after a stated period.

2. *General.* According to Professor Wheare³ (Federal Government, 1953 edition), there is no modern precedent for conferring in a federal constitution a right to

¹ Legal adviser, CRO and Ministry of Education.

² Private secretary to secretary of state (Sandys).

³ Rector of Exeter College, Oxford, formerly Gladstone professor of government and public administration.

secede, except in the case of the U.S.S.R., where of all places, as he points out, such a right is least likely to be exercisable in practice. None of our Commonwealth constitutions contains any such right.

3. *An independent Federation.* I take this first literally, meaning that the Federation would have complete independence, like (say) Nigeria. There would be an Act of Parliament, and probably an Order in Council, with a Constitution annexed. The Act would provide that no Act of the Parliament of the United Kingdom should in future extend to the Federation. It would not be consistent with this to attempt to retain power to the United Kingdom Parliament to legislate for a subsequent secession. On this basis therefore, we should have to think in terms of writing into the Constitution the required power to secede. This might be done by reference to a resolution passed by the legislature of the seceding territory. Consequential provisions would be required, for example, conferring general power on the legislature of the territory to make laws for it, apportionment of assets and liabilities between it and the Federation, and the like. It would not be easy.

4. It is true that the United Kingdom Parliament still legislates to amend the Constitution of Canada, but this is because of the express saving in section 7 of the Statute of Westminster itself; and it must be noted that the legislation is passed on an address from both Houses of the Canadian Parliament (e.g. British North America Act, 1951). The general provision in the Statute of Westminster is (section 4) that no Act of Parliament of the United Kingdom passed thereafter shall extend to a 'Dominion' as part of the law thereof, unless it is expressly declared in the Act that the Dominion has requested and consented to the enactment of it. So that if we were to adhere to this principle, the request would have to come not from the territory but from the Federation. Even this provision (authorising an Act on request and consent) is now missing from the recent Independence Acts (though it was included in the case of Ghana).

5. The new Act for the Federation would also provide that no law subsequently made by the Parliament of the Federation would be void on the ground of repugnancy to any Act of the United Kingdom Parliament, and the Parliament of the Federation would therefore have power to repeal or amend any such Act, including the Federation Independence Act itself. It would therefore be necessary to entrench the provisions in the new constitution for secession of a territory by some such device as making them unalterable without the consent of the legislature of the territory itself. (There are plenty of safeguarding provisions of this kind in, for example, the Nigeria Constitution. I take it that they are regarded as effective.) Ghana repealed the provision in the Independence Act which purported to protect the constitutional safeguards (First Schedule to the Act, paragraph 6), but the repeal of the various special procedures themselves was, as I understand it, in accordance with the provisions of the Constitution. But I have not delayed this to make any detailed investigation of the history there.

6. *A Federation not completely independent.* In this case, there would be a number of ways of providing for secession. There could be a declaration by H.M.G. in the United Kingdom (at the time of the grant of the new Constitution) that on the territory signifying its wish to secede in an appropriate way, H.M.G. in the United Kingdom would take the necessary measures by Act of Parliament or Order in Council to provide for it. A declaration of this kind is the procedure recommended by the Monckton Commission (paragraph 310 of their Report), a reference to the

declaration being inserted in the preamble to the new constitution, to lend it 'added authority' (paragraph 314). Or the constitution itself could contain some provision on the matter with or without some attempt to provide for the government of the seceding territory after secession. Perhaps the best way would be to put in the Act of Parliament a provision enabling Her Majesty by Order in Council to make the necessary provision for the seceding territory on receipt of a request by the legislature, or something of that kind.

W.L.D.
11.1.62

The Secretary of State has seen Mr. Dale's minute of 11th January about the legal aspects of an arrangement whereby the Federation would be granted or promised independence, with liberty to a territory to secede after a given period.

He has noted: 'Thank you. Would it be constitutionally possible to give independence to the Federation *without* giving independence to Northern Rhodesia and Nyasaland? I assume the answer is "Yes", though it would no doubt raise difficulties.

If Queen Victoria had been a man, it is possible that after 1871, he would have been an independent King of England and at the same time a subordinate monarch in the German Empire, in respect of Hanover. D.S. 19/1'.⁴

F.M.
22.1.62

Sir Saville Garner

I am sorry I have been so long in replying to the Secretary of State's question (on my minute of 11th January) about the possibility of giving independence to the Federation without giving it to Northern Rhodesia and Nyasaland. It is a difficult question, which has been bothering us in relation to Greater Malaysia, one proposal there being to retain United Kingdom authority over Sarawak and North Borneo. It seems to us very doubtful whether, at any rate in the case of the Federation, it would be possible to make it sovereign and independent, and at the same time retain sovereignty over Northern Rhodesia and Nyasaland. There would be a condominium. Constitutionally we should for instance have the position that no Act of the British Parliament could extend to the Federation without its request and consent (Statute of Westminster); yet, if the two Northern Territories were not independent, Acts of the British Parliament *could* extend to them.

2. In the international sphere, we might be confronted with the refusal of other States to recognise the Federation as an independent state. One of the conditions of statehood in international law is that the government of the state must be a sovereign government having supreme authority, and independent of any other authority. This condition would not be fulfilled. One test would be what would be likely to happen on an application to join the United Nations (supposing Sir Roy Welensky were to apply for membership of that Organisation). I think the Federation would be in a weak position. (Greater Malaysia might possibly be in a stronger

⁴ Garner commented: 'Surely it would not be possible to give full independence as a *full* C[ommon] W[ealth] member and member of the UN if constituent parts remained under British control. On the analogy given, Queen Victoria w[oul]d really have been two men' (minute, 22 Jan 1962).

position because the Federation of Malaya is already recognised.) I think these considerations differentiate the case from the hypothesis of a male Queen Victoria put by the Secretary of State. In that case, there would have been two states, Great Britain (with Victoria as monarch) and the German Empire, of which Hanover (with Victoria as its head) formed a part. Victoria would have had a split regnant personality.

W.L.D.
1.2.62

I suppose that in the flexible Commonwealth, all things are theoretically possible, but I agree with Mr. Dale that to give independence to the Federation without giving it to Northern Rhodesia and Nyasaland, would lead to serious practical difficulties. Apart from anything else, the Federation (if Sir Roy Welensky wanted to apply for membership of the United Nations) might well fail the first hurdle by such countries as the U.S.S.R. and Ghana refusing to recognise her as an independent state.

S.G.
2.2.62

Possibility of independence for the Federation while retaining United Kingdom responsibility for some aspects of Government in the two Northern Territories

Before the Secretary of State left we had a long talk about this. The Secretary of State maintains stoutly that it should be possible for a country to be properly independent in these circumstances. He argued that in any Federation the Federal Government was not the complete master: in certain spheres the power lay with other Governments, viz. the Governments of the Regions. The fact that in this particular Federation those Governments might be answerable to an outside power need not affect the essential independence of the Federal Government itself. I said that it might be argued that in a truly independent country, the restraints on the Federal Government's authority ought to be purely internal ones. Restraints upon a government's actions by municipal law were quite different from international restraints. The Secretary of State, however, would not accept this argument.

So far as the Secretary of State is concerned, the practical nub of the argument lies in the possibility of ensuring, if independence is given to the Federation, that the right of secession could be assured to the two Northern Territories. He remains convinced that we ought to be able to do this in some way, presumably by ensuring that this part of the Constitution under which the Federal Government became independent could not be altered except by the consent of the Governments of all three Territories.

F.M.
9.2.62

Federation—independence

The two questions discussed by Mr. Mills in his minute of 9th February are of course quite distinct. The first, in relation to the possibility of being independent with, at the same time, the two Northern Territories being dependent on the British Government, was discussed in my minute of 1st February, and I still have some

difficulty in seeing a clear way to achieve what is, on the face of it, a contradictory objective.

The second question, relating to the possibility of secession, is quite different, and was discussed in my earlier minute of 11th January—paragraph 3 relating to the position of a truly independent Federation. I think it is quite possible to cover this problem, though, as I said at the end of that paragraph, it will not be easy.

I wonder if it would be possible for us to discuss these questions before the Secretary of State returns, as I find some difficulty in focussing our objective.

W.L.D.
12.2.62

319 PREM 11/3942, PM(62)3

12 Jan 1962

[Northern Rhodesian constitution]: minute by Mr Maudling to Mr Macmillan on new proposals

I thought that it would be helpful if, before leaving for the West Indies, I put on paper my views on the Northern Rhodesia Constitution.

2. As you know, the proposals I have put forward fall roughly into two categories. My first two proposals, the abolition of the Asian seat and the equalisation of the qualifying percentages, are of fundamental importance to me and are clearly within the 'area where divergences of view persist', mentioned in the statement of September. My further proposals contain some details to which Welensky strongly objects, such as, abolition of the 20% hurdle and the abolition of reservation by race, but, taken together, they are designed to produce the simplification for which everybody is asking, to provide some encouragement to the Liberals, and above all, to provide the best possible guarantee that if there is an African majority it will not be so large as to enable them to force the hand of the Governor, who still has the constitutional right to reject the proposals of the Legislative Council on any matter.

3. I agree that some of my suggestions in the second category fall outside the September statement. But, taken as a whole, they are designed to ensure what seems to me basically the right principle in Northern Rhodesia, namely, that a majority should be obtainable by a party achieving the necessary minimum of bi-racial support, but that such a majority can only be a very small one, and that if no one can claim adequate bi-racial support, the National Seats will not be filled and the Legislative Council will consist of 15 Upper Roll and 15 Lower Roll members, plus Official and Nominated members. If no party can make an adequate bi-racial appeal it seems clear that a majority for either side is not at this stage justifiable, and parity, with the Governor ultimately exercising control, is the right position for this stage in Northern Rhodesia development. But under my proposals parity would not have been imposed by us—it would have emerged from realities of the situation in Northern Rhodesia.

4. As I have said, I regard my first two proposals as fundamental. I don't see how I can justify either the retention of the Asian seat or the retention of the numerical

alternative. I, furthermore, accept the advice of the Governor that anything less than these two changes is very likely to lead to disorder and bloodshed. There may be bloodshed anyway, but if it occurs as a result of a settlement in which we do not go as far as in my view we can, and should go, you will see how I should regard my own personal responsibility.

5. There may be some hope of mitigating the effects on Welensky of abolishing the numerical alternative in the new scheme we are examining. But the Governor's telegram, which you have seen, and with which I agree, makes this hope seem very slender.

6. I have thought long and anxiously about the extent to which the Government is bound by the June Agreement. I appreciate this is a matter upon which we must all form, and act on, our own views. I don't accept the argument that the undertaking in June was one from which we cannot in honour depart if our duty to the Protectorate so requires.

7. The Agreement was between the British Government, who have complete responsibility for constitutional progress in Northern Rhodesia, and the Federal Government who have a right to be consulted. I accept the fact that there was an Agreement. To my mind the effect of the Agreement was that we would introduce the June constitution, which we then regarded as consistent with our duty to the Protectorate, while the Federal Government would acquiesce in it and refrain from the criticisms and attacks which, as free people, they were otherwise perfectly entitled to make upon us. What I cannot accept is that the Agreement bound us to go ahead with the June proposals, irrespective of the effects that in practice they would have in the territory. Such an undertaking is to my mind inconsistent with our obligations as a Government to the people of the Protectorate, and I would not expect the public as a whole or, indeed, any reasonable person to consider that in June we had bound ourselves to pursue a certain course, irrespective of its consequences for the people for whose well-being we are responsible.

8. If circumstances had not changed since June we would certainly be bound by the details of the June Agreement. But circumstances have changed, and changed radically. In July and August it became apparent that the degree of opposition to the proposals was much stronger than either we or the Federal Government had anticipated and that therefore the consequences of their implementation for the people in Northern Rhodesia, for whom we are responsible, would be far greater than had been foreseen at the time of the June Agreement. In these circumstances I am convinced that our moral duty is to make the changes we consider appropriate, and that no one could, with justification, accuse us of double dealing or dishonour. Such a charge could be sustained, however, if it could be shown that we had signed away our right to carry out our solemn duties for the protection of the people of Northern Rhodesia, who are both in law and in honour, in our care.

9. I therefore feel that, while it is absolutely right to consult the Federal Government and to endeavour to reach agreement with them on changes in the Northern Rhodesia constitution, it is our duty to make up our own minds as to what, on the merits of the situation there, we think should be done, and it is our solemn duty then so to do, even if the Federal Government disagree.

320 DO 158/27, no 96

25 Jan 1962

'The federal problem in Central Africa': letter from W B L Monson to M R Metcalf. *Enclosure*: CO memorandum

Our Secretary of State is returning to the country on Monday and Central African Department here thought that, apart from the questions of the Northern Rhodesian Constitution (on which the matter remains as he left it) and the title of Chief Minister in Nyasaland (on which he has been separately put in the picture) it would be of use to put up to him a summary of recent developments on the main Federal issue.

I mentioned to you on the telephone the other day that we had been trying to analyse the various ideas which had been ventilated in recent discussions and the result of this analysis has been embodied in the attached memorandum. It is essentially a Colonial Office document and does not of course purport to commit other Departments.

I thought, however, it would be useful to let you see it in its present form to ensure that there is nothing in it which would be of embarrassment to you. I would be grateful if you could let me have any comments you may wish to make before the week-end.

I am sending a copy of this letter and of the note to Trend.

Enclosure to 320

When Ministers resume consideration of the Northern Rhodesia constitution after the Secretary of State's return, discussion may again turn to the broader federal problems; and the question of the granting of the title of Chief Minister in Nyasaland is also likely to be viewed against the wider background. It may therefore be useful to the Secretary of State to have a survey of the situation as the Department sees it.

2. Over the past twelve months the first premise has been that if there were to be any hope of producing an atmosphere at the resumed Federal Review conducive to maintaining a federal association, it was first necessary to bring about territorial constitutional changes which would allay the African fear that their political advancement was being retarded by Federation. On this premise, the constitutional problems in Northern and Southern Rhodesia were tackled at the beginning of 1960; and we have since proceeded on the assumption that the Federal Review should not be resumed until elections have been held and new governments assumed office under the new constitutions.

3. By the end of the year it had become apparent, particularly because of the delay in reaching a solution in Northern Rhodesia, that the Federal Review could not on this programme be held until late in 1962, and that we should be faced with a very difficult holding problem in the meantime. Sir Roy Welensky, having said in September, 1961, that he was beginning to doubt whether resumption of the Federal Review would serve any purpose, appeared still to be pursuing the idea that the federal problem might somehow be resolved by agreement 'between governments' and the required constitutional amendments be made by the Federal Government itself, without intervention by H.M. Government. (This seems to ignore the

difficulties thrown up by the existence of Malawi Ministers within the Government of Nyasaland and a 'caretaker' government in Northern Rhodesia which the Africans would certainly not recognise as representative of African opinion on the federal issue.) Sir E. Whitehead was known to favour an early resumption of the Review, without necessarily waiting for the next Southern Rhodesian elections. The visit of the Governor of Nyasaland to London in October, 1961, confronted us directly with the problems of holding Dr. Banda. The latter was prepared to pursue his aim of secession 'constitutionally', i.e. through attendance at a resumed Federal Review Conference; but he could not wait very long for this because his own political position would be jeopardised if he did not show results to his followers. The problem of keeping him in play until towards the end of 1962 is further complicated by the attitude of Malawi Ministers towards interim relationships with the Federation, and the need to negotiate reasonable working arrangements between the Federal Government and the Nyasaland Government on such matters as the Nkula Falls scheme if a major political crisis within Nyasaland is to be avoided.

4. The first move to meet this holding problem was taken during Sir Roy Welensky's visit to London last November. Sir Roy appeared to recognise that the Federal Review would have to be resumed eventually in one form or another, and that the keys to the situation were Dr. Banda and Sir E. Whitehead. He wished, however, to try his own hand at resolving the difficulties himself instead of waiting for the U.K. to produce solutions, and proposed to explore the possibilities in private talks with Sir E. Whitehead and Dr. Banda, though realising the difficulty of bringing that about in the latter case.

5. It was agreed that Sir Roy should be given his head for the time being to see what he could achieve. It was hoped that, if a talk with Dr. Banda could be arranged, this might lead also to some 'modus vivendi' on immediate issues such as Nkula Falls. There was, however, no ground for optimism that Sir Roy would be able to get very far; and his announcement that he intended to appeal to all political parties in the Federation to discuss with him some of the Nation's problems in the federal sphere was not received with any enthusiasm except by his own political following.

6. At the same time the suggestion was mooted that, as a further means of keeping things in play, simultaneous Working Parties might be set up by the governments in each territory to consider their own attitude to the problems which would come up for discussion when the Federal Review was resumed. In the case of Nyasaland it was thought that such a Working Party would have the double advantage of appearing to Dr. Banda to give him the opportunity for working out a blueprint for secession whilst at the same time enabling Nyasaland officials to bring Malawi Ministers face to face with the realities to which their political purposes inevitably led them and the territory.

7. These approaches have made no progress. Attempts to arrange a meeting between Dr. Banda and Sir Roy Welensky have failed. The Governor reported just before Christmas that Dr. Banda was prepared to meet Sir Roy if the latter made the approach and agreed that secession should be the main topic of conversation. Nothing more has been heard; and in a letter dated 15th January Lord Alport says that Sir Roy has now decided to sit back and wait on events as far as the Federal Review goes. The 'working party' idea has never got off the ground, and the Governor says there is no prospect at the moment of getting Dr. Banda to agree to it. On the other hand, all the problems of relationships between the Nyasaland Government

and the Federal Government remain, and in the absence of any general rapprochement are becoming increasingly difficult to deal with. There is an increasing risk of a serious clash arising over Nkula Falls or some similar issue (e.g. representation of Nyasaland at international conferences or the handling of Nyasaland's requests for foreign aid).

8. In this situation, after consultation with the two Governors at the beginning of this month, Lord Alport suggested that the hand should be played in the following way:—

- (a) The Northern Rhodesia decision should be awaited. If this is acceptable to the Africans, the Governor of Nyasaland feels that it would be possible to keep Banda in play for a further period ahead.
- (b) A meeting of 'heads of government' should be convened during the second half of February.
- (c) Dr. Banda should visit London in April for discussions with Ministers.

These ideas are examined below, although Lord Alport's letter has already been somewhat overtaken by events and the Commonwealth Secretary is now considering the position in relation to the visit which he proposes to make to Salisbury during February.

9. As regards (a) above, it is of course crucial from the point of view of holding Dr. Banda that the Northern Rhodesia solution should be broadly acceptable to the African Parties there. If it is not, his demands for secession and his actions to secure it will certainly be intensified, even if he does not go so far as to embark upon open opposition to H.M.G.—a course virtually certain to lead to disorders on a widespread scale.

10. As regards (b), the purpose would presumably be to satisfy Sir Roy Welensky and Sir E. Whitehead by affording, in advance of the resumed Conference, an opportunity of reviewing federal problems 'at government level'. There is a precedent for such meetings at which however attendance was not usually confined to the 'heads of Government' alone but included senior advisers or (in the Federal and Southern Rhodesian delegations) other Ministers. But in present circumstances it is obvious that the proposal might give rise to difficulty, particularly with Dr. Banda who would be very suspicious of such a meeting. The Governor would be faced either with the risk of prejudicing his relations with Dr. Banda by participating in the discussions without reference to his Ministers, or with the embarrassment of going to the meeting with Dr. Banda or with the brief which Dr. Banda would no doubt wish to impose upon him.

11. As regards (c) above, this suggestion of discussions with British Ministers was first put forward by Dr. Banda during talks with the Commonwealth Secretary at Dar-es-Salaam in December, as an alternative to the suggestion that he should meet with Sir Roy Welensky. He then indicated that he would be prepared to discuss with British Ministers (though not with Sir Roy Welensky)—without commitment—the potential advantages and disadvantages of some looser form of association which might be set up as a result of free negotiation after the Federation had been dissolved.

It would clearly be extremely valuable to take Dr. Banda further along this road: but his main purpose will be to secure acceptance by H.M.G. of Nyasaland's early secession, and ours presumably, to try still to persuade him to hold his hand until the Federal Review Conference can be reconvened towards the end of the year (Lord

Alport has suggested that we should keep the title of Chief Minister up our sleeves until April to help in achieving this). The Governors and Lord Alport envisage in their talks that it would be necessary to set a definite time for the Review, at the end of December, 1962, or beginning of January, 1963, and to announce this probably during Banda's visit. It might then be possible in the meantime to revert to the idea of territorial Working Parties preparing the ground. It is clear from a recent report by the Governor that Dr. Banda is set on this visit as his next move, and this will inevitably bring matters to a head between him and H.M.G. The visit has therefore now to be seen as a problem to be faced, rather than as a tactic to be deployed by us, in handling the whole federal issue.

12. At the last meeting of C.P.C., in putting forward the suggestion that the Northern Rhodesia problem should be tackled with Sir Roy Welensky in relation to the whole future of the Federation, the Commonwealth Secretary said that he thought that the best hope for the future was to tell Sir Roy that the United Kingdom Government were prepared to grant the Federation full sovereign independence at the end of a stated period; but that when that time was reached it would be open to the constituent territories to secede. This suggestion, which was not apparently examined by Ministers in the ensuing discussion, opens up an entirely new line of approach to the federal problem. So far, we have been saying to the peoples of the Northern Territories 'we do not mean to break up this Federation but we will not give it independence until you are content that we should step out'. We should now be saying 'we intend to step out of the Federation in x years, and in accordance with our pledges to you we will then give you the option of stepping out too'.

13. Our first reaction is to see considerable cause for doubt whether in fact this course is likely to secure the objective of maintaining a federal association; and it would certainly give rise to considerable difficulties for H.M.G. in relation to the two northern territories. It will be recalled that, in dealing with the problem of secession, the Monckton Commission were unable to decide whether the right to secession which they recommended should be exercisable after all three territories had attained 'self-government' or after a stated period of years. In selecting the latter alternative, the Commonwealth Secretary's suggestion would appear to lead to the following dilemma. Either the period of years must be made so long (in the hope of getting a 'reasonable vote' on Federation at the end of it) that it would provide us with a very difficult holding problem with the Africans in the two northern territories in the meantime, having regard to the advance to independence elsewhere; or it must be made so short that the results of any sounding of public opinion (however H.M.G. might decide to do this in the two northern territories) would be a foregone conclusion in favour of secession.

14. It is to be expected that Sir E. Whitehead and Dr. Banda would both press for an early date, having in mind that if the result of the option were to dissolve the Federation their particular territories could proceed to independence almost immediately. This would bring into play the Prime Minister's statement of the 29th July, 1959, in which, in dealing with the situation which would arise if H.M.G. had in such circumstances to ascertain the wishes of the peoples of the two northern territories, he said:—

'Whatever may be settled as to the method, I would say that, although the two Legislatures of the Northern Territories are for the moment well able to

conduct their ordinary affairs they could not in the present state of development—or, I am bound to say, in any immediate stage of development—be more than one element in any machinery which may subsequently be used for the purpose of obtaining the opinion of the inhabitants’.

15. The Commonwealth Secretary’s suggestion would therefore give rise in the comparatively near future to the problem for H.M.G. ‘When is a territory constitutionally ready to opt for secession?’ The option for secession would also be politically confused in the two northern territories with an option for independence, whereas the practical alternative to Federation ought to be each territory proceeding on its own, under continued U.K. protection and at the appropriate pace, to self-government and independent status.

16. It might be argued, despite the Prime Minister’s statement, that the present Nyasaland Legislature fairly reflected the opinions of the inhabitants and H.M.G. could dispense with any other form of consultation (though no doubt the U.F.P. and the Federal Government would contest this). In Northern Rhodesia, however, we have never regarded the next constitution as more than an interim stage towards the sort of legislature to which the question of secession might be put.

17. In Northern Rhodesia, therefore, we should be faced with the following alternatives:—

- (a) regarding whatever legislature emerges from the next election as ‘representative’, which would hardly be compatible with the Prime Minister’s statement;
- (b) devising a new constitution which would produce a ‘representative’ legislature—but this would be a very radical departure from the June statement;
- (c) devising some other means of consulting public opinion, e.g. a referendum, which would in effect place on H.M.G. the burden of deciding that majority opinion was in favour of secession.

A further course would be to say that Northern Rhodesia was not yet ready to exercise this option, whatever might be done in Nyasaland and Southern Rhodesia. This would be seen as delaying the territory’s progress to independence, with consequent opposition from the whites who would wish to follow Southern Rhodesia and the blacks who would wish to follow Nyasaland, Tanganyika, Uganda, etc.

18. Apart from these problems, it seems doubtful whether the tactic of putting onto the Federal Government the onus of conducting themselves during the ‘stated period’ in such a way that in the event the territories would agree to Federation continuing is calculated to achieve its purpose. If the Federal Government is left to confront the territorial governments in this way, the chances are that the forces of dissolution will become explosive long before the Federal Government has been able to make any impact.

19. As an alternative to the ideas which have already been mooted, there is perhaps something to be said for thinking in terms of the earliest possible resumption of the Federal Review Conference.

20. The objections to this course are:—

- (a) We should not have achieved the purpose in Southern and Northern Rhodesia of having Governments and Legislatures sufficiently ‘representative’ of popular

opinion as to be able to reflect that opinion adequately at a resumed federal conference. And we should be faced, particularly in Northern Rhodesia, which would not have had elections, with the old difficulties about composition of the delegation. It might have to be much larger than the others and the members be more interested in electioneering than in reaching a practical solution:

(b) There would have been no opportunity to 'educate' the anti-federalists in the economic and other facts of life: and we should be faced again with a direct clash of views.

If, on the other hand, we continue to wait until the end of the year, there is the possibility of making some progress on (b) in talks with Dr. Banda (though less as far as the Northern Rhodesia Africans are concerned): and we could hope to convene a conference which could be held to comprise three responsible territorial Governments and Legislatures freely negotiating.

21. The advantages of an early resumption would be as follows:—

(a) An early move would give both Sir E. Whitehead (who was pressing Lord Alport on this matter recently) and Dr. Banda what they want for their own political purposes;

(b) It would eliminate the holding problem and the risk (despite (b) in the previous paragraph) that delay may not in fact help but actually jeopardise the final solution;

(c) An early confrontation between the Federal Government and the three territorial Governments could bring matters to a head and possibly lead to a new situation which could be exploited;

(d) The difficulty in regard to the Northern Rhodesia delegation while serious might have to be faced: and it is interesting that Dr. Banda told Lord Alport in Zomba that in his view the Federal Review could take place as soon as the Northern Rhodesia decision was made, and that he would use his influence with Kaunda to ensure that U.N.I.P. took part in any conference.

22. Presumably Ministers will wish to assess the balance of the advantage in these two courses before the Commonwealth Secretary visits Salisbury. Statements by him in the House would suggest that the Government still has an open mind between waiting to the end of the year or advancing the time of the Review.

321 PREM 11/3943

12 Feb 1962

[Nyasaland and the future of federation]: inward Zomba telegram no 6 from Mr Sandys to the Cabinet on the position of Dr Banda

For Cabinet from Commonwealth Secretary.

The Governor and I had a long talk with Banda last night and again this morning (Monday). We agreed that anything said was without commitment on either side.

2. In the course of our talk, I put to Banda the question to which Welensky wished to know the answer, namely, 'Assuming that Nyasaland were given an unconditional right to secede, would you be willing (either before or after secession)

to negotiate some looser form of association with the other 2 territories of the Federation?’

3. His reply was unequivocal.

(a) He will not negotiate with anybody about anything until Nyasaland is out of the Federation.

(b) After secession he thinks Nyasaland should have the experience of ‘going it alone’ for a while before negotiating any new association.

(c) After that, he would be willing to consider joining a Federation of East African States.

(d) He hopes that Northern Rhodesia with an African Government, might in due course be able to join such a Federation also.

(e) He is adamantly determined to have nothing whatsoever to do with any European-controlled Federal Government, or with Southern Rhodesia, so long as it is dominated by Europeans. (He said that if Welensky wished to keep Nyasaland in the Federation, he would have to send in his army).

4. During his visit to London in April, he hopes to persuade the British Government to announce its decision to take Nyasaland out of the Federation and to set up a commission to work out the practical implications. He thinks that such a commission would take about nine months to report, and he would expect that actual secession would follow shortly afterwards.

5. Banda may slightly modify some of these views. But of one thing I am certain; he will not be deflected from his determination to sever full connection with the Federation and Southern Rhodesia.

6. I shall inform Welensky of this when we meet on Tuesday afternoon and shall firmly advise him that he has no prospect whatsoever of holding Nyasaland in the Federation except by force.

7. I believe he must realise that any attempt to do so would be bound to fail and would, in the process, alienate any remaining sympathy for the Federation among Africans in Northern Rhodesia. Moreover, whatever may be the constitutional position, the outside world would hold Britain responsible and, in consequence, our relations with other African States would be gravely prejudiced.

8. If, therefore, we accept that Nyasaland must be allowed to secede, there is every advantage in making the move ourselves before we are pushed by Banda.

9. The best and most dignified procedure would be for Welensky to take the initiative himself by declaring that he has no wish to retain an unwilling partner in the Federation and that he is therefore asking the British Government to make arrangements for the secession of Nyasaland, in accordance with the wishes expressed by its people.

10. If Welensky is to be persuaded to accept the inevitable and avoid humiliation by anticipating a formal demand for secession by Banda, there is no time to be lost. I therefore ask my colleagues to authorise me to bring matters to a head with Welensky at once and to advise him strongly to follow the course suggested in paragraph 9 above.

11. I am due to meet Welensky in Salisbury at 14.00 hours G.M.T. tomorrow (Tuesday). I should therefore be glad of an early reply.

322 PREM 11/3943

13 Feb 1962

[Nyasaland and the future of federation]: minute by Sir N Brook to Mr Macmillan on Mr Sandys' telegram

The course contemplated in the concluding paragraphs of the Commonwealth Secretary's telegram No. 6¹ means, almost inevitably, the end of the Federation. The Cabinet will realise that, if Nyasaland secedes, it will be impossible to hold Northern Rhodesia in any kind of association with Southern Rhodesia. For, when he sees that Banda's intransigence has paid, Kaunda must follow suit or be displaced by someone who will. Once this writing is on the wall, how long will Whitehead wait? It is true that in recent weeks we have been coming round to the view that the Federation cannot continue in its present form: but we have not begun to consider the immense political and practical difficulties of winding it up.

We had hoped that it would be possible to substitute for the present Federation some looser form of association; but it now appears that Banda would not be prepared to contemplate even that. His thoughts of federation are turning in the other direction—a period of 'going it alone' followed by federation with the East African territories into which he would hope to carry Northern Rhodesia too.

The Commonwealth Secretary is doubtless right in saying (paragraph 8) that it would be better for us to make a move first before we are pushed into it by Banda. But we still have a little time: Banda will not be coming here until April. And, in a matter of this magnitude, it would be wise to have a clearer idea of the end of the road before we start down it. Therefore, while it would be right for the Commonwealth Secretary to inform Sir Roy Welensky of Banda's attitude and indicate the kind of situation which we are likely to face in April, it would be better that he should not try to 'bring matters to a head with Welensky at once' (paragraph 10). Should he not content himself, for the present, with trying to enlist Welensky's co-operation in working out with us, between now and April, a plan to meet Banda's determination to secede? Such discussions with Welensky would at this stage be exploratory; and it seems important that the Commonwealth Secretary should not appear to be confronting Welensky with a firm decision of the United Kingdom Government.²

¹ See 321.

² At the Cabinet meeting later that day it was decided the prime minister should ask Sandys not to put to Welensky the proposals outlined in paragraphs 9 and 10 of his tel (CAB 128/36/1, CC 13(62)4, 13 Feb 1962).

323 DO 158/70, no 58

13 Feb 1962

[Future of federation]: minute by Lord Alport to Mr Sandys

In the light of the conclusions drawn from your talks with Banda, I believe that there is now only one possible alternative to the break-up of the Federation in circumstances which would be politically and financially extremely costly to H.M.G. I therefore put to you the proposal which I mentioned to you at the C.R.O. before I came out to take up my appointment in Salisbury. In outline this consists of:—

- (a) The transfer of the Eastern, North Eastern and Luapula Provinces of Northern Rhodesia to Nyasaland with a frontier stretching from the South East end of the Katanga Pedicle to a point on the Mlembo river and thence along the line of the Lukusashi river to the North West point of the Mozambique frontier. This would give Nyasaland the whole of the Luangwa Valley and the Lake Bangweulu area with a greatly extended common frontier between Nyasaland and Tanganyika including the crossing point of the Great North Road at Nakonde.
- (b) The Declaration of Barotseland as a self-governing Protectorate within the Federation with constitutional development in prospect on lines similar to that of Basutoland.
- (c) The continued association on a Federal basis between Northern Rhodesia and Southern Rhodesia with substantial re-arrangement of administrative and fiscal powers along the lines at present envisaged.
- (d) The payment of an annual subvention by the Federation to the greater Nyasaland and the Barotse Protectorate of say £5,000,000 and £375,000 respectively.
- (e) A Customs union between the Federation and Nyasaland to which it would be open to other territories to join but which would be subject to re-negotiation at the end of five years.
- (f) The provision of certain common services between Nyasaland and the Federation to be negotiated.

324 CO 1015/2264, no 1

20 Feb 1962

[Future of federation]: minute by N D Watson on a plan for a white dominion of the two Rhodesias

The Secretary of State has asked for a note, for purposes of discussion at the ministerial meeting tomorrow afternoon, on the suggestions which the Commonwealth Secretary mooted with Sir E. Hone (as reported in Northern Rhodesia telegram Personal No.31) for a solution of the federal problem by allowing the secession of Nyasaland and dividing Northern Rhodesia into three or four separate states.

2. This idea is in essence a variant of the 'Central African alliance' plan which has been in the field for some years. It is the brain-child of the Dominion Party and was put forward by them as a policy statement in January 1959 (see memorandum attached).¹ Similar ideas had earlier been mooted by Sir S. Gore Browne (who has more recently joined U.N.I.P.); and the plan was also known at one time as the 'van Eeden' plan, after the Dominion Party leader in Northern Rhodesia, who has now defected to the U.F.P.

3. The plan as put forward by the Dominion Party was basically for a 'white' Dominion of the two Rhodesias, with satellite Protectorates of Barotseland and Nyasaland, and possibly north eastern Rhodesia as well. The Dominion Party were still pursuing this idea when they saw Mr. Macleod during his visit to the Federation in March, 1960; and both Mr. Winston Field and Mr. van Eeden referred to it as a

¹ Not printed.

solution of the federal problem in their speeches at the Federal Review Conference in December, 1960.

4. All versions of the idea have throughout been officially scouted by Sir Roy Welensky and the U.F.P. generally, and on the 27th April, 1959 a Motion in the Federal Assembly by the Dominion Party to set up a Select Committee to investigate the question of a Central African alliance was rejected by 40 votes to 8. The Federal Press referred to the idea as 'political defeatism' and commented that to carve up the Federation into black and white states would mean dividing the country into a prosperous white section and 'piteously poor' black sections which would inevitably develop into fertile ground for communism.

5. The idea of course has some superficial attraction and a certain logic. It would once and for all separate the main areas of white settlement where a 'Dominion solution' were feasible, from the predominantly African areas, where internal constitutional progress could take place independently; and some of the economic advantages of federal association could perhaps be preserved. Also, some of the difficulties in the proposal (e.g. the unscrambling of the present economic and fiscal arrangements and the reallocation of functions) are inherent also in any kind of break-up of the Federation, and it is perhaps natural that this alternative course should come to mind when the dissolution of the Federation begins to appear inevitable. There are however very considerable political difficulties in the concept for H.M.G. These were analysed by a Working Party of Officials in May 1959; and the Secretary of State may care to glance through their memorandum flagged C on CAA 75/224/03 attached.

6. These difficulties led the Monckton Commission summarily to reject the idea, which they did in the following terms:—

'Several forms of association other than Federation have been suggested to us in evidence. We have considered three. First, the scheme known as the Central African Alliance. This is supported mainly by a section of European opinion in Northern and Southern Rhodesia. Its essence is that the 'line of rail', which includes the Copperbelt and most of the European population, should amalgamate with Southern Rhodesia. This combined territory would form an independent, self-governing Dominion. The rest of the present Federation would be divided into a number of wholly African states, at first under the tutelage of the United Kingdom Government, but eventually self-governing. These African states would be linked in a loose alliance with the Dominion which, together with the United Kingdom Government, would manage common services such as railways, posts and telegraphs, rather on the lines of the East Africa High Commission. The Dominion would pay subventions to the African states.

Such a plan would satisfy the Europeans of Southern and Northern Rhodesia, who would attain self-government and 'Dominion status'. Barotseland, Nyasaland and other African areas would achieve self-government free of European control. Nevertheless there are grave objections to this scheme. The proposal to amalgamate the richer parts of Northern Rhodesia with Southern Rhodesia runs contrary to Her Majesty's Government's pledges concerning the protected status of the inhabitants of Northern Rhodesia. The two and a half million Africans of Southern Rhodesia, and about half a million

Africans in Northern Rhodesia, would continue to live under a European-controlled government. The inhabitants of the African states might come to feel that they were poor relations and their fears of European domination would deepen. There could be no permanent guarantee that the Dominion would continue to give the African states financial aid. Finally the Africans of Northern Rhodesia would oppose tooth and nail any proposal to detach the Copperbelt in favour of a 'European' Dominion. In spite of its superficial attractions, therefore, we feel bound to reject this solution as politically unacceptable.'

7. In paragraphs 2–3 of his telegram Personal No.34, Sir E. Hone has set out cogently many of the practical and political objections to the latest variant of this plan. In his earlier telegram Personal No.31, he had said that no scheme of this nature could expect to win, either at its inception or later, the consent of the people of Northern Rhodesia, which after 50 years of administration as one territory, has developed a national consciousness and that, if the scheme were imposed, it would be subject to the same stresses and strains as the present Federation, with no higher prospect of permanent acceptance.

8. I think that the main arguments against such a plan may be summarised as follows:—

(i) It is just not on, in this day and age, for an 'Imperial' power arbitrarily to partition an area of Africa, with the purpose of establishing a white dominated Dominion for all time.

(ii) The plan is historically the outcome of extreme right-wing European thinking, and has a classical 'apartheid' look about it.

(iii) Its practical effect would be to add to Southern Rhodesia the wealth-producing area of Northern Rhodesia, leaving the Africans to be content with weak and non-viable satellite Protectorates.

(iv) Any partitioning of Northern Rhodesia which left Africans within the 'white' Dominion would be incompatible not only with the Protectorate pledges in the Preamble, but also with ministerial undertakings in relation to those pledges—c.f. the Prime Minister in the Commons on 22nd July, 1959:—

'The British Government have made it clear throughout that, if there were proposals which at any time involved the two Northern Territories ceasing to be under the direct protection of a United Kingdom Government, then the pledges contained in the Preamble to the 1953 Constitution and solemnly given to Parliament would necessarily be brought into play. That means that it would be necessary to ascertain whether the peoples of Northern Rhodesia and Nyasaland desired the change.'

(v) The plan carries no prospect of political stability, because the Africans in the 'Dominion' will not accept European domination indefinitely. The fact of increasing African pressure in Southern Rhodesia has to be faced, whatever course is adopted; but the problem would be immensely aggravated under this plan. Indeed it is a reasonable assessment that the mere attempt to launch the plan would spark off African revolt in Northern Rhodesia and possibly Southern Rhodesia also.

9. In view of all this, it seems clear that the acceptance of such a plan by

H.M.G. would be condemned by Africans everywhere, and have most serious repercussions within the Commonwealth and internationally, quite apart from the local reactions.

10. The Secretary of State already has a copy of the memorandum submitted with my minute to Mr. Monson of 13th February, containing an analysis of the federal problem and leading to the conclusion that the only prospect of retaining any form of association of the Central African territories lies in an early formal decision to dissolve the present Federation.

11. I am sending copies of this minute to Lord Perth, Sir John Martin and Mr. Monson.

325 PREM 11/3943

1 Mar 1962

[Future of federation]: note by T J Bligh of a meeting at Admiralty House between Mr Macmillan and Sir R Welensky

[On 27 Feb, the Cabinet decided to retain the Asian seat in the Northern Rhodesian constitutional proposals but to lower the qualifying percentage for national seats from 12½ per cent to 10 per cent of votes cast and to eliminate the numerical alternative (CAB 128/36/1, CC 17(62)5, 27 Feb 1962). This was despite a warning from Perth that if it was decided not to abolish the Asian seat, he would resign from the government (Perth to Macmillan, 27 Feb 1962). Present at the meeting on 1 Mar were Macmillan, Sandys, Maudling, Trend and Bligh representing the British government, and Welensky, Greenfield, Robinson and Evans representing the federal government.]

The Prime Minister thought it would be useful to take the opportunity offered by Sir Roy Welensky's presence in London to have a general discussion about the problems confronting the Federation.

Sir Roy Welensky said that the tasks that lay ahead of the Federation had been made immeasurably more difficult as a result of the announcement on the Northern Rhodesian constitution which had been made in the House of Commons yesterday.

The Prime Minister asked whether Sir Roy had any ideas as to what steps might be taken to launch the next phase. *Sir Roy Welensky* said he was completely barren of further ideas as to the next step.

The Prime Minister thought it likely that the next immediate problem to be faced was the position of Nyasaland. At present the situation inside the territory seemed to be fairly calm. *Sir Roy Welensky* said that the calm was only on the surface. The whole country was running down as the government was ceasing to have effective control. They were confronted with increasing difficulties in maintaining law and order. The Malawi Party was now paying no heed to the Federal Administration and Malawi Ministers had refused to meet The Queen's representative. It was sad that whilst this attitude of intransigence amongst the leaders existed the people of Nyasaland were continuing to make full use of services provided by the Federal Government, for example, health and education. At present the territorial Government were not refusing revenue received from the Federal Government although it was true that they had refused capital assistance for the Nkula Falls project.

The Commonwealth Secretary thought it important to try and settle in advance of Dr. Banda's visit an agreed policy in regard to Nyasaland. The matter was becoming

urgent. *The Colonial Secretary* added that Dr. Banda was under strong pressures from his own Party to take some positive steps on secession. He was too deeply committed in the eyes of his followers to avoid this.

The Commonwealth Secretary asked Sir Roy whether he intended to try and keep Nyasaland within the Federation using force if necessary.

The Prime Minister suggested that it might be rather early to talk about using force which was anyhow a rather imprecise term. There were problems that would need to be faced sooner in the financial and economic field. *Sir Roy Welensky* agreed and referred to a recent example whereby the Federal Government had offered fourteen bursaries to students which the Nyasaland Government had refused to have anything to do with but which, since the students themselves were anxious for this assistance, the Federal Government had paid.

The Commonwealth Secretary thought that Dr. Banda might try and bring the issue to a head quickly by asking the direct question whether Nyasaland was to be allowed to secede from the Federation. What would be the first thing to happen if the answer was 'No'? It was likely that Dr. Banda would resign from the Government. What would happen then? It might be right to concede the principle of secession and then let the economic realities begin to take effect.

The Prime Minister asked Sir Roy whether he thought it likely that Nyasaland would be able to get financial assistance from any outside sources. *Sir Roy* thought it likely that they would get some help from Russia but not from the United States and he did not think that Russia would give them as much as they had been getting from the Federal Government but just enough to make trouble.

The Prime Minister asked whether Dr. Banda had yet made any public announcement about his visit to London and its timing. *Sir Roy Welensky* said it was known that Dr. Banda was going to Lisbon but there had been no definite public announcement although it was fairly commonly known.

The Commonwealth Secretary asked Sir Roy Welensky how he would like to play the hand.

Sir Roy Welensky said that he had no suggestions to make. In recent discussions they had had in Salisbury they had canvassed a way out but this did not now seem to be generally agreed. He did not think it was possible to wait and do nothing until elections had been held under the new Northern Rhodesian constitution. This could not be done for at least twelve months and this meant another year of interference in Federal affairs from the United Nations and others which would result in more confusion. Moreover the new minimum qualifying percentage which had been announced would be likely to frustrate a definite result in all except three seats on the Middle Roll (sic). He added 'If I say a thing I try and honour it and back it'.

The Prime Minister hoped it might be possible to persuade Dr. Banda to withhold action for the time being. Following the adjournment of the Federal Review Conference in December 1960, there had been discussions on the constitutions of the three constituent Territories which had now resulted in three new constitutions. Southern Rhodesia would vote in October and Northern Rhodesia early next year. Could not Dr. Banda wait to discuss the future of the Federation after this stage had been completed?

The Colonial Secretary thought it unlikely that Dr. Banda would be prepared to agree to wait. The alternatives seemed to be between telling Banda right away that we would be prepared to agree to his right to secede, or trying to persuade him to accept

orderly transfer of functions from the Federal to the territorial Government and then have the right to exercise the option. Although it was true that Dr. Banda was not a Chief Minister the fact had to be faced that his Party had won a large majority of the seats in the last June election including some on the Upper Roll.

Sir Roy Welensky said that this had been as a result of widespread intimidation.

Sir Roy Welensky then went on to say that the new Northern Rhodesian constitution would not be likely to lead to a stable and responsible government.

The Prime Minister asked about the sort of problems which were dealt with by the Legislative Assembly and how far these were likely in practice to throw up sharp disagreement between the Parties.

Sir Roy Welensky said that the Northern Rhodesian Government had considerable powers within the Territory dealing especially with police, law and order, administration of justice, land, African affairs, and so on. But the difficulty was not likely to arise from differences of opinion on particular problems within their sphere of responsibility. The point was that Kaunda wanted to gain control of the Copper Belt. If the Sandys/Whitehead scheme had been adopted quickly this would have prevented Kaunda from achieving his object but the announcement in the House yesterday seemed to put that scheme out of consideration.

Mr. Greenfield observed that under the June proposals the United Federal Party would have had a good chance of winning the election.

The Prime Minister asked *Sir Roy Welensky* whether he thought that some redivision of the territories within the Federation would offer some prospects of a constructive solution. He understood that there had for some time existed proposals for a Central African alliance. Was something on these lines really practicable?

Sir Roy Welensky said that he had discussed these ideas with the Commonwealth Secretary in Salisbury and had thought they offered good prospects. Under these proposals Nyasaland and Barotseland would have the right to secede and Kaunda could become Prime Minister of an independent North Eastern Rhodesia which would also have the right to secede. This would seem to be what the local politicians themselves wanted. *Sir Roy Welensky* added that he would never accept that the central part of Northern Rhodesia and Southern Rhodesia should have the right to secede from the Federation. This would end it and he could not contemplate such a prospect. In order to try and prevent the break-up of the Federation it was necessary to adopt some proposals quickly and put them into operation with speed and vigour.

The Colonial Secretary suggested that public opinion in Barotseland might not be behind the Litunga.

Sir Roy Welensky said that the governing authority of Barotseland was able to control the territory with some eighteen British police. The population of 300,000 people were in an area about the size of Scotland.

The Prime Minister asked whether it was realistic to contemplate such a partition of Northern Rhodesia at this stage, and the *Colonial Secretary* added that the announcement he had made yesterday about the Northern Rhodesian constitution did not alter the position in that respect from the June proposals.

Sir Roy Welensky then went on to talk about the September statement and said that although the Colonial Secretary had said that the British Government were not to be deflected by threats they had in fact altered their minds in September as a result of violence from the African extremists.

The Prime Minister said that the whole point of democratic government lay in deciding how fast to proceed in yielding to public opinion. One could not turn the tide. The French had tried this in Algiers and had failed. The British could have held Cyprus if they had been prepared to adopt certain measures but it was unlikely that British troops would have been prepared to carry out the orders necessary to execute these measures. One could not really solve political problems by the simple exercise of power.

Sir Roy Welensky said that he too had problems of public opinion in the Federation and if he were now to say that he would give in, then the Rhodesians, who were of British stock, would not accept the surrender. The exercise of political power in the Federation was not an academic problem for him: it was a matter of life and death. The Africans in Central Africa had made much greater progress under the Federal Government than they had elsewhere in that part of the continent. Sir Edgar Whitehead spent one-fifth of his revenue on African education. It was natural that the Africans should want political power but the process of transition must be orderly. It should not be forgotten that in Northern Rhodesia in the past eighteen months some 2,000 U.N.I.P. party card bearers had been convicted for acts of violence and arson. Sir Roy went on to say that sooner or later something must be devised and settled for the future of the Federation that would avoid further bloodshed. This could not wait indefinitely. They might even be driven to contemplate a link-up with South Africa. He was convinced that Southern Rhodesia could not stand on its own feet and if the Federation broke up the pressures on Southern Rhodesia to drift towards South Africa might become irresistible. Something must be done soon.

The Prime Minister said that the difficulty seemed to be in deciding what should be done. Thus if Nyasaland left the Federation this would not necessarily seem to affect the strength and well-being of the Federation. The difficulty seemed to be that it might create a precedent for Northern Rhodesia.

Sir Roy Welensky said that the proposal which the Commonwealth Secretary had produced in Salisbury would have helped.

The Commonwealth Secretary said that Sir Edgar Whitehead had put forward certain ideas in Salisbury which he had done his best to get accepted by himself and Sir Roy Welensky. These proposals had been based on the basic core of the Federation and how this should be kept together, namely the Copper Belt and Southern Rhodesia.

The Prime Minister asked whether it would necessarily follow if Nyasaland were given the right to secede that Northern Rhodesia would press for similar treatment. After all it did not seem very likely that U.N.I.P. would get a majority in the Northern Rhodesian Parliament under the new constitution. *The Colonial Secretary* thought that it was likely that there might be an anti-Federal majority.

The Commonwealth Secretary again said that he was anxious that some early agreement on policy should be reached towards Nyasaland.

Sir Roy Welensky said that he was returning to Salisbury on Friday evening, March 2, and that his Parliament was meeting on March 6.

The Prime Minister thought it would be useful if during the rest of his stay in London Sir Roy Welensky were to have further discussions with the Commonwealth and Colonial Secretaries together.

326 DO 158/63, no 25

1 Mar 1962

'Rhodesia Federation': minute by Sir S Garner to Mr Sandys. Annex: memorandum, 'Possible action in the event of the federal government forcibly taking over the Northern Rhodesia line of rail and Copperbelt'

In accordance with your instructions I have had the paper which I prepared on Sunday revised and looked at in consultation with the Treasury and the Board of Trade.

I annex a copy of the revised report.

Since this is agreed in substance at official level with the other Departments, I do not want to vary its terms but would make the following comments:—

(1) Admittedly, any sanctions taken by us are liable to cause us damage. If they are half measures sanctions are useless (except as political gestures). If we are to take action we need (to borrow a phrase from Sir Roy) to 'go the whole hog', and it seems to me that a combination of all the measures suggested (leaving the military out of account) would prove very formidable indeed. Indecisive measures would only add to our difficulty in the long run, whereas if we take strong measures from the start we should have more chance of controlling the situation and keeping third parties out.

(2) Quite apart from the practical effect locally of any action taken, the knowledge that we were prepared to take such steps would, in my view, act as a severe deterrent to Sir Roy Welensky.

(3) Admittedly, the psychological effect of any measures taken is difficult to judge. As the report says, the initial effect might be to harden the attitude of many Europeans in Rhodesia. On the other hand the 'Mother Country' still has meaning and there might well be an emotional conflict. In any case I cannot help feeling that much of the bluster is a reflection of a brittle atmosphere in Rhodesia and of the very natural anxiety of many Europeans about their future. If, for example, a tobacco farmer were to think that there would be no market in Britain for his tobacco he might crumple.

Annex to 326

1. The object of this paper is to examine briefly possible courses of action open to the British Government in the event of the Government of the Federation of Rhodesia and Nyasaland carrying out a coup d'état in part or all of Northern Rhodesia. It is assumed for the purposes of this paper that such a coup would take the form of a usurpation by force of the powers of the United Kingdom and Northern Rhodesian Governments.

A. 2. General considerations

(i) Opinion in Britain would be divided. It is not clear that popular support for Kaunda and Banda and the Africans outweighs that for Welensky and the Europeans. But if the Federation killed a number of Africans in maintaining law and order, or imprisoned a number without trial, the climate of opinion might change.

- (ii) A case might be taken to the Security Council by the Afro-Asians and/or the Communists, with a request for U.N. intervention. This would create an awkward political dilemma for British Government.
- (iii) There would be a split in the Commonwealth. Mr. Menzies¹ would probably support Welensky; the new Members would all support Kaunda and Banda.
- (iv) There might be suggestions that Indian and Ghanaian troops should enter Northern Rhodesia (both these countries already have troops in the Congo).
- (v) African unrest would develop in Southern Rhodesia, perhaps beyond the capacity of the Europeans there to control.
- (vi) Southern Rhodesia might turn to South Africa for support.

B. 3. *The use of force*

Military measures

Despatch of troops from Kenya by air to Northern Rhodesia would be a major military operation. 1961 study of possibilities showed that:—

- (1) Lusaka airfield would be vital;
- (2) the Federal Government know this;
- (3) armed Federal resistance must be expected, in spite of possible co-operation from the Northern Rhodesia Police;
- (4) thus an airborne assault might well be necessary;
- (5) this would probably have to be preceded by a long-distance bomber operation to neutralise the R.R.A.F., with its 'civil war' implications for the British forces involved;
- (6) the rate of build-up and subsequent maintenance would present serious military and logistic problems.

4. *We might attempt to sabotage one or more of the railways*

- (1) Salisbury – Cape Town
- (2) Salisbury – Beira
- (3) Salisbury – Lourenco Marques
- (4) Copperbelt – Benguela

5. *Local forces*

We could count on the loyalty of the Police (an efficient and sizeable force), but Federal troops are already in Northern Rhodesia and more could be despatched (though it would be difficult to keep the Territorials away from their occupations for more than a few weeks.) In any case a crisis of the nature suggested would probably also lead to African unrest in Southern Rhodesia.

C. 6. *Economic and financial sanctions*

An embargo on exports to the Federation

The Federation's imports from all sources amount to £157 m.; of this Britain's share is £47 m. An embargo would be unlikely to be effective because:—

¹ Prime minister of Australia.

(a) It would hit the British export trade since the Federation would look elsewhere for supplies.

(b) Without the co-operation of South Africa and Portuguese East and West Africa it could easily be circumvented.

7. *An embargo on imports from the Federation*

Federation exports to all destinations in 1960 were £206 m.; Britain's share of this was £103 m., copper and tobacco being the principal commodities bought by us.

Copper

Total Federation exports were £108 m.; of which Britain bought £57 m.; half the copper used in Britain is Rhodesian. We could not easily find alternative sources of supply; the Federation might well have less difficulty in finding alternative markets. Rhodesian copper is produced by Anglo-American and the Rhodesian Selection Trust, both of which are partly British-owned.

Tobacco

Britain buys about £28 m. out of £37 m. of Rhodesian exports of tobacco. This is about one quarter of all British imports of Tobacco. British tobacco manufacturers hold large stocks (largely for maturing purposes) and there would be no immediate effect on supplies of cigarettes. However, the taste of smokers has been adjusted to a certain proportion of Rhodesian tobacco. An embargo on tobacco imports would do real, but perhaps not decisive, economic damage in Rhodesia. (For many farmers it is a principal crop. Auctions begin in March). But British manufacturers would want to buy more tobacco at the American auctions in the autumn.²

Other commodities

Britain also buys a substantial share of Federation exports of Asbestos, Chrome and Gold. However, compared with tobacco, an embargo on these would have results of minor importance.

8. *Financial measures*

(a) Freezing of Federal funds in London

The Treasury view is that in the light of experience over Egypt and Suez, this is a course we could not contemplate because:—

(a) there is more British investment (e.g. copper, banking) in the Federation, which would be vulnerable to sequestration, than there are Federal funds in London.

(b) freezing would alarm independent holders of sterling, who would fear similar action against them in a political dispute with Britain. If they decided to forestall this by changing sterling for gold or dollars, a run on sterling might develop. In

² In a marginal note intended to assist any future revisions to this paper, H A F Rumbold commented, 'This fails to bring out the fact that tobacco is the main product of the *European* farmers in *Southern* Rhodesia.'

general the long-term effect of some loss in confidence in the security of sterling could have serious consequences for us.³

(b) *Expulsion from the sterling area*

The main effect of this would be to subject capital exports to Rhodesia to exchange control. As there would be no such exports in the situation we are considering, little would be achieved. Our position when the situation had been restored might be prejudiced. Exchange control would be evaded via South Africa and probably Australia. It might lead the Central Bank to switch sterling holdings of about £40 m. to dollars.

(c) *Withdrawal of Trustee Status of federal stocks*

This would lower the price of existing loans on the London market. British investors, not the Federation, would suffer. The political situation already precludes the floating of further loans on the market.

(d) *Withdrawal of the £5 million Commonwealth Assistance Loan*

No drawings can take place before 1st April. We could at any time suspend implementation of the agreement (and payments of other grants—etc. C.D. & W., for example). This would not be an effective sanction, by itself, but might form part of a wider pattern of sanctions.

(e) *European Economic Community*

About two-thirds of the Federation's exports are free of duty in the E.E.C. Common External Tariff. Copper from Northern Rhodesia makes up much the greatest part of this. No special arrangements to protect those exports would be necessary whether we join E.E.C. or not. The Federal Government is, however, anxious to be associated with E.E.C. so as to protect other exports to Britain—especially of tobacco from Southern Rhodesia, which makes up one-fifth of the Federation's total exports—and so as to gain free entry in the Six and the existing associates for processed metals, manufactures, tobacco and foodstuffs. We could certainly prevent their getting association or other beneficial arrangements but this could only have an effect in the much longer term. Moreover a threat to use this sanction could not have much effect unless it is clear that we are going to join E.E.C. and also will succeed in securing for the federation the option of Association.

9. *Summary of pros and cons of trade and financial sanctions*

All our experience in previous cases goes to show that the economic effect of sanctions is slow. Their initial effect might be to harden the attitude of many Europeans in Rhodesia. They might result in permanent damage to our economic interests in Rhodesia and elsewhere. They would almost certainly cause great hardships to many Africans, the people we would be trying to help. We could expect

³ Rumbold commented, 'This is too weakly put. It is not only a Treasury view that a freezing of Federal assets w[ould] spell the doom of the sterling area, which is one of the main props of the C[ommon]W[earth] system.'

retaliation—denial of commodities important to us; sequestration of British assets; cessation of interest payments on loans raised on the London Market. Moreover, it is difficult to be confident that such sanctions as Britain could impose would bring the Federal Government to heel, once they were committed to a coup. It would be unwise to embark on a programme of sanctions unless we were confident of early achievement of the desired political results.

On the other hand, sanctions would provide a demonstration of disassociation by us from Welensky's action; and would relieve the heavy pressure we should be under from other states (especially the Afro-Asians) to take positive steps against the Federation.

In the light of the foregoing, the value of the *threat* of sanctions, as a deterrent to be used before the Federal Government were committed to a coup, is limited. Sir R. Welensky might well pause, if threatened with economic measures; but it is equally possible that he too would come to the conclusion, that the damage they would cause would not be decisive.

D. 10. *Legal and constitutional action*

When consideration was given in February 1961 to United Kingdom action in broadly similar hypothetical circumstances, the Cabinet considered that the most appropriate action to be taken would be to suspend the Federal Constitution and, in effect, abrogate all Federal authority for the period of the suspension. This would require an Act of Parliament which would also have to provide for the transfer of Federal personnel to some other authority and for the maintenance of the services at present discharged by the Federal Government. The Act would probably have to stipulate that all Federal personnel should place themselves at the disposal of the Governor-General and that he should assume all the legislative and executive powers at present vested in the Federal authority thereafter administering the Federal services throughout the country as best he could in conjunction with the two Northern Governments. The advantage of this course was that it would put us, in relation to public opinion (particularly perhaps the U.N.) in a very strong legal position.

11. From such action there might flow the following subsidiary action:—

(a) The British High Commissioner in Salisbury would cease to communicate with the Federal Government, though he might be required to act as a channel through which the British Government's instructions were conveyed to the Governor General.

(b) The Federal High Commissioner in London, unless he took instructions from the Governor General, would cease to be recognised and might be asked to go home.

(c) British diplomatic and consular representatives would cease to act on behalf of the Federal Government, though this would not involve depriving Federal citizens of protection.⁴

12. It is not, however, clear that these moves would in fact prevent the Federal Government from exercising *de facto* powers within the Federation but they would put the British Government in a strong position legally.

⁴ Rumbold commented, 'W[oul]d they not act on behalf of the G[overnor] G[eneral]?'

To sum up:—

- (1) Failure to react to a Federal coup would:—
 - (a) be seen as a condonation of a flagrant violation of the rule of law or a humiliating display of impotence;
 - (b) be seen as an abandonment to their fate of peoples entitled to H.M.G.'s protection;
 - (c) involve us in great difficulty and embarrassment in the United Nations;
 - (d) put heavy strain on our relations with the rest of the Commonwealth (except Australia).
- (2) The difficulties, physical and political, of military action appear to rule it out.
- (3) Economic sanctions of the kind discussed in section C of the foregoing would:—
 - (a) be politically difficult at home;
 - (b) strain relations with Mr. Menzies and the Australians;
 - (c) damage our own economy;
 - (d) be damaging to our substantial investment, and future trading position, in the Federation;
 - (e) involve us in a situation from which we could not easily free ourselves;
 - (f) make it more difficult to avoid the use of sanctions in other situations (e.g. South Africa) where this would damage our interests.⁵
- (4) Legal and constitutional action of the nature discussed in Section D of the foregoing would:—
 - (a) Put us in a strong position legally;
 - (b) Pave the way for other measures;
 - (c) Be of great value vis-à-vis international and Commonwealth opinion;
 - (d) Be ineffective on the ground in the Federation.

⁵ Rumbold commented 'We need to make the points here that (i) a freezing of assets w[oul]d be particularly damaging to us and to the sterling area. (ii) the least damaging thing to us w[oul]d be to ban imports of Rhodesian tobacco and this w[oul]d also have most immediate effect.'

327 PREM 11/3944

16 Apr 1962

[Nyasaland and the future of federation]: minute by Mr Butler to Mr Macmillan

[On 5 Apr, the Cabinet endorsed a proposal by R A Butler, recently appointed minister in charge of Central Africa, to establish a group of advisers to investigate the consequences of Nyasaland's secession from the Federation, and to explore with all four governments of the Federation possible future forms of association. The immediate objective was clearly to prevent 'precipitate action' by Banda on the question of secession (CAB 128/36/1, CC 26(62)3, 5 Apr 1962).]

You will remember that the Cabinet agreed to a composite approach to the problems of the Central African Federation. This was designed so as to set the future of Nyasaland in a constructive light and to synchronise an examination into Nyasaland's future with work on the rest of the problem.

This initiative was at first looked upon as reasonable by Roy Welensky but has since been turned down by his Cabinet largely because they fear that any acknowledgement of the determination of the Malawi Congress *not* to stay in the

present Federation will unbutton the Federation as a whole and give Kaunda a precedent for Northern Rhodesia. The Federal Cabinet also dislike any announcement being made during the Federal Election.

Meanwhile the Governor of Nyasaland is handling Banda with skill and obtained his agreement to my deferring my statement till May's debate. This is on the understanding that I shall not go back on the formula I gave to the Cabinet to the effect that I am appointing an inquiry into the viability and future association of the territory which does not desire to continue with the present arrangement.

I shall be raising all this orally with the Cabinet.

I shall not now make any statement before Easter and shall therefore suspend public announcements till the Parliamentary Debate early in May. This would give me time to avoid the Federal Election.

I would contemplate the Nyasaland portion of the composite approach being included in the May statement as well as an indication of the rest of the plan, simply meeting the Federal Government so far by saying that I was going out to work on the details on the spot.

I am clear that we cannot go back on the Nyasaland plan. If we did we should lose all chance of any constructive approach either to the non-viability of the territory, or to an alternative form of association in the future. Moreover we should be saddled, or rather the Federation would be, with an infructuous¹ civil disobedience fanned from all parts of Africa.

There is still a comparatively calm atmosphere in the Federation and a disposition to give my visit a chance, but you should know that Alport concludes his last telegram with a statement by Welensky that if he continued to be disillusioned by H.M.G. his mind was turning to help from South Africa.

I will if it is not inconvenient have a short word about 7 so that I am ready for tomorrow's Cabinet.

¹ 'Not bearing fruit; unfruitful, barren; *fig* unprofitable, ineffective' *The New Shorter OED*.

328 PREM 11/3944

16 May 1962

[Nyasaland and the future of federation]: CO record of a meeting at Government House between Dr Banda, Mr Butler and Sir G Jones

Dr. Banda said there were three points in Mr. Butler's recent speeches in the House of Commons on which he would like to have clarification.¹

1. The use of the term 'this is the constructive part' when dealing with 'possible alternative and acceptable forms of association with the other two territories'.
2. The reference to the British Government's determination not to abdicate in Central Africa.
3. The use of the term 'hold the ring'.

¹ Butler announced the appointment of advisers to consider the future of Nyasaland in the House of Commons on 8 May.

On 3 Mr. Butler said he was referring to the use of threats on the one hand by Welensky who had intimated that he might walk into Northern Rhodesia and take it by force, and on the other by the nationalist parties in Northern Rhodesia who appeared to be indulging in pre-election intimidation. The term was not applicable to Nyasaland which was not in mind at that part of the speech.

On 2 Mr. Butler said that he was hoping to dispel current ideas that Britain was disengaging from her responsibilities in Central Africa. This was clearly not so and the debate itself showed that H.M.G. was determined to find a just and workable solution to the Central African problems.

1, said Mr. Butler, brought him to the kernel of his responsibilities in Central Africa. By the appointment of advisers to examine the consequences of Nyasaland's withdrawal and the possibilities of alternative forms of association, he would be making it clear to the influential members of his own party whom he had to carry with him in his policy, that he was not making a fateful decision in Central Africa without giving the problem the most careful and searching attention. If he were to decide that Nyasaland could secede without going through this essential process, he could not carry the Conservative Party or indeed the British Government with him.

Dr. Banda was satisfied with these clarifications and was particularly impressed by the Secretary of State's frank admission that as a politician he must carry his colleagues with him in the execution of his policy towards Nyasaland.

Dr. Banda said that whatever the results of the examination by the advisers, he and his people were determined to secede from the Federation. This was his declared policy and his patience and endeavour to attain his object by peaceful and constitutional means was not being very well understood by many of his adherents. He had rejected a number of motions put forward by his colleagues for debate in Legislative Council urging the Government to announce Nyasaland's secession. He was most anxious that peace and calm in Nyasaland, which was entirely due to his explicit instructions to his people and a reflection of his supremacy as a nationalist leader, should continue but the months were passing and he had no sign to give his people. Mr. Duncan Sandys had promised him the British Government's decision one way or another during the month of March. He was surprised and disappointed that nothing had happened during March or April, and now there was this examination by expert advisers. How long would this take and when would the British Government make its decision about Nyasaland's secession? He gave a brief account of the history of Nyasaland's opposition to the Federation which began long before 1953 and had become intensified in recent years.

Mr. Butler said he acknowledged Dr. Banda's policy of secession and he would not ask him to refrain from making public reference to it. In fact, he would expect him to do this. He could not say how long the advisers would take over their task. It would not be possible to get them on the ground before June and their work might take 'several months'. He himself would be quite willing, before leaving Nyasaland, to make a statement to the effect that after meeting Dr. Banda he acknowledged his policy of secession and gave an undertaking that H.M.G. would not impose a solution unacceptable to the people.

Dr. Banda said that he could not negotiate on alternative acceptable forms of association with the other two territories until Nyasaland's secession had been decided and implemented. It was quite impossible for him at the present time even to think of any form of association with Southern Rhodesia. He however agreed to the

examination of the consequences of Nyasaland's secession, particularly the economic and fiscal consequences. Mr. Butler then gave Dr. Banda an idea of the sort of person he had in view for his own advisers and agreed that it would be quite in order for the Nyasaland Government to employ an adviser acceptable to Dr. Banda. Dr. Banda appreciated this, said that one only would be necessary, and that he had several people in mind, including a Scotsman from Glasgow.

Dr. Banda then spoke about the civil servants and assured Mr. Butler that expatriate civil servants who wished to stay on would be very welcome, provided they did not work against the constitution and faced the realities of the new situation. Those who remained would need to have a sense of mission. The time servers and those who could not bring themselves to accept the new look in Nyasaland would be well advised to go as soon as possible.

The general impression gained from this first meeting was that Dr. Banda would establish warm and friendly relations with Mr. Butler. He was at ease and courteous throughout and expressed his gratitude to Mr. Butler for coming to Nyasaland and for showing so much ready understanding of the territory's problems. He would co-operate if somewhat reluctantly with the advisers in their examination of the consequences of secession. He could probably be brought to co-operate with very little enthusiasm in the examination of alternative forms of association. He would be impatient to see the advisers working on the ground and would expect them to complete their work speedily.

At the end of the meeting it was decided to hold another meeting at 6.00 p.m to discuss Dr. Banda's suggestions for constitutional change in the territorial sphere.

Mr. Butler referred to financial help being given to Nyasaland both in balancing the budget for the year 1962/63 and also in the implementation of a new Development Plan. Dr. Banda expressed his gratitude and agreed that these facts could be communicated to his colleagues by Mr. Butler.

Mr. Butler said he believed that an independent Nyasaland could in certain favourable circumstances expect to receive some financial and economic aid from the Federation but Dr. Banda said that such assistance would be unacceptable.

Dr. Banda referred to the forthcoming elections in Northern and Southern Rhodesia and said that he would not expect them to be the cause of any delay in reaching a solution to Nyasaland's problem. Mr. Butler agreed that the elections in the other territories would not be used to delay the solution in Nyasaland.

329 DO 183/40

1 June 1962

[Future of federation]: letter from Sir R Welensky to Mr Butler on the position of the federal government

My Ministers and I are very appreciative of the friendly and frank way in which you conducted the discussions between us and we derived some encouragement (of which commodity we have had all too little in the past) to believe that Britain after all has some desire to maintain close bonds between the Territories comprising the Federation.

Having said this I would like to recapitulate and to emphasize certain matters upon which we feel very strongly, just in case you have not recognized the importance that we attach to them.

At the outset I would like to mention that we note with considerable concern that members and representatives of the British Government seem to keep on reiterating that any settlement of the problems of the Federation is dependent on the consent of the inhabitants. You yourself at various press conferences, and indeed in the course of discussions with us, made reference to the Preamble to the Constitution and you appear to regard this as laying down that the consent of the inhabitants is a prerequisite to a settlement of our future. If this is not a correct view of what you have intended to convey I shall, of course, be happy to be told so. There are several related points that I must make in this connection:—

(1) The Preamble only requires the consent of the inhabitants in two cases:—

(i) The Territories are to retain their separate Governments so long as their people wish it so. This case seems to me not to present any difficulty as there is no question in our mind or yours of amalgamating the Territories, or any of them, into a unitary state. If you were to go back into the history of the negotiations leading up to the Constitution of 1953 you would agree that the object of this part of the Preamble is to rule out amalgamation and to perpetuate a federal form of relationship.

(ii) The Federation is to go forward when the people so desire to full membership of the Commonwealth. This of course entails eventual independence of Britain. The consent of the people may be required to the severance of Britain's direct control over the affairs of the two Northern Territories. Here, again, there may be less difficulty than is commonly supposed because it is reasonably certain that all parties want independence at an early date—the only question is the basis on which it is to be given.

(2) A point to which I believe you may not have given sufficient weight is that there is already a Federation in existence. The consent of Southern Rhodesia was obtained at a referendum in 1953, and the alleged lack of consent of the Africans in the Northern Territories did not deter the British Government from including these Territories in the Federation. When it is suggested that the consent of the people is needed to a new form of association the Federal Government must insist that this is only *part of the requirement*. The consent of the three Territories and of the Federal Government is necessary to any major alteration to the present Constitution. The people of one or more Territories cannot get out of the Federation without the consent of the other Territories and of the Federal Government. If the majority of the people in one or more Territories want to be out of the Federation, and the people of another Territory and the Federal Government want to preserve the Federation as it is, a compromise may have to be agreed upon. To show that I am not just 'chancing my arm' in making the foregoing remarks I would like to quote to you the remarks of Lord Swinton and of Mr Oliver Lyttleton, as he then was, in January 1953 at the Conference which led up to Federation. Mr Lyttleton on 19th January, 1953, page 22 of that day's record, said:—

'I think that without the unanimous consent of the four Governments in fact the Constitution could not be liquidated',

and later he said (page 23):—

'I think the position is that you cannot upset the Constitution without agreement, can you?'

Greenfield then pointed out that the Constitution could not be upset constitutionally without the intervention of Her Majesty's Government. (He of course meant that this would be the mechanics after agreement). Lord Swinton's and Mr Lyttleton's comments on this are remarkably interesting. Swinton said:

'That is a risk you always run in a sense, that it would be possible I suppose for H.M.G. if they could persuade Parliament to do it to pass an Act of Parliament tomorrow morning to take away the whole of responsible government from Southern Rhodesia and the whole of the functions which would be given to the Federation. You cannot legislate against the U.K. Parliament going off its head'.

Mr Lyttleton:

'That is Mr Greenfield's point, it is the other way round. He means that as long as it requires the intervention of H.M.G. the lender is safe. Nobody is safe from the Sovereign Government repudiating its obligations. In this case there would have to be four people to do it.'

I must therefore emphasize that the Federal Government contends, and will insist, that no radical revision of the Constitution can take place without its consent. This is no mere academic point – the Federal Government has a responsibility in this matter to its creditors and also to its public servants and to the public at large. Nevertheless it is willing to negotiate – an attitude which I am sure you will agree is more constructive than that of the Malawi Ministry in Nyasaland and of the African Nationalists in Northern Rhodesia.

(3) Allied to this subject is the matter of the Constitution. It is obvious that legislation of the British Parliament is a *sine qua non* of the excision of any part of the Federation. The Federal Government contends most strongly (and in reliance on the opinion of a very eminent Constitutional adviser) that the British Parliament is prevented by constitutional conventions from enacting such legislation without our consent. You promised to let me have a statement of your Government's views on this matter, supported by the opinion of its legal advisers, and when I receive this I shall, if necessary, submit to you a full statement of the matter as we see it.

To sum up on this aspect of the matter we contend very strongly that the consent of the Federal Government is fundamental to the release of Nyasaland from the Federation and to the setting up of a new form of association. We are prepared to negotiate, but there can be no question of letting Nyasaland out unless and until we have reached agreement with the British Government about the future of the Rhodesias.

The next point I want to take up with you is that of independence for the Federation. In our discussions you recognized that the Federation or the new association must eventually attain independence but you appeared to regard this as a further development to be dealt with as a separate issue in the future. I want to stress to you that in our opinion it is absolutely essential that when we reach a settlement upon the future relationship between the two Rhodesias, and between them and Nyasaland, it must be a composite solution with independence thrown in. We cannot go forward on the basis of a partial or temporary solution and only independence can now immunise us from the attacks of the United Nations.

I now want to turn to the matter of a Common Market type solution, simply to reiterate that any proposed settlement along these lines without the strongest possible political bonds between the Rhodesias would be illusory and I would be compelled to reject it.

As regards re-allocation of functions, I informed you that there were a number of subjects whose transfer from Federal to Territorial jurisdiction or vice versa could be considered. I think I ought to mention, however, that Education is not one of these. It may be necessary to make some adjustments to the definition of 'Higher Education', and otherwise to re-examine the scope of the other definitions. But I must advise you that under no circumstances will it be politically possible to transfer responsibility for non-African education to the Territorial Governments. In this connection I must point out that the principal reason given by the Monckton Commission for their recommendation of such transfer was the need to enable private schools to cater for all races. We shall be introducing a Bill at our forthcoming session of Parliament which will remove the obstacles to this, and there is no need to transfer Education holus bolus to the Territories in order to permit of multi-racial private schools.

As regards the Northern Rhodesia delimitation I shall be writing you a separate letter.

330 PREM 11/3945

22 Aug 1962

[Future of federation]: minute by Mr Butler to Mr Macmillan on the question of a suitable alternative

Following upon our dinner conversation, the present state of play on Central Africa is not an easy one. *No decision, however, need be reached until after the N. Rhodesian Elections in October.* As at present arranged we have the Nyasaland Conference in November and I propose to postpone a statement about Nyasaland's Secession till then.

Thereafter all my advice shows that a chain reaction will arise and will take the form of N. Rhodesia demanding secession. My Advisers (Sir Roger Stevens et cie) recommend facing this situation by calling a Conference to decide the future form of Association of North and South Rhodesia. This might take place in the New Year. Their idea is that this Conference would relieve H.M.G. of the odium of showing that the days of the *present* Federation are numbered. Once this is shown the units might get together to form new links based on their economic interdependence.

My Advisers who are reporting *ad interim* recommend that as and when the Conference fades into the sand H.M.G. should intervene and declare the *present Federation* dissolved. They then recommend a High Commission to be appointed to be the new Authority and to dissolve all the attributes (public service, etc.) of the old Federation and to create the *new* Association. My Advisers' views are that the *new* Association should not include powers for Central Defence or Foreign Affairs. It should be on the lines of the East Africa Common Services Organisation.

I have been obliged to inform them that I could not envisage the present Federal Government being shot dead in June 1963.

The High Commissioner has informed me of some language used by Sir Edgar Whitehead namely that Welensky may do a *Samson*¹ act if thwarted.

While I accept the enlightened views of my Advisers that Federation, as it now stands, is nowhere readily acceptable I have asked them to reconsider their plan.

I do not mind the idea of a Conference at which Welensky learns how difficult things are. But I would prefer a plan under which the Federal Government remains intact, while all minds are turned to finding an alternative to the *present* Federation.

It is impossible to see further ahead but meanwhile we must play the record as circumstances dictate bearing in mind the request for urgency of Sir E. Whitehead, the Africans and the Business world.

I do not doubt that things are as difficult for Sir Roy and the Federation as the Advisers say.²

¹ A major concern of the British government was that Welensky might emulate the Old Testament hero by hastening the demise of the Federation with some spectacular final act of defiance (interview between the editor and Lord Alport, 14 Mar 1990).

² Macmillan responded, 'I am sure that what you propose is the best course to follow in these difficult circumstances. When your advisers have "reconsidered their plan", no doubt you will let me know what you would suggest. The timing is very important, having regard to our own position at home. Nor must we forget that Samson has quite good cards, if he cares to play them' (Macmillan to Butler, 23 Aug 1962).

331 DO 183/480, no 1

5 Sept 1962

[Intelligence in Central Africa]: letter from A J Kellar¹ to W S Bates (CAO)

With a further Constitutional Conference on Nyasaland planned for November when, as I understand, consideration will be given to the issue of self-governing status for the territory, this is probably the time to invite the views of your Office on the manner and timing of any declaration of the S.L.O.² to Dr. BANDA.

2. As you know, it is our custom to declare the role of the Security Service, and that in particular of its S.L.O.s, when the office of Chief Minister is first held by an indigenous politician. It is our normal practice to do this at the same time as indigenous ministers are officially informed of the Special Branch and the local intelligence community as a whole. Such was the procedure followed in the case of both Dr. NYERERE and Mr. OBOTE and you may recall that in each case I went out personally to assist the Governor in this over-all declaration. However, it may be that in the case of Nyasaland where Dr. BANDA may already have been brought informally by the Governor into some knowledge of the local intelligence arrangements, that the introduction of the S.L.O., if only at this stage to Dr. BANDA alone and without awaiting the outcome of the November conference, can be both useful and good

¹ From the material currently available A J Kellar's formal position within the Security Service at this time is slightly unclear. He appears to have been head of 'E branch', MI5's overseas section, from 1946–53. Thereafter, he apparently served as head of 'F branch', which monitored domestic subversion. On the basis of this document, however, it is apparent that he maintained a close interest in colonial affairs well into the 1960s.

² Security liaison officer, the title given to Security Service (MI5) officers stationed in British colonial territories. MI5's SLO in Central Africa was currently responsible for all three of the federal territories.

tactics. In the circumstances, we should be grateful if you could obtain the views of the Governor of Nyasaland and also those of the High Commissioner in Salisbury on how they would suggest the declaration of the S.L.O. should be handled.

3. As you know, our representative in Salisbury is there as S.L.O. Central Africa and his declaration to Dr. BANDA would require to make it clear that he serves not only Nyasaland but also the other two territories in the Federation. We would hope very much that Dr. BANDA, if he accepts a relationship with the Security Service, will not insist on his own separate S.L.O. It would be very difficult for us to set up an independent station and we would be very unwilling to do so. How the matter is put to Dr. BANDA will therefore be very important.

332 DO 183/480, no 2

10 Sept 1962

[Intelligence in Central Africa]: letter from W S Bates to A J Kellar.

Minute by N D Watson

Thank you for your letter of the 5th September,¹ about the possibility of declaring your S.L.O. to Dr. Banda.

2. It is certainly timely for you to raise this question with us, because in November we shall no doubt, as you say, be considering a move towards something very near full internal self-government for the territory, and the changes agreed at the November conference may well come into effect in the first half of next year.

3. We are however in considerable doubt whether it would be opportune to raise this matter with Dr. Banda before the November conference. In the first place, we think that his introduction to the S.L.O. arrangements would be best made in the context of a definite constitutional move towards greater ministerial responsibility for police and security matters, of the kind which may well result from the November conference. We are however by no means clear yet exactly how far we might be prepared to go in this respect in November, and if the S.L.O. question were to be raised with Dr. Banda before then, he might well not understand the move or, alternatively, take it as implying that full ministerial control of law and order was nearer than might in fact prove to be the case.

4. Secondly, we are certain that Dr. Banda will view with very grave suspicion the fact that the S.L.O. is also accredited to the Federal and Southern Rhodesia Governments. This is going to be a matter of difficulty with him in any event, but if the S.L.O. were to be introduced to him against this background before the conference, it could well, in our view, prejudice altogether the possibility of maintaining the usual S.L.O. relationship with a future Nyasaland Government. We think that this is a very strong reason for postponing any approach to Dr. Banda about the S.L.O. until the whole federal problem is somewhat clearer.

5. Our conclusion would therefore be that we ought to look at the matter again after the November conference. We could discuss the matter with the Governor while

¹ See 331.

he is here and, if it then appeared that in the light of the results of the conference we ought to consider making a move, there would be time to do so before the new constitutional arrangements were actually introduced.

Minute on 332

I discussed this question with the Governor before he returned to Nyasaland.

2. We were both agreed that the changes which will come into effect early next year as regards responsibility for the police will bring us to the stage where the S.L.O. ought normally to be disclosed at least to the Prime Minister.

3. We also agreed that, even though by that time Nyasaland's withdrawal from the Federation would be an acknowledged fact, there might still be difficulty with Dr. Banda on the question. Sir Glyn Jones did not think that he would have any problem in introducing the S.L.O. as such to Dr. Banda. The difficulty would arise from the fact that he was also accredited to the Federal and Southern Rhodesia Governments. It would certainly have to be put to Dr. Banda that, in so far as he represented the Security Service in Zomba, he was there in that capacity only, and not by virtue of his also being the Security Service's representative with the Federation. The matter however goes a little deeper than that. The normal presentation of a S.L.O. to local Ministers is on the basis of his being a link in a well-established and mutually advantageous Commonwealth Security network. Dr. Banda will certainly not be opposed to any normal commonwealth link, but he will very likely be suspicious of a link of this nature including the Federal Government and Southern Rhodesia; and the fact that the S.L.O. is also accredited to those two Governments is likely to exacerbate that suspicion.

4. I said that I thought it would be very difficult for the Security Service to get round this by appointing a separate officer to Nyasaland. Sir Glyn Jones wondered whether it might not be possible for the S.L.O. responsible for the High Commission territories to take Nyasaland under its wing.

5. Our general conclusion was that we should still proceed cautiously about this, and that we might find it necessary on political grounds to postpone the declaration of the S.L.O. system to Dr. Banda somewhat beyond the date of the introduction of the new constitution next year. In the meantime, Sir Glyn Jones said that he would discuss the matter with Lord Alport. He felt that the latter might have difficulties of his own, in view of the fact that the S.L.O. is officially a member of his staff.

6. I would suggest, if Mr. Bates agrees, that he and I should now arrange to discuss the matter further with the Security Service, and see how we might take it forward.²

N.D.W.
30.11.62

² Despite Kellar's reluctance, MI5 were eventually forced to alter their arrangements in Central Africa. The deputy director general of the Security Service, Martin Furnival Jones, visited Central Africa in Feb-Mar 1964. He was told by Banda that 'it would be politically difficult for him to accept visits after independence from a Security Liaison Officer based in Southern Rhodesia' (Harrison to Bass, 20 Mar 1964). On the basis of his deputy's report, MI5's director general, Roger Hollis, concluded that changes needed to be made. It was decided to establish a separate SLO, based in Lusaka, who would be responsible for NR and Nyasaland.

333 DO 183/58, no 30

10 Sept 1962

[Nyasaland]: letter from N D Watson to Sir G Jones on the need to retain transitional controls

We have recently been considering the constitutional and political issues which are likely to arise at the November conference. This letter is a summary of the results of our first thinking and we should be glad if you could consider it with your senior official advisers and let us have your views and comments not later than the end of this month. I am sure that there will have to be a good deal of telegraphic consultation between us during October about objectives and tactics at the Conference, and I hope that this correspondence will pave the way for that. We have not yet discussed these matters with the Secretary of State, nor would we expect to do so until after this preliminary exchange of views with you. We think it quite likely that he will ask you to come home a week or so before the Conference for final consultations in the light of the advice we will by then have received from the Stevens mission.

2. The general problem as we see it is considerably more complicated than was the case either in Uganda or Tanganyika at this stage of political development in the territories. One might say that this was a unique situation. The territory is well set, constitutionally and politically speaking, on the road to early self-government and independence. On the other hand the financial and economic prospects are so grim that it is difficult at present to see how Nyasaland's dependence on external help could be regarded as compatible with such a status. There is also the grave risk of administrative breakdown if we move too fast, with so little trained local manpower and the likelihood of a large-scale exodus of expatriate officials. The arguments for trying to apply the brake constitutionally, despite the political pressures, are self-evident, if we take it to be our duty as protecting power to avoid launching Nyasaland into chaos. The problem would be difficult enough if we were dealing with Nyasaland in isolation: but over and above all this we have the federal complication. Until we know exactly what (if any) Nyasaland's relationships with her neighbouring territories are going to be, we cannot judge (particularly on the financial front) in what precise posture she will be moving forward towards independence or what sort of pace we should contemplate for that process.

3. In thinking out our tactics for the conference, we can work at this stage only on certain assumptions, which I suggest should be as follows:—

(i) that Ministers here will agree to secession being granted in principle just before or at the beginning of the November Conference.

(ii) that, at about the same time, further processes of consultation, formal or informal, will be opened up with the Governments concerned on the further handling of the Federal problem. These will be concerned with evolving some form of future association whether that be political, economic or both. How long this complicated process may take is anyone's guess at the moment, but it would be safe to assume that it may well occupy most, if not all, of next year. Even if, in the case of Nyasaland, the upshot were to be straightforward and entire separation from the other territories, it is likely to take all of that time to work out the consequences of that decision, the additional liabilities falling upon Nyasaland as a result, and hence the posture in which she will face an independent existence.

(iii) that Dr. Banda will demand a move to full internal self-government to take place in the early months of next year (April being possibly the latest negotiable date), and also arrangements whereby Nyasaland can move to independence later without the need for a further conference.

4. We must accept that the political pressures will not allow us to avoid conceding something very near full internal self-government in the first half of next year i.e. before the wider federal issues are resolved. On the other hand, until those issues are definitively resolved at least as far as Nyasaland herself is concerned, we could not contemplate any sort of commitment as regards independence. In particular, the eventual move to independence must follow a clear stock-taking of Nyasaland's financial position, and we shall certainly not be in a position to take stock by November, or even by April when changes agreed in November may be expected to come into force. We must also attempt to use the period from November onwards to bring Malawi Ministers, in the light of the concession of secession in principle, to consider the possibility of at least a continued economic association with the Rhodesias, as a means of alleviating the financial and economic difficulties which otherwise Nyasaland will face. In these circumstances, we also think that we can hardly contemplate handing over control of finance (which full self-government would in fact involve) as early as April next year: it would seem very imprudent to allow Ministers to assume full responsibility for the territory's financial affairs before the consequences of withdrawal from the Federation have been established in detail, the possibilities of some future economic links have been explored, and a position thus reached for the final stock-taking.

5. In short, our conclusion is that the timing of your constitutional moves must continue to be linked and kept in step with the processes on the broad federal front—which we shall certainly not be in a position in November to foresee with absolute clarity. We also recognise the limits of manoeuvre on timing which the local political pressures allow us. Within the limits, we think we should aim at a staggered introduction even of those changes which appertain to self-government, and avoidance of commitment on independence at least until the circumstances of Nyasaland's actual 'withdrawal from the Federation' have been determined. Our broad objectives at the Conference should therefore be to do what we can to satisfy the nationalist demands by conceding significant and early constitutional advances, whilst maintaining essential controls. We should hope to retain the political goodwill of Malawi Ministers whilst persuading them of the case for H.M.G.'s continued authority in the spheres of finance and the civil service (including the police) until the general problems arising from the secession decision have been sorted out.

6. We do not under-estimate the difficulties of negotiating to this pattern. We should, however, like your views, particularly on the tactical approach. Briefly we envisage basing the need for the limitations which we consider necessary on the immediate constitutional advance which we are perfectly ready to contemplate as arising solely from the inevitable transitory stage which the declaration as regards secession will here open up. We would seek to demonstrate that this declaration must be seen not as the end of a process which opens an immediate door to Nyasaland's independence, but as the beginning of a complicated exercise, for which reasonable time must be allowed if Nyasaland and its people are not to suffer. We would hope to persuade the Conference to begin its deliberations by examining the

implications of that exercise, particularly the financial and fiscal aspects (as already presented to the Nyasaland Government by Professor Brown), but including also those subjects, such as the national debt, which relate to the additional commitments which a separate Nyasaland will have to assume in one form or another. No doubt Banda will try to argue that the issue is clear from his point of view, and that matters can easily be decided on the assumption that Nyasaland is going it alone entirely from now on. But we do not think he should be allowed to dodge the issue as easily as that, and we would hope that this discussion would force him and his colleagues to face the hard facts of Nyasaland's separate existence. We realise of course that this will not affect their political thinking to any significant extent, but we would hope that it would at least lead them to accept that there is a lot of hard work and thinking ahead before any hard and fast conclusions can be reached about Nyasaland's posture as an independent territory. They should realise that to a large extent such issues must be examined and worked out outside the Conference, and that the question of timing is therefore more important and complicated than they may at present suppose. From this point we would hope to move into a discussion of the changes which might be made next year, with particular reference to the timing factor.

7. We should start from the point that H.M.G. would naturally be retaining at the next stage, through the Governor, its powers in relation to law and order, external affairs and defence (the latter again being complicated at present by the Federal constitution). Apart from these aspects which are common to almost all internal self-governing constitutions, there is the major problem of finance. We feel we should press the need for continued U.K. control in this sphere very strongly. In the light of the preliminaries at the Conference and the material which the Stevens mission will have produced, we think that Banda will have a very difficult task in refuting our contention that the time has not yet come when Nyasaland's financial affairs can be handed over lock, stock and barrel. Ideally, particularly since the unfortunate death of Chisiza,¹ it would be desirable to retain the finance portfolio in official hands and we feel that the case for this ought to be deployed forcefully.

8. If we are pushed off this in negotiation, we ought at least to consider alternative arrangements which would not only supplement your reserved powers in this field but give us a continued direct influence on ministerial thinking over finance. If, as seems likely, you will no longer preside over the Executive Council, there would be no direct influence there unless an expatriate official was present. This would seem to create a serious risk of clash with you on financial matters after Ministers had taken their own policy decisions. So long as grant-in-aid is required, the ultimate Treasury control will of course continue to exist, but its operation might also prove to be very difficult in such circumstances. Failing the retention of the portfolio in official hands, we think there should be a strong case for at least the appointment of an expatriate financial adviser. Quite how he would function would need to be negotiated, but we think that we should perhaps think in terms of a constitutional provision which would entitle the adviser to be present in the Executive Council when financial affairs were discussed. An alternative might be to establish a smaller consultative body on financial affairs in which you would be

¹ D K Chisiza, parliamentary secretary to Finance Ministry, Nyasaland.

represented by the financial adviser (and over which you might possibly preside). Here again it would be a matter of negotiation to decide the status of this body, but we feel that it should probably be advisory to you. Perhaps you would discuss the question of an official Minister of Finance and possible alternative arrangements with Henry Phillips² and let us know what you think. If you have any other suggestions as to how this need might be met we should be very glad to have them, since a great deal of importance is attached to this point in London.

9. As regards the civil service, we think every effort should be made to persuade Banda that the best interest of the territory would lie in control over the civil service within the Chief Secretary's (or Deputy Governor's) portfolio for the time being. We know how much importance he attached to Ministerial control in this sphere; but he himself has recognised the need for Nyasaland to retain as many expatriates as possible. It would have to be put to him frankly that, unless this control rested with us, he could not hope to retain the numbers he requires. This question of control of the service is essentially linked with the question of compensation. As I think you know, the established principle is that, once control of the service has passed to local Ministers and you have got an executive Public Service Commission, general compensation arrangements must be introduced. Once the situation is reached in which general compensation has to be conceded, experience elsewhere shows that the service will begin to melt away; and all the present indications in Nyasaland are that the exodus would be rapid and substantial (the figure of 75% of expatriate officers resigning has been mentioned, and we should like to have your confirmation of this assessment). We might perhaps argue with Banda that a period is needed in which to work out with him and his ministers their actual and potential requirements for expatriate civil servants, and a realistic policy regarding the rate of localisation in the various fields (particularly in the technical services); and during this period at least control should remain with us. This would involve the continuation of the P.S.C. in an advisory status for the present. We are advised that on this general basis, i.e. the retention of the civil service in the Chief Secretary's (or Deputy Governor's portfolio) together with a measure of control over finance, it would be possible to avoid a general compensation scheme. There could of course be during the period a limited compensation scheme to cater for 'political casualties' without prejudice to the question of general compensation. The whole problem of uncertainty created by the enquiry into the future of the Federation and the administrative and constitutional consequences which would flow from a decision to secede would also constitute very powerful reasons for delay in the matter of allowing the civil service generally to opt on a compensation basis.

10. As regards the police we should take a similar view as that regarding the civil service. Law and order would of course be the subject of reserve powers, but we wonder whether this would be sufficient at the stage we envisage, or whether you feel that following certain precedents in other territories, 'operational control' of the police should continue in your hands by virtue of constitutional provision; it would seem to be dangerous for you simply to rely on your reserved powers since the use of these at any time would inevitably involve you in a political crisis. Under this arrangement, it might be possible to allow general administrative responsibility for

² Financial secretary/finance minister, Nyasaland.

the police to pass to a Minister, the day-to-day operations of the force remaining of course with the Commissioner. Questions concerning personnel, especially expatriates, would be handled in the same way as for the civil service at large.

11. We have not had an opportunity to consider very closely the question of land. At first sight it would seem that the ultimate problem of the withdrawal of the Secretary of State's trusteeship in respect of African lands need not perhaps be tackled at the stage of internal self-government; but it may be that it would be important, even necessary, to make a move at that stage in order to influence the pattern of land policy at the point when independence was achieved. If you have had any further thoughts about this, subsequent to the exchange of correspondence between us and Kettlewell³ and Bathurst-Brown⁴ earlier this year, we should find that very helpful in considering with the experts here whether the question of land should be taken at this Conference or not. We have not lost sight of the fact that land is now in Banda's own portfolio.

12. If I have appeared to dwell rather on tactics and on a number of specific points, this is because the general shaping of internal self-governing constitutions is now fairly common practice. There remain however the questions of the Legislative Council and the Franchise. So far we have had little to indicate that Banda is expecting a move on this front. He would surely appreciate that if the composition of the Legislative Council and the basis of the franchise were to be altered, this would impose a considerable delay in the introduction of the agreed changes. We might of course envisage implementation in several stages and this would be consistent with the 'staggered' approach which I have postulated above. On the other hand it would not seem to be essential nor wholly desirable to make such a move at this stage. Could you let us know what the latest information suggests as regards these matters? If you think that we shall be required to consider such fundamental changes at the November Conference, we should welcome your ideas on the question of the moves we might contemplate—in particular, the question of continuing the dual roll, and the major point as to how the minority communities should be represented in the Legislative Council in the longer term. If there is to be a move away from the dual roll system we should presumably aim at a gradual run down of the higher roll seats. This point has been brought particularly to our attention by Cameron,⁵ who in conversation the other day said that he thought that the time had come for a single roll system based on universal franchise. We raised our eyebrows at this, but he was careful to point out that he was not expressing Banda's view and that he had not indeed discussed this matter with the Doctor recently.

13. One final point. As regards the official portfolios, I have already argued that we should keep our hold on finance. The Chief Secretary's portfolio will fail to be adjusted in the light of the general constitutional changes which are made and would presumably be held by a Deputy Governor. The remaining official portfolio is that of the Minister of Justice. We assume that that would go to an elected Minister who would presumably be a qualified lawyer. Would you however consider whether it would be desirable to retain the office of Attorney-General either in an expatriate's hands or at any rate in official hands in order to strengthen the professional side of

³ R W Kettlewell, minister of lands and surveys, Nyasaland.

⁴ R Bathurst-Brown, commissioner for lands, Nyasaland.

⁵ C Cameron, minister of works and transport, Nyasaland.

that ministry? With the introduction of a local 'Minister of Justice', whatever the title may be, the question of the maintenance of official law officers inevitably arises for consideration.

14. I am sorry that this has been such a rambling letter but it is difficult to cover this ground in correspondence especially when we are not yet clear as to the situation we shall be in in November or the way ahead on the federal front. However it will be valuable to have your views before we take the matter formally to Ministers. I ought also to emphasise that we have not yet taken the views of the Treasury, or of the Secretary of State's advisers on such detailed matters as police and the purely legal aspects, though there has naturally been some provisional consultation. Please therefore regard all this as very broad and preliminary thinking. Nothing has yet crystallised, nor will it until we receive your views.

334 DO 183/58

18 Sept 1962¹

[Nyasaland police]: minute by Sir I Stourton² to K J Neale

As you will know from my report on my inspection of the Nyasaland Police last year I was, and still am, very worried about the localisation of the Force in view of the inevitable constitutional advance of the territory, and the extreme shortness of time to avoid what I can only describe as a very possible disintegration of the force if a full compensation scheme should come into effect within the next two years.

2. The backbone of the force is to a large extent the Inspectorate and in this force it is heavily weighted by expatriate officers. There were, and I think still are, only 3 Grade I and 7 Grade II full Inspectors. The first course to upgrade Sub-Inspectors is now under way but the Commissioner told me this month that he has little hope that a very high percentage will get through. There is a steady trickle of expatriate Inspectors out of the force and I fear that when self government comes, even if the Police/Public Service Commissions do not become executive at once, the flow may become quite a torrent. Many of these Inspectors are on their first tour having been recruited in 1959, 1960 and 1961. There are, too, quite a few gazetted officers who have hopes of a compensation scheme. They would leap at going, not because they want to leave the Service but because they fear a shambles and their position as police officers will be very vulnerable.

3. For these reasons I feel strongly that we must endeavour to avoid for as long as possible a full compensation scheme if the Force is to be even fairly efficient. Limited compensation has shown in other territories that it creates an air of uncertainty and worry and sets officers thinking more about their future going than on their work. But it at least keeps a brake on departures for a while. In the case of Nyasaland I would say that it should only be applicable to the Inspectorate and Assistant Superintendent rank. This should give the Commissioner ample leeway for localisation in the first year or so. In Kenya it has been limited to include

¹ A typing error in the original gave the month of the minute as July.

² Inspector general of the colonial police, 1957–1966

Superintendents. It may well be that pressure for localisation in the G.O. cadre, whether or not limited compensation is introduced, will be such that supernumerary ASP posts will have to be created into which African Inspectors will have to be promoted.

4. From experience in other territories I think that it is important that the Senior Police officers, and particularly those at Headquarters, should have experience of working with Ministers. Much inevitably must depend on the sort of man who is the Minister with the police in his portfolio. A good Commissioner and Deputy can mould a Minister, if he is at all reasonable, by making him interested in the force and making him feel that he is part of it. It must, however, be made abundantly clear by the Chief Minister that he must not interfere with the day to day running of the Force which by the Police Ordinance is the duty and function of the Commissioner; that he must not interfere with matters in the province of the Public/Police Service Commission or with criminal cases which must remain the responsibility of the Attorney General.

5. I strongly support the idea of operational control, at least, remaining at any rate in the first instance with the Governor. In some territories (Sierra Leone and Ghana) the Governor retained, constitutionally, complete control of the Police up to Independence. In others (Nigeria and Tanganyika) up to about six months before when the Government has been seen to be stable. Under either he could by Administrative act delegate certain responsibilities to a Minister.

6. An allied matter is the responsibility of the local Army, if there is to be one, as in case of trouble it must operate with the police and must therefore be under the same operational authority.

7. I attach, hereto, two copies of a paper which was prepared by our Police Department for use in this Office. I think it may be useful to you as it gives notes on Local Intelligence or Internal Security Committees in addition to varying degrees of Ministerial responsibilities for law and order at different constitutional stages.

8. I would point out that a Police Council (para 9 (b)) was only tried in British Guiana and it cannot be described as having been a success and was dropped.

335 DO 183/214, no 7

21 Sept 1962

[Communism in Africa]: note by Sir R Hollis¹ of a meeting with Sir R Welensky

I had a talk with Sir Roy Welensky this morning. We did not get down to any great detail and the meeting was extremely friendly.

2. He asked me whether I thought that the communists were increasing their influence in Africa. I said they were undoubtedly increasing their efforts, but I thought that their influence was still comparatively small. They were newcomers in Africa and had a lot to learn. In their first dealings with the Africans they had been pretty gauche, but they now seemed to have realised this and to be making

¹ Sir Roger Hollis, director-general of the Security Service, 1956–1965.

considerable efforts to rectify the position. In most African countries their diplomatic representation had only recently been established, and though we knew that they had a number of intelligence officers in their Missions, I did not think they had yet made a great deal of progress. We must expect a considerably greater drive as their experience developed. They were taking back a considerable number of students for training in the Patrice Lumumba University and in other training centres behind the Iron Curtain. The numbers of these students were still far less than those going to British and American universities and were of a lower grade, but nevertheless there was no doubt that they would be indoctrinated and on their return to their native countries some at least would present considerable security problems. We were doing our best to keep in touch with this matter and to keep the local security authorities informed. Sir Roy asked me whether I did not think it significant that so many Ministers of the newly independent countries were visiting the Soviet Union. I said this seemed to be natural: the Soviet Union had shown a fantastic development from the backwardness of Russia in 1917 to the present, and obviously African countries themselves wanted to develop very quickly. They wanted to see how this had been done. Furthermore, in colonial times Russia and communism had been forbidden fruit; it was not surprising that with independence they wanted to have a look. I said that I thought a number of the Ministers who went to Russia were well aware that there were dangers in communism and were alert to this, and that this came from the briefing they had had from us and from their own security authorities over the years. I then gave Sir Roy some account of the relationship of the S.L.O. to the Special Branches in these new countries, and of the flow of information which passed from us through the S.L.O. to the Special Branches and thence to Ministers and the Government.

3. Sir Roy asked me in particular about Dar es Salaam. I reminded him that the Soviet Mission had only been established for about 9 months and said I did not think they had yet done a great deal. In my view the greater part of the activities in Tanganyika which embarrassed the Federal authorities sprang from African nationalism and not from communism. Nevertheless I thought it likely that communist influence would increase and we were doing what we could to learn about it.

4. Sir Roy raised the question of counter-action. I described what we were doing by training, by the contacts which our S.L.Os had with the local security authorities, and by the supply of intelligence which we collected centrally. I also referred to the counter-propaganda work of the Foreign Office.

5. In conclusion, Sir Roy thanked me very warmly for the help we gave them. I thanked him for this and said I realised there were times when he felt that they ought to get more intelligence from us. He must remember that our job overseas was to support the local security organisations and make them more efficient, and that we were not an intelligence-gathering organisation in Commonwealth territories. I reminded Sir Roy of an earlier conversation we had had in Salisbury when he had asked me directly whether the S.L.O. had been reporting on certain activities of the Federal Government. I had given him an answer at that time that the S.L.O. had no intelligence-gathering function of his own in the Federation, and this was still true not only in the Federation but in other Commonwealth countries. Sir Roy said he well understood this position and would not want it changed.

336 DO 183/58, no 39

27 Sept 1962

[Nyasaland]: letter (reply) from Sir G Jones to N D Watson on transitional arrangements

Thank you for your letter of the 10th September.¹ The general background against which we envisage that decisions about Nyasaland's constitutional future will be taken is indicated in the attached note² of a meeting which I and my official Ministers held with the Secretary of State's Advisers.

In considering the manner and pace in which Nyasaland will move towards independence we agree with you that we must work on the assumption of starting with a clean slate, i.e. that Nyasaland is first formally given the right to secede and that relationships with neighbouring territories can be developed only after Nyasaland can claim to have seceded from the Federation. Banda has always maintained that he will not consider any form of association with any other territory so long as Nyasaland remains in the Federation, and I am quite sure that he will not be moved from this. Having once achieved secession, however, he will politically, and indeed emotionally, be in a position to consider and possibly to be convinced of the advantages, particularly financial and economic, which would accrue to Nyasaland from some associations with the Rhodesias. Once internal self-government and secession are achieved the weight of the problems which Banda will have to face squarely and meet successfully before he can hope to make Nyasaland function as an independent state will serve to drive home the advantages which he could gain from an association with his neighbours.

We must be quite clear that nothing less than agreement to a straight forward and entire separation of Nyasaland from the Federation will satisfy Banda, and that there is no question of any of the Malawi Ministers becoming involved in any consultations on the further handling of the Federal problem, nor can the fact that because such consultation may be necessary between the two Rhodesias be deployed as a reason for delaying Nyasaland's constitutional progress. Any delays must stem strictly from Nyasaland's own situation. The results of the Northern Rhodesia elections may well determine the fate of the Federation as such and should serve to narrow the field of speculation about a possible form of association between the two Rhodesias. Should the stage be reached where the Northern Rhodesia and Southern Rhodesia Governments were willing to negotiate a working agreement on common services, then Nyasaland might join in, but I very much doubt if we can go back to the idea of retaining any links with the other territories in a form which has any relation to the present Federal set-up, i.e. an overriding authority which exists as a separate constitutional entity, unless of course this were negotiated later on between three representative Governments.

Thus, at the November Conference, it would be unwise to suggest that progress towards independence is to be delayed because of doubt about the future of the Federation or any association which may be negotiated in its place. This would only harden Banda's suspicions of, and opposition to, a continuing association with the Rhodesias.

¹ See 333.

² Not printed.

It seems to us that H.M.G. should avoid any appearance of raising difficulties or of causing delays. It would be much more effective if H.M.G. was to take the line that it must be completely satisfied that Dr. Banda's Government has the ability and resources to enable Nyasaland to exist as an independent state and in the absence of this conviction H.M.G. could not abandon all its responsibilities. The emphasis should lie on the fact that H.M.G. is willing to be convinced but that it is Banda who has to do the convincing. For its part, H.M.G. will do all it can to assist him in detailing the extent of the problems, in suggesting solutions, and in providing finance on certain conditions, but notwithstanding this it is Banda and his Government who must themselves choose their further course of action and satisfy H.M.G. that it can withdraw its protection of and responsibilities for Nyasaland. The period of self-government is specifically designed to give the elected Government as much freedom of choice of action as is possible so that it may chart its future course with the least possible interference from H.M.G. But in saying this, I do not mean that independence can necessarily be delayed until Nyasaland has begun to balance its budget.

We all agree that we must concentrate on making Banda face the realities of the position, and we feel we have more chance of successfully doing this by offering him as much freedom of action as we can within the framework of internal self-government and by making it evident that the fundamental factor in his achieving independence, and the date for it, is determined by his ability to deal effectively with the problems the Government has to face.

We are doubtful about the extent to which you will be successful in getting Banda to face, at the conference, the realities of secession and independence, and to get him to offer thoroughly thought-out solutions. As far as he is concerned the financial effects have already been stated by the Advisers and he has the answer; an answer in the most general terms which, nevertheless, acknowledges that Nyasaland can never be absolutely independent until it is financially independent. In the face of what I feel will almost certainly be evasions, the extent to which you can press him will probably fall short of what you want and we can hardly have the conference breaking down on this. Nevertheless, this should serve to bring home to him how seriously H.M.G. regards these issues and how necessary it will be for him to use internal self-government to show that he and his colleagues intend to adopt realistic and responsible attitudes.

While I agree that we must, if possible, leave the conference without any date having been set for independence, I see little advantage in seeking to delay the date for the introduction of internal self-government. From what Ralph Hone has said, it seems that you could not produce the necessary Order-in-Council to make the operative date earlier than the 1st April, 1963, though I had in mind something much more like the 1st February. The date for secession will be determined by the practical factors involved—in particular a decision about the employment of Federal civil servants, the drafting and enactment of legislation to impose income tax and customs duties. Ideally we should like to make the new arrangement effective from the beginning of a financial year, but there would seem to be no hope of doing all this by 1st July, 1963.

I feel I should make it plain however that Banda will push very hard for a date for independence and thought should be given to the question of what action should be taken if he decides to leave the Conference over this point. In any case he will

demand that there be no further conference before independence, and H.M.G.'s agreement on this point might (though I doubt it) stave off the demand for a specific date for independence.

You talk of staggering the introduction of those changes which appertain to internal self-government, but the next stage must grant some significant advance and we feel that within the field of responsibility given to Banda we should seek to allow him as free a hand as possible if the new Government is to derive any real benefit from this interim period. There is, however, a very strong case which even Banda, I think, will have to accept, that in the peculiar circumstances of Nyasaland H.M.G. must retain a measure of control over finance and the expatriate civil service. The first arises because Nyasaland is grant-aided by H.M.G. and will evidently have to remain in that position for some years: the second because the country cannot continue to operate an adequate administrative machine without the service of expatriates. The other reserved subjects will be similar to those which in fact have been reserved elsewhere and would include law and order, external affairs and defence.

We agree the need for continued control by H.M.G. in the financial sphere, and it seems clear that with the death of Chisiza no other elected member could be trained to take over the Ministry of Finance for some considerable time. This accords with Banda's own thinking and he recently volunteered that he had it in mind that Phillips should continue as Minister of Finance at least until the Budget of 1963/64 and possibly into 1964. However, the position of an official Minister of Finance sitting in an otherwise elected Cabinet under the presidency of Dr. Banda would be unenviable, and we will have to secure his status and ensure that he can operate effectively. A possible method is to make provision in the Order-in-Council for the Minister of Finance to be the official occupying the post of Financial Secretary for a specified term, say twelve months, after which he could, with the agreement of the Secretary of State, be replaced by an elected Minister. At that stage he could possibly still be retained as an Adviser to the Governor before he fades out of the picture. While he is in the Government he must be able to offer his advice freely, not be subject to removal because of disagreement with his colleagues, and to have his advice on financial matters formally recorded whether it be in agreement or disagreement with his colleagues. His presence should lead to a sense of realism and caution in financial matters but this in itself is not enough. There must be procedures whereby H.M.G. can effectively exercise control. The Ministers and the Government will be required to act within the Budget which, in turn, will have to receive H.M.G.'s approval. This could be provided for and, similarly, controls would be exercised over supplementary expenditure. There are matters of general policy which might have a very real effect on the country's financial and economic position and I think we must provide that all measures which the Minister of Finance advises may have an adverse effect on Nyasaland's financial and economic position must, not may, be reserved for H.M.G.'s approval, such measures in the first instance being reported to the Governor together with the advice given to the Government by the Minister of Finance.

We would much prefer to have an official Minister of Finance rather than a Financial Adviser, since the former would be in a much better position to influence the Government's decisions and would form part of the Government rather than be outside it where he might well either be ignored or not be in a position to know

exactly what was going on. I do not really think that from either a constitutional or practical point of view some supra-governmental body would work, for within essential limits one must seek to bring home to the Government the full reality of its financial position, rather than to have the problems thought out elsewhere and conclusions, and possibly decisions, presented to the Government which would inevitably be taken as opposition to and derogation from the authority of the Government.

On the question of the civil service we feel it essential that control over and responsibility for the expatriate service, including expatriate Police, should remain reserved to the Governor. There is not only the fact that H.M.G. is providing considerable funds for the payment of expatriates and that ultimate responsibility for this service rests with H.M.G., but also the fact that we cannot afford to take the risk of introducing a full compensation scheme at the next stage of constitutional advance. It is difficult to estimate exactly what numbers of expatriates will elect to leave should they have the choice early next year, but one could reasonably estimate that at least 20% would opt to give notice within the first six months and that this might well rise to 70% or more, within eighteen months. However, Banda is showing signs of realistic appreciation of the value of expatriates to him and I am now not unhopeful that he will encourage the expatriates to believe that they will be fairly treated. If they were not so assured, the exodus could amount to as high as 70%.

On the other hand I think the locally based service should become the responsibility of the elected Government, for the sooner it has to face up to the reality of operating an administrative machine the better. There may be a few non-designated officers who will become casualties and even amongst the expatriate service there will be some for whom no place can be found, either because they are completely unacceptable politically or because, as might happen in the case of junior ranks in the Police, they are replaced at a fairly early stage by Africans. To this extent the Governor must be able to apply a limited compensation scheme. In previous discussions we also thought there would be considerable merit in publishing the form of the final compensation scheme which would be applied at some future date to be determined by the Secretary of State. This at least would serve to instil some confidence in the expatriate service and enable them to see how they stand.

As regards law and order, we agree that operational control of the Police should be retained by the Governor, and suggest that something on the lines of Section 60 of the Uganda Order-in-Council might be applied, but without the proviso to it. The Governor's control should be stated absolutely and there should be no question of his having to exercise discretion in handing over to an elected Minister any aspects of internal security or of his having to take back any limited responsibility which had once been handed over. In effect, therefore, the Army and the P.M.F. would come under the Governor's control and he would have the right to direct Police generally to undertake such tasks as be required in the field of internal security. There might indeed be some advantage in H.M.G. making an ad hoc payment in respect of P.M.F. and Military, rather than to comprehend these services within a general grant-in-aid. In the period between secession until independence the Governor would assume responsibility for defence and would also, once again, become Commander-in-Chief.

External Affairs is another matter which should, as is usual, be a reserved subject, but we feel it necessary to define more exactly what the term embraces. This would

certainly include anything which involves H.M.G.'s interests and relations with other Governments, and it should be made clear that only the Governor has the right to act formally in the name of the Nyasaland Government in relationships with other Governments. We should aim at the Order-in-Council being based on the terms used in the Uganda Constitution and in the Federal Constitution, but H.M.G. must clearly specify all matters which fall within this provision for, as you know, there is considerable danger in elected Ministers themselves seeking to make agreements and arrangements with other Governments off their own bat.

It is clearly the intention that Orton Chirwa should become the Minister of Justice and it would be difficult to avoid this. Our object must be to insulate the Attorney General's duties in respect of public prosecutions from political influences and pressure. Either there should be a civil service Attorney General separate from the Minister of Justice or, if the two posts are combined, it would be necessary to have a civil service post of Director of Public Prosecutions, whose statutory authority derived from the Order-in-Council, as was done in Kenya.

It would be very difficult for the Attorney General, whether an official or a politician, to provide legal advice to both the Prime Minister and the Governor and it therefore seems advisable for the Governor to have a separate Legal Adviser in order to assist him by examining proposed legislation and advising him whether he should seek to persuade the Prime Minister against ill-advised measures and to assist him in dealing with the many and complex problems which could arise in the implementation of secession. One would try and educate Dr. Banda and his Ministers to negotiate first with H.M.G. before introducing legislation which might be disallowed, either because it was in contravention of the Bill of Rights or because it was otherwise unacceptable to H.M.G. If they would follow this procedure it would certainly avoid the considerable embarrassment and loss of face which they might suffer should disallowance be exercised in respect of one of their bills. In any event, the Governor should retain the power to reserve all bills for H.M.'s approval should he think it necessary to do so, in addition to those on matters on which he is obliged to obtain H.M.'s approval.

We have not given any more detailed considerations to the problem of the withdrawal of the Secretary of State's trusteeship in respect of African lands and I agree this is not a matter which need be tackled at the stage of internal self-government. I am looking into this and will address you separately about it.

Finally, Banda has already told me that he wishes to introduce universal adult suffrage in the next constitution and to have a larger number of constituencies—he mentioned 45. He will probably want to do away with the dual roll and although he has not discussed the matter with me, there is the possibility that he might agree to a minority representation for Europeans, though not for any other race. I am sure that he will wish to effect constitutional changes in the Executive Council as soon as possible and not to hold up its re-constitution until the elections, which he would intend to hold subsequently at some convenient and psychological moment.

You apologised for your rambling letter. I apologise for my rambling letter. It is rather a rambling subject!

337 FO 1109/540

12 Nov 1962

[Future of federation]: letter from Lord Alport to Mr Butler

When I wrote you on Saturday, I enclosed an account of a private talk I had with Welensky on the previous evening. You will see that this was a pretty frank discussion on both sides. I think that Robinson¹ had indicated to Welensky that there was a likelihood that the decision on Nyasaland would be postponed since Parry, who had just been listening to a recording of Robinson's conversation, offered to bet Welensky that this would be so.

During our conversation Welensky boasted to me that he knew within 24 hours the gist of conversations which took place in London which indicated the way in which H.M.G. were thinking. He said, for instance, that he knew all about the Advisers' report and indicated that he knew that the report contained a passage which was highly critical of his role in relation to the Federation. In particular, he said that he had reports of conversations which you had in which you had given a pretty clear indication of your general thinking.

All this was à propos of his threat to make the most damaging statement within his power to the Federal Parliament and subsequently to publish a White Paper. Much of his stuff I suppose comes from Robinson but he undoubtedly has other sources of information and I suspect that Voice and Vision² may have some part in the process of political reporting. Anyhow, he has numerous admirers in the City of London and in the Conservative Party who no doubt pass him information when they think fit.

I saw Ellman-Brown at yesterday's Armistice Day ceremony and he told me that the U.F.P. Congress in Bulawayo had gone with a terrific swing. One of my staff was present but as he is doing a short tour for political reporting on election prospects in Matabeleland, I shall not get his account for a few days. The U.F.P. have, however, committed themselves on race discrimination and land apportionment and Whitehead has asked for, and presumably received, a free hand to deal with the franchise in due course after the new Parliament assembles. My general impression of the U.F.P. European and African list of candidates is that it is a good one, although it contains a fair proportion of right-wingers. Welensky went to the Congress and emphasized there that he and Whitehead were united.

There has been a change in the political balance here as a result of last week's discussions on Nyasaland. Whereas Whitehead has previously been the client for Welensky's support in the territorial field, now Welensky is Whitehead's client for Southern Rhodesian U.F.P. support in the Federal field. This is an improvement in the situation since Welensky will in future find it much more difficult to prevail on the Southern Rhodesian U.F.P. to water down its progressive policies. I am aware, however, that this has to some extent nullified the efforts I have been making to divide the Southern Rhodesian U.F.P. from the Federal party. At the same time, Whitehead, after the election, will be able to withstand Welensky's pressures more

¹ Sir A Robinson, high commissioner in London for the Federation of Rhodesia and Nyasaland, 1961–1963.

² Voice and Vision was a public-relations firm, hired by the federal government in 1960 to undertake an ambitious pro-federal publicity campaign in Britain. It was a subsidiary of Coleman, Prentice and Varley, the firm which handled the Conservative Party's account in the 1959 general election. Among its more high-profile activities was the organisation of tours of the Federation by British MPs.

effectively assuming, of course, that his own right-wing is not too strongly represented in the new Parliament.

We must now be preparing for the next round on Nyasaland which will have to be fought out before Christmas.

My first worry is the Nyasaland Conference and the danger that there may be disclosures there of any undertaking that may be given to Banda. In this event we will get the worst of both worlds. I have not disclosed to Welensky or Whitehead that there are any undertakings to be given to Banda because I do not know their nature and nobody has asked me so far. On the other hand, any intelligent man will know that something has been said to Banda and that if he keeps quiet on the issue during the Conference it will be because he possesses some secret assurance. If I am tackled by Welensky on this in the immediate future I shall adopt the idiot boy technique. If anything emerges publicly I think that you will have to deal with it at your end. If neither of these happen then we will have to be prepared to deal with it in the best way we can when the announcement is made before Christmas. Incidentally, my feeling at the moment is that this announcement should be made as close to the Christmas adjournment as possible so that the consequences as far as possible may be mitigated by public pre-occupation with the Christmas holidays.

Secondly, I am concerned that when the announcement is made we should be able to avoid as far as possible any damaging reaction here. The fact that you will be coming here three weeks later will help but the handling of the situation will need great care and the situation itself will not be clear until about December 15th when the new Governments in Northern Rhodesia and Southern Rhodesia have been formed. I propose to think this problem over and will write you again with regard to any ideas which may emerge.

P.S. Our relations with the Federal & S.R. Governments remain intact at any rate on a personal basis.

338 FO 1109/540

20 Nov 1962

[Future of federation]: letter (reply) from Mr Butler to Lord Alport

Thank you for your letter of the 12th November¹ which sheds further light on your talk with Roy on the Saturday.

I notice that you say he boasted that he had inside information of what we are thinking. I do not frankly know of any Conservative sources from whom he could have got this, nor have my visits from Robinson been very frequent. In fact he has complained that he has not seen enough of me or my Advisers. I gained the impression when Whitehead was here that he had pretty clear ideas of the lines of the Advisers' report owing, I think, to conversations with Stevens.² In fact I had to tell Whitehead that the mind of H.M.G. was much more open than he had imagined. Whitehead was talking in terms of a common market.

¹ See 337.

² Sir Roger Stevens, deputy under secretary, FO, had acted as one of Butler's team of advisers earlier in the year on the consequences of Nyasaland's secession from the Federation.

However that may be I would like now to make clear that my own stance has been clear throughout, namely that it is advisable to build a new association, that Nyasaland must be freed from the present Federation, that following upon the two elections in Northern and Southern Rhodesia I would attempt to build an association between these two territories, if possible with a political content, this depending largely upon the elections. I do not think the Federal Government realise what good friends they have here. Our difficulties derive from the fact that there are many opponents of the Federation, not least the majority of the African opinion in Central Africa. In the midst of many and great dangers I shall at any rate do my best to achieve an association backed by a substantial number of my colleagues. I think it just as well to see that this point of view is understood your end, not at a special interview but on any occasion when you may be engaged in general conversation.

Indeed, unless one's positive ideas are understood I begin to wonder whether it is going to be worth coming out. If one was simply going into a house of make-believe and odium against the British Government it would not be worth the journey since one would be living in a world of false apprehension.

In view of the anxieties about the future I was glad to read your last sentence of the letter which I am answering, that you would send me some constructive views as to how we might handle the situation in the immediate future. In my last manuscript letter to you I said how good it would be if we could be constructive. We have no reason to lead from weakness since an announcement about Nyasaland is going to be made. I should have thought, however, if this is made in the context of projected consultations and a possible visit by me the phrasing could run something as follows:—

'In the view of Her Majesty's Government the three territories have benefited greatly as a result of their association. It is Her Majesty's Government's desire to secure that as far as possible they should continue to reap such benefits. With this object in view Her Majesty's Government intend to engage in consultations with the Governments concerned and to consider with them the holding of a Conference, or Conferences at which consideration can be given to proposals for the future with a view to finding acceptable solutions. I would myself propose to visit Central Africa during the latter part of January.

Her Majesty's Government have decided that these conversations should take place on the understanding that Her Majesty's Government accept in principle that Nyasaland should withdraw from the Federation.'

We have not yet decided on the full terms of the statement but this would be the essential part. I do not suggest we should put the statement itself to the Federal Government unless we are forced to, but we no doubt shall have to give them some heads upon which you can talk. The only other ingredients of the statement would be to stress the financial liabilities of Nyasaland. Against the background of positive talks it would be a thousand pities of the Federal Government were to launch into White Papers and broadsheets since they would spoil their own case. I suppose it is too much to think that the Federal Government would agree to the statement.

The one real difficulty between us, apart from the unreal, is that the British Government cannot give an absolute undertaking about the form of association between Northern and Southern Rhodesia until we have had consultations and until we know the result of the election.

Meanwhile we are proceeding with the idea of Treasury officials having discussions in Salisbury and you will be hearing by telegraph.

I sent you a long telegram about the Nyasaland Conference which has passed off very successfully although somewhat arduously.

There are only two other points upon which I wish to say anything. First, I most warmly commend your attitude of idiot boy if any question of a pledge to Banda comes up. I was nervous about even mentioning this in my first telegram. Second, I am glad you put in your P.S. that the personal contacts between you and the Federation and the Southern Rhodesian Government are intact. This confirms all I said in my last letter about the value of your services to H.M.G. and to me.

339 PREM 11/3945

23 Nov 1962

[Nyasaland constitution]: minute by Mr Butler to Mr Macmillan

I am glad to report that the Nyasaland Conference concluded today in an atmosphere of agreement on the lines of a self-governing Constitution. It is good of you to see Dr. Banda with me on Monday at 6 o'clock for a few minutes. He does not expect a long interview.

The question of Secession has never been mentioned since the first talk between Dr. Banda and myself. The question of Independence is not mentioned in the Conference Report or Press Summary. The understanding between Dr. Banda and myself is that no date can be fixed now, and that the most I can say is that consultations between Governments will take place in the latter part of next year. Dr. Banda has given me his own date for independence, namely March 1964. I have said I can go no further than enter into consultation.

I do not suggest that this issue need come up on Monday. If Secession is raised the answer is clear. But I do not think he will raise it.

I attach a copy of the Summary of the Constitution¹ prepared for the Press in case you wish to cast your eye on it, but there is no need. We secured a complicated Bill of Rights of the minority.²

¹ Not printed.

² Macmillan commented: 'I must indeed compliment you on a splendid piece of work' (minute, 26 Nov 1962).

340 FO 1109/540

15 Dec 1962

[Future of Southern Rhodesia]: letter from Lord Alport to Mr Butler

[The Southern Rhodesia general election took place on 14 Dec. The Rhodesian Front (RF), led by Winston Field, emerged victorious, taking 35 upper roll seats. Whitehead's UFP took 14 upper and 15 lower roll seats.]

As the office is closed I am writing this is manuscript to catch this evening's bag. This follows the typewritten letter of today's date.

I went to see Whitehead this afternoon immediately he had returned from handing in his resignation to the Governor. I thanked him for the contribution he had made to Commonwealth history as P.M. and for the help he had given me during my tenure of office. I then asked him to what he attributed his defeat. He said that people had realised that his policy meant an integrated country and they were not prepared to face up to the facts of Africa today. Malvern & Welensky had always talked in muted tones about integration and coated it with the slogans of white supremacy. His direct method of approach was too much for them.

In the course of our talk we agreed on the following:—

- (a) The only hope that the Rhodesian Front have of survival is by throwing in their lot with S. Africa. They will turn to S.A. rather than to Britain for support & in an emergency.
- (b) The security situation will soon deteriorate; already the police are finding plastic explosives & firearms, allegedly from Tanganyika.
- (c) The Federation has ceased to be politically viable with the existence of 3 anti-federal governments and now consists of the Federal Civil Service and parliament alone.
- (d) It is essential to take steps early to deal with the federal issue. Whitehead said that he thought your visit in January should be a 'winding up' affair. My own view is that you will have to think in terms of a commission along the lines suggested in my August letter & by the advisers in their report, & be prepared to put forward ideas within a few weeks or earlier.
- (e) The economic situation will deteriorate, adding to the difficulties which the Federal break-up will create; the Federal Civil Service will be particularly hit.

I'm afraid that this is not a particularly cheerful letter & I'm sorry that it follows so soon after my telegram of encouragement. I think that my job now is to get alongside Field as soon as possible to keep him out of S. African hands for as long as possible. I have little doubt that we are in for serious trouble sooner or later quite apart from the difficulties which the Rhodesian Front will produce.

The policy which we have followed during the last few months was, I am sure, right in every way. Alas, we have been defeated at any rate temporarily by the narrow prejudices of Afrikanerdom and blindness of 50% of the white community, most of whom are South African by origin.

341 DO 183/305, no 9

18 Dec 1962

[Future of federation]: minute by Sir R Stevens to Mr Butler on the FO view

May I venture certain comments on the latest turn of events in Central Africa? These are based partly on my observations during July-September and partly on how the future looks from the Foreign Office point of view.

(i) *Effect on Federation.* The Rhodesian Front victory obviously eases, but will not, I think, entirely dispose of, the question of how the Federation is to be dissolved. I notice that Winston Field has said that he will not take any initiative to dissolve the

Federation. No doubt he wants to keep in with Welensky and keep room for him in his Party, where he naturally belongs. I would judge, therefore, that it will still be necessary to get the Territorial Governments round the table in order to bring Federation to an end. Until this has been done, the situation will clearly remain an untidy one.

(ii) *Relations with the Northern Territories.* The Foreign Secretary remarked to me, before he went off to the Bahamas, that there was one good thing about Winston Field's victory: it would rule out any question of a political association between Northern and Southern Rhodesia, which would have been very difficult to negotiate. I agree with this, but I do not think that the Rhodesian Front victory will necessarily make economic associations with the Northern Territories more difficult to achieve. The views expressed to the Advisers by Mr. Winston Field show that he is fully alive to the importance of retaining Nyasaland as a market. He has some rather old-fashioned ideas about Northern Rhodesia, but I doubt if these will have survived the recent Northern Rhodesian election. Whatever his present ideas may be, the hard economic facts of Southern Rhodesia's situation are bound to lead relentlessly to the conclusion that she must have a common market with the Northern Territories—or as near as can be got to it—if she is to survive industrially. No amount of talk about commodities in which she can compete with South Africa can disguise this fact; and since Winston Field appears to be ready to take advice, I suggest this is one of the subjects on which we may be able to help a good deal with his education.

From the point of view of the African Nationalists in the Northern Territories, I think that they will be more willing to negotiate with Winston Field on a basis of equality than they would have been with a Whitehead government on a basis which would still have elements of inequality because of residual associations with Federation. The talk about the excellent relations between Winston Field and Dr. Banda may have been somewhat overdone by both sides, but we were left in no doubt at all—and Kaunda's remarks to the press confirm this—that the Africans prefer to deal with Europeans who have a clear-cut race policy. They have learned, not in my judgment without reason, profoundly to mistrust all talk of multi-racialism or even shared responsibility.

(iii) *Future of Southern Rhodesia.* It is obviously in the constitutional and international field that the Rhodesian Front victory raises the most acute problem. Presumably the Rhodesian Front will request early independence. If we were to grant this, it would raise a tremendous howl in many quarters at home and abroad. On the other hand, to say that Southern Rhodesia cannot have independence until she has representative government would mean that we should have to continue to be responsible for Southern Rhodesia's racial policy in the United Nations and to the world generally for an indefinite period. I need scarcely say that this is not a prospect which the Foreign Office will view with any great enthusiasm.

No doubt it will be necessary to tackle this question pragmatically. For example, the Southern Rhodesian Government might be told that there can be no question of any change of status until they have sorted out their economic relations with the Northern Territories. Thereafter the position could be reviewed, but without commitment. It is perhaps just possible that if satisfactory common market treaty arrangements were worked out between Southern Rhodesia and the Northern Territories, the influence of the Africans in the Northern Territories could be

brought to bear on the Afro-Asian bloc in favour of granting Southern Rhodesia independence in return for certain guarantees regarding African advancement.

These are very preliminary thoughts, but I thought I should set them down because the Foreign Secretary, before leaving for the Bahamas, asked me how I saw the situation developing. This is more or less what I told him, and he did not demur. I have also discussed the matter with our United Nations people here.

342 FO 1109/536

24 Dec 1962

[Future of federation and pledges]: note by Mr Butler

[Butler attached this hand-written note to a copy of a minute to Macmillan on 24 Dec. The accompanying federal white paper was *The Issue of Nyasaland's Secession* (Salisbury, 19 Dec 1962). On the day the white paper was published, Butler announced that the government accepted Nyasaland's right to secede from the Federation. Welensky's supporters in both Houses of the British Parliament responded by claiming that the government was bound by pledges it had made during the constitutional conference of Jan 1953 to make no changes to the federal structure without the consent of all four constituent governments.]

For my personal records I need not add much to this minute to the PM. I also attach copy of the Federal White paper which contains an account which may be said to be accurate of the negotiations with the Federal Govt from May till December.

Why was it impossible for me to postpone a negotiation with the Govt & Govts principally concerned till I go out in January [?] The answer is the same as that mentioned in the attached minute—simply that the Federal Govt would have insisted on a quid pro quo by way of a political & economic union between the two Rhodesias. I dinned into Welensky in January that a movement on Nyasaland was inevitable. He did not accept this, again for the same reason, that he did not want to let Nyasaland go without some clear indication of the settlement elsewhere.

I was deeply sorry & regretful we had to have the clash between the Govts together with all the reference to the 1953 pledges.

I did not know of these pledges at the time that I went to discuss with Banda in May. Nor do I remember taking them into consideration in early November when the Nyasaland Constitutional Conference started. Lord Malvern never said a truer thing, when he came personally to say goodbye to me. He said that the pledges, if they were to be effective, should have been put in the Constitution or in an order. Then they wd have been public property. By the time all the negotiations with Banda & others had got so far as they had I could not have put off the statement any longer without risking quite unjustified security troubles in Nyasaland. There has been some question as to whether I have not rec'd too alarmist advice from the Nyasaland Govt, so I asked the Governor to check with his Chief Secretary Foster. The Chief Secretary confirmed the strong impression I gained from Banda that we could not delay further.

I have now therefore got to play the hand as it has turned out with Welensky's violent reaction and threats of future physical action.

343 FO 1109/536

27 Dec 1962

[Pledges on the future of federation]: letter from Sir A Robinson to Mr Butler appealing for a change in British policy

When you took office I had several conversations with you about the future of the Federation. On 4th April, 1962 I recorded your aims as you had expressed them to me the night before:—

- (1) To make it absolutely clear that the British Government has no intention of abandoning its responsibilities in Central Africa, and that it will cooperate fully with all its resources to find solutions for the existing problems.
- (2) To take such action as may be necessary to reestablish confidence in the economy of the Federation. Your aim being to secure this restoration of confidence by not later than July, so that a further process of economic expansion might start up again.
- (3) To give firm and positive assurances to the civil servants in the Northern territories that their position will be protected so as to ensure that they carry on with their job with full confidence about their future.

You also told me that Duncan Sandys's visits to Nyasaland and Barotseland had been made without authority. You said that the visits had proved embarrassing and had angered not only the Colonial Office, but the Cabinet itself. You emphasized that, despite Duncan's promise to Banda, it was your intention to tell Banda that there would be no unilateral secession for Nyasaland and whatever was done would have to form part of a general settlement. The above are extracts from my notes made immediately after our discussions.

This outline of your aims and views caused me to believe that you intended to approach our affairs in a firm, constructive fashion, and on a basis that was *fair* to all concerned. This was why I reported so favourably to my Government about your attitude.

During the past nine months I have noticed that you have often complained about, or relied upon, your so-called inheritance, almost as though the mistakes of your colleagues or the misguided policies of your predecessors were the work of another Government or at least were events and trends for which you did not accept collective responsibility.

I have always regarded this attitude as strange, but I interpreted it as being your way of showing that you did not propose to follow Iain Macleod's clearly designed plan to hand Central Africa over to African majorities as soon as possible even if this was done at the expense of partnership, the non-African communities and the economy of the territories concerned, as has occurred in recent times in Kenya. I remember well the opinions you expressed so candidly about Macleod when Roy Welensky and I visited you at the House of Commons a short while before you took over your present responsibilities for Central Africa. I also remember how you agreed with me that Reggie Maudling had acted too quickly and without a full knowledge of the problems during the period he was at the Colonial Office. I was certain that the past policies would not be yours for the future. The architect of the past policies is, of course, Prime Minister Macmillan, who expressed his philosophy in the 'winds of change' speech. It was Macleod who was mainly charged with the responsibility of

carrying them out and there is no doubt that he was pleased to do this because I can testify personally from my various conversations with him that he believed in them. He once said to me that Britain's relationship with Africa would be on a sounder footing once the Colonial links had been broken and economic links had been forged in their place. He said 'our influence will be as strong as before'. I carefully noted this comment which was made shortly after my arrival. I only wish for Britain's sake that there was some truth in this belief. Of course, the remark was made before neo-colonialism had been condemned by Moscow, Cairo and Accra as forcibly as they and their fellow travellers denigrate past Colonial achievements and traditions as being nothing but the merciless exploitation of defenceless, underprivileged peoples. So much for the Macmillan/Macleod philosophy which has functioned as an ally of Pan-Africanism and in disregard of the interests of their kith and kin in Kenya and Central Africa. Of course, they will tell you as they have both told me on various occasions, that H.M.G. will not bow to extremists and that it is the Government's policy to maintain Federation. I am still to witness a single overt act on the part of the present Government to give effect to these views.

I remember so well the tragedy of Kenya. Blundell told me at the time of the Lancaster House conference that he and Macleod were of the opinion that if the Europeans of Kenya subordinated themselves politically to an African majority that this would be an act of great statesmanship that would meet fully the demands of the Nationalists. Thereafter the non-African communities would be welcome in the civil service and their financial and economic skill would be harnessed by the African leaders in building a new nationhood. The non-Africans would provide the expertise and the Africans the broad political direction. At least Blundell has had the courage to admit the complete failure of this experiment—a failure that has left Kenya bankrupt and torn by racial and tribal differences. He did so in his tragic farewell speech to the Kenya Legislature which no doubt you have read. Far from there being a similar admission by Macleod or H.M.G. there now appears to be a plan to impose a similar fate upon the Rhodesias.

You certainly have inherited policies but recent events show that you have had more success than your predecessors in carrying them out, because your public assurances and statements of confidence have lulled the European community into what now appears to be a false sense of security. They and the moderate Africans placed their trust in you. They now find that your purpose is the same as that of your predecessors, only you have accomplished the break through without producing a head-on collision. I am one of those who believed in you. I did not think you would preserve the dominating position of the European, or seek to replace it by African domination. I thought you would promote inter-racial partnership and assist in the removal of discrimination. I thought you would seek to hold the balance between the races. It is now clear, however, that the only difference between your stewardship and that of your predecessors is that they believed that a process of erosion would kill Federation once the struggle over Northern Rhodesia had resulted in a Nationalist majority there. You, on the other hand, have taken the initiative in response to Roy Welensky's request that Britain should play its full part in Central Africa. You have not done so, however, in the way he believed you would and in the way you led me to believe you would. Your solution will have the same effect as the Macmillan/Macleod plan—that is a speedy handover of Central Africa to Pan-Africanism. Of course, you now say that there is nothing you could do about it because Duncan Sandys gave an

unauthorised promise to Banda and you had no alternative but to carry it out. The Sandys promise to Banda proved to be more important than the Lyttleton and Swinton promises of 1953. The basic policy of H.M.G. in these matters has been reaffirmed by your unilateral action on December 19th in announcing that H.M.G. recognises Nyasaland's demand to secede. In all the history of political negotiation where has there been such an outstanding example of an agreement to the demands of the other side without securing any quid pro quo whatsoever? You say that this announcement will put Nyasaland in a better mood and cause it to look upon the future in a more constructive manner. What is now the aim? Is it to secure a few common services such as posts and telegraphs, banking facilities, etc. plus a customs union worth about a million a year in exchange for the Rhodesias continuing to provide five or six millions a year towards the development of Nyasaland's economy so that Britain as the protecting power can be relieved of as much of her financial responsibilities as possible? I doubt if Rhodesians will display much enthusiasm towards the idea of an association along these lines and for these purposes.

Now you ask me to use my influence with my Government to approach matters in a constructive manner when you come out in January. You profess to me friendship and regard for Roy Welensky, and yet the one person whose life's work is in danger through the policies you are promoting is the very person whose cooperation you now seek. You speak to me often in disdain about the 'schizophrenic Banda'. You speak with contempt about Nkumbula and you have told me about Kaunda's bad manners and how 'dim' you thought him to be. You are obviously dismayed about the right-wing European victory in Southern Rhodesia. You have told me that you do not think Nkomo is equipped to take over Southern Rhodesia. Yet the moral and constitutional backing that you and H.M.G. offer are directed towards securing power for these very people you disapprove of. I warned you about the dangers of these policies on several occasions and now you observe how the Europeans have reacted in Southern Rhodesia. They have put Field into power because of their fear of H.M.G.'s policies. Those who believe in the middle of the road philosophy like Welensky and Whitehead and also, if I may be permitted to say so, tens of thousands like myself, are seeing the destruction of all we believe in. Yet you ask us to cooperate in this process and to be constructive. I told you on the telephone the other evening that I did not believe in looking to the past but only to the future. I am basically an optimist and throughout my public life I have made it a rule to try and find some silver lining no matter how black the clouds may appear from time to time. The only chance or silver lining in the present situation would be a real and determined attempt to negotiate a settlement between the two Rhodesias on the basis of maintaining a constitutional link with massive financial backing. It is not enough for you to say that you are unable to give a pledge to this effect because you are unable to carry it out. You say that you do not have the forces at your command to do this. The truth of the matter, as you told me recently, is that whilst you would prefer a relationship with 'political content' at the centre, you would be content to accept an association between the two Rhodesias if this was all that you could get. In other words, the solution will be dictated by the cause and effect of Pan-Africanism and not by policies designed to maintain the security and interest of the various communities, the vast investments totalling more than 2,000 million pounds that the Europeans control and manage in the Rhodesias, and the need to promote interracial partnership in a mixed society such as exists in the Rhodesias. It is no use

saying that the Europeans in Southern Rhodesia have shown they want an end of Federation. All they have done is to show by the only means at present at their disposal that they are afraid. They fear, in particular, the apparent alliance between Pan Africanism and H.M.G.—hence my aforementioned reference to cause and effect.

You will observe from this letter that I am deeply disappointed and disillusioned. I have seen Britain's role in Africa change from that of a great nation whose viewpoint was respected and whose achievements were admired to the present position where she is held in contempt by the majority of her former colonial territories in that Continent and where her Government is bitterly distrusted and condemned by the vast majority of her own people who have settled in these distant places as a result of past Imperial policies and undertakings given by successive British Governments. I remind you of these things because the co-operation you ask me to assist in securing can only come from the very people you and the Macmillan Government seem to have agreed should be sacrificed if Britain is to get out of Africa by means that apparently pay no regard to the consequences. You might tell me that Algeria is an example of how quickly people can adjust their past hatreds and fears. That may be so, but no one will deny that the result has been achieved at the cost of thousands of lives, total bankruptcy, the mass exodus of thousands of Europeans, and the virtual handover to a Castro-type fellow traveller—what a triumph for communism!

Can you not reflect at this late hour? Can you not respond to the call of the moderates in distant Central Africa? If so, I can guarantee that the moderates will throw in their lot with you to find a constructive solution and their ranks will swell with support from those of all races not yet finally committed to black or white extremism. If not, it is better that we should know whether our present interpretation of your purpose is correct so that we may make our preparations¹ accordingly.

I do not propose to convey your 'unofficial and informal' protest to my Prime Minister. I think this is better done by Lord Alport, who is normally the bearer of your Government's views to mine. It is better that he should hear at first hand Sir Roy's reaction rather than that I should convey it to you secondhand. Should you ask me to convey a formal protest to my Government, I would be in duty bound to carry out your wishes. In any case you will readily understand my position. I warned you most solemnly and earnestly about the consequences of your unilateral action on the 19th December including specific warnings that Sir Roy would be obliged to release confidential information to defend his position. It was your action that triggered off the sequence of events—not Sir Roy's. You chose to ignore these warnings and what I said would happen has come to pass.

There is only one sure road for the future. Protests, however moderate, at this stage will not secure a re-establishment of confidence or make your proposed journey worthwhile. A genuine reassessment of your purpose is, in my opinion, the basic condition precedent to a fair solution. Some forthright and positive indication

¹ Butler later asked Robinson to clarify what he meant in his letter by 'preparations'. Robinson replied that the only occasion on which he could foresee the use of force was 'if Katanga-like circumstances were created in Northern Rhodesia by the withdrawal of the British Government and the leaving of a government under present African leadership, which, in his opinion, would lead to chaos' (note for the record by Butler, 9 Jan 1963).

that you are not the willing or even unwilling ally of extremism in Central Africa is the only chance of securing the co-operation you are asking for.

I do hope that you will find it possible to give me some indication of whether my appeal is of any avail. It has not been easy for me to write so frankly to you. I have waited several days before doing so. Your several Christmas messages and your unusual but courteous and kindly action in telephoning me personally on Christmas Eve to convey seasonal greetings to my wife and myself caused me to believe that deep down you realised where the present course of events are leading us. I cannot believe that you would wish to be remembered in the history of our times as being the final architect of tragedy in the Rhodesias. Before it is too late, therefore, can you not persuade your colleagues to abandon the dangerous and sometimes tragic policies they have pursued in multi-racial Africa from the time the Macmillan/Macleod solution was first imposed upon my country and nearby Kenya? You alone have the strength and the status within the Conservative Party to alter the trend of events. I pray that you may now be persuaded to think again and thereby bring about an adjustment of your Government's policies so as to ensure that your friends are not abandoned. I write to you on behalf of those who for the past half century and more have served Britain with loyalty in peace and war. I know these sentiments are old-fashioned, but as they mean so much to so many both in Britain and in Africa, I think I can be permitted to remind you of them at this solemn and critical period in our affairs.

May I wish you and all your family every happiness and prosperity in 1963, and may I at the same time express the hope that we shall be able to work together in harmony to secure the same blessings for my fellow countrymen.

344 DO 183/114 no 2

Jan 1963

'Nyasaland: economic and financial situation': Central Africa Office
brief for Mr Butler

A. The present position

Before the establishment of the Federation in 1953 Nyasaland's economy and budget ran at a very low level, and in 1952 only some £4½ m. was spent on all Governmental purposes, capital and recurrent. The level of services which Nyasaland now enjoys has been greatly raised through the economic and fiscal benefits derived from the federal association. Evidence of this is that in the current financial year it is estimated that the two Governments between them will be spending nearly £15 m. on capital and recurrent accounts. This is made possible because the territory has a statutory share in Federal revenues, and has been able, in addition, to finance increased development in part from loans raised by the Federal Government on the credit of the whole Federal area. The effect has been to create a situation where, on recurrent account, the spending in Nyasaland of the Nyasaland and Federal Governments, together estimated at £10½ m. in 1961–62, exceeds by some £5 m the level of revenue which the two Governments are at present deriving from sources within the territory. In other words, when Nyasaland leaves the Federation, its

budget based on the present level of services will be more than 45% uncovered by the revenue at present generated within the Territory.

2. In the meantime, pending the detailed working out of the consequences of secession, the formulation of economic and financial policy in Nyasaland remains related largely to two practical problems. Firstly, how to deal with the accumulating deficit in the recurrent budget. Secondly, how to finance the development plan which the Malawi Ministers produced and published last summer.

The recurrent budget

3. By the end of the financial year 1961/62 Nyasaland had virtually exhausted all its available resources and the provision of grant-aid and formal Treasury control became inescapable.

4. The deficit in 1961–62 was a little short of £1 m. and for 1962–63 has been accepted by the Treasury at £1.5 m. which figure has been fixed as the ceiling for grant in aid. If the present federal fiscal arrangements continued, the deficit on recurrent account in the next two years (not taking account of recurrent expenditure arising from the development plan) has been estimated to be of the order of £1.9 m. and £2.1 m. respectively. In point of fact the deficit in 1962/63 is running, at this stage, at a figure rather less than expected, although not significantly.

5. There is very little scope for cutting back expenditure because of the need for a rapid increase in educational facilities, the increasing commitments for servicing of loans and heavy replacement costs. The scope for increasing revenue is also limited (although Nyasaland has introduced a new Personal Tax from 1st January, 1963 which will net some £30,000 in the current year), so long as the main revenue sources such as Income Tax and Customs Duties are matters for the Federal Government. It is difficult to see any method of increasing revenue which would have a significant effect on the budgetary position. The effect of the development plan, which is considered below, is also worrying. Even allowing for the generation of direct revenue from some of the projects in the plan the net increase in recurrent expenditure arising from development projects will be around £1.5 m. over the three years of the plan. This expenditure will inevitably become a permanent feature of the budget.

Development plan

6. As regards the development plan, Malawi Ministers naturally wished to boost the rate of development in the territory in order to make up some of the economic leeway and to demonstrate that a change to elected government would show results. Development expenditure had been running at the rate of about £3.25 m. during the last few years but the plan submitted last year by the Malawi Ministers envisaged expenditure of £4.7 m. during the first year and an average rate of expenditure of about £4.25 m. over the three years of the plan. This posed serious problems. There was a considerable short fall of capital; the plan had serious recurrent implications; and it was doubtful if the human and material capacity of the territory could be raised to the levels envisaged, particularly in the first year. In fact latest indications are that expenditure may not reach £3.5 m. in 1962/63.

7. The original development plan produced by the Malawi Ministers would have cost well over £20 m. As a result of patient negotiation in Zomba the proposals were modified by placing a considerable part of the plan in reserve (although it has not

been dropped) and presenting instead a plan for the three years 1962/65 which would cost £12.9 m. plus about £1.5 m. in recurrent costs, the planned rate of expenditure during the three financial years being £4.76 m., £4.7 m. and £3.43 m. respectively. The phasing, both as regards capacity and planning flexibility, was open to criticism. It would be normal to plan for an expanding rate of expenditure but the reason for the proposals was fundamentally the Malawi Party's desire to make an impressive start.

8. The content of the Plan was open to valid criticism in being weighted towards non-economic projects. For example, those projects which related directly to natural resources and economic and industrial enterprises accounted for only approximately £4 m. or less than one third. Roads, building and utilities account for over £5 m; education for £2.5 m. It would certainly have been possible to improve the balance of the plan but for the political difficulties. However, it must be admitted that Nyasaland's economic infrastructure is weak and unless basic utilities and services can be established at a higher level, the full benefits of more strictly economic projects will not be realised. The expenditure on education is heavy, but hardly avoidable; the facilities at secondary level are far below the current needs of the Territory and a great effort is needed if trained manpower resources are to keep pace with political development.

9. Against the planned expenditure of £12.9 m, the Nyasaland Government had in sight as resources £3.4 m. from C.D. & W. revenue and from local and international development funds. They also expected during the first year of the plan to receive £1.2 m as the Territory's share of new Federal borrowing. Finally, they hoped to raise £1 m from a local development bonds issue. The last two possible sources are open to obvious doubt in present circumstances but even including those the short fall of resources amounted to over £7 m.

10. It was agreed that Her Majesty's Government would provide a further £1 m. in grants during the current C.D. & W. period from the reserves available, and further Exchequer loans, on conditions, up to £1.9 m. This additional help was given on the understanding that it did not do more than enable Nyasaland to contemplate spending £7 m. on development over the first two years of the plan, and £4 m. in the first year; and that development expenditure would be reviewed annually. There is also the possibility of a small amount (say £0.25 m) of further C.D. & W. grant money becoming available in the last quarter of the second year of the Plan under the new Act, which may be expected this year subject to Parliamentary approval. Every effort will be made to secure additional funds from international agencies. Nevertheless, a gap of some millions remains quite apart from the accumulating recurrent burden arising from the Plan.

B. The consequences of secession

11. The effect of secession on the Nyasaland budget and economy can be assessed in general terms only, and on the basis of certain broad assumptions. The fiscal consequences of the actual detachment from the Federation, in terms of essential changes in Nyasaland's present pattern of revenue and expenditure, can be determined in detail only after the thorough investigation and negotiation between the Governments concerned which must now be launched. The future economic and financial prospects of the territory as an independent country are assessable only within a wide margin of uncertainty.

The fiscal consequences of secession

12. For the purpose of broad calculation, Professor Brown¹ made the following general assumptions:—

- (i) Secession had taken place at the beginning of the current financial year, and in such a manner that the income and taxable capacity of the territory were not thereby affected.
- (ii) Nyasaland would maintain the present level of expenditure within the territory on services at present Federal.
- (iii) Nyasaland would take over a due share of liability for the Federal debt.
- (iv) Nyasaland would secure the amount of revenue at present raised by the Federal Government in the territory, plus tariffs on goods imported from the Rhodesias.

13. The following detailed assumptions were also made:—

- (a) In respect of (ii) above, Nyasaland would maintain the present level of services, allowance being made for assuming a reasonable proportion of central administrative costs at present borne in Salisbury. There would be no expenditure corresponding to Federal expenditure on the central legislature, external affairs, the legal services, the information services, or the air force: but on defence, Nyasaland would assume liability for one battalion of the K.A.R.
- (b) In respect of (iii) above, Nyasaland would assume liability for interest and service of the pre-Federal Nyasaland debt (taken over by the Federal Government in 1953), of Federal borrowing since 1953 allocated to Nyasaland, and of that part of the Federal debt incurred for Federal spending in, and for the benefit, of Nyasaland.
- (c) In respect of (iv) above, Column C of the Federal tariff would be applied to goods imported into Nyasaland from the Rhodesias. Such imports (estimated at £9 million in 1960) have increased roughly in proportion to income tax and excise collections in the territory.

14. On this basis, Professor Brown reached the following calculations. On the revenue side, Nyasaland would lose her share of Federal basic income tax—say £2.6 m. But the basic income tax collection in the territory would amount to about £1.45 m, and about £1.55 m would accrue from Customs, Excise, postal and other miscellaneous revenues at present collected by the Federal Government. The net gain of revenue would be about £0.4 million. The theoretical duty on Rhodesian goods might range from £0.8 m. to £1.25 m. *The total revenue gain would therefore be of the order of £1.2 m–£1.65 m.*

15. The major expenditure increase arising from the assumption of existing Federal services is estimated at about £4.25 m. There would be in addition increased servicing costs for debts (£1.25 million), offset by some recoveries of charges on loans and advances (say £0.88m), a net increase of about £0.4m. *The total increase in expenditure may be estimated at about £4.65m.*

¹ Arthur Brown, professor of economics at the University of Leeds, and a member of the advisory committee on Nyasaland secession.

16. An increased deficit of £3–£3.5m. is therefore to be faced. Adding the current deficit of £1.5m, *a total initial annual deficit of £4.5–£5m. is to be assumed.*

17. This represents a grave situation for Nyasaland: and in the event it might well prove to be even more serious. The assumptions in paragraph 12(i) and (iv) above could both turn out to be over-optimistic. The final total on the expenditure side, when liabilities have been determined and apportioned to Nyasaland to the full extent that may be equitable, could well be higher; no allowance has been made, for example, for the acceptance of such responsibilities as might reasonably and properly be held to fall upon Nyasaland in respect of the redeployment and possible displacement and compensation of individual Federal officials. There are fields not taken into account (e.g. currency and central banking) where possible changes could increase the sum of liabilities. The administration of new services, e.g. customs and inland revenue, could give rise to manpower difficulties and prove expensive. And no allowance has been made for the development of services, e.g. in the field of external affairs, which an independent country would normally expect to shoulder.

The future economic and financial prospects

18. The Malawi Party leaders did not question Professor Brown's broad assessment of the consequences of secession. They maintain however that the problems are not beyond the capability of themselves and the territory to solve, given sympathetic treatment from abroad; and that they are ready to face them in a realistic and practical way, by a combination of retrenchment, increased taxation, agricultural and industrial development, and foreign borrowing.

19. As advised by Mr. Hazelwood,² they believe that the deficit could be eliminated within a period of five years or a little longer, provided that the national economy can be allowed to expand on its present basis. The latter proviso would mean that a budget deficit of the order of £5m. a year could hardly be avoided for the first year or two after secession, except at the cost of delaying the eventual attainment of solvency. The main object of retrenchment would be to prevent an increase in the public expenditure in the later years of the period. In the meantime the Nyasaland Government would remain dependent upon external aid towards its recurrent budget—but on a descending scale as other measures made their impact.

20. Given this external assistance and also continued availability of development capital, it is claimed that the gross domestic product could be expected to increase at the current rate of growth (roughly 35% in six years), and that this could be substantially speeded by a determined campaign to increase the output of African agriculture. It is also claimed that over a period of years, taxes and fees could be raised in relation to the total product of the territory by some 40% (without materially increasing the income tax burden on existing taxpayers and companies): and that the combined effect of these measures should be total extra revenue of the order of £5½–£6 million by 1967, bringing the budgetary problem within sight of solution.

21. This is not an unrealistic approach, though it is clearly an optimistic one which in any or all of its particulars could be frustrated in the event or by failure in performance. The years immediately after secession will certainly be difficult, and may produce economic reactions not allowed for in this forecast. For example,

² The political economist, Arthur Hazlewood.

reduction in opportunities for emigration may create social problems, and cause a diminution of remittances from Nyasalanders working outside the territory, requiring extra borrowing to offset it. The maintenance of economic expansion, particularly in the vital agricultural sphere, will depend on the retention and attraction of trained and experienced personnel from outside for a good many years to come, and here a considerable element of political uncertainty enters.

22. The increase in gross domestic product depends on continued capital for development, and the ability of the Government to stimulate harder work and improved methods. On the first, in the present international climate, a hope of fairly substantial development aid from outside is perhaps justified. 'Nationalist' enthusiasm may also possibly justify the prospect of increased African agricultural production, given that little capital would be needed and a 50% increase was achieved between 1956 and 1961: but crops such as cotton and ground nuts, on which the effort might be concentrated, are an uncertain basis for economic expansion. Higher taxes of course depend on the possibility of increasing production: but they also depend on the Government's ability and determination to impose them. The burden contemplated, in relation to the gross domestic product, is not unduly high in comparison with other African countries: but, in terms of increase, it is virtually a 'war-measure'. Progressively imposed over (say) five years, it might be carried through: but it could provoke greater reaction and resistance than a Government would be prepared to face, particularly if matters went awry in other ways.

Conclusions

23. Nyasaland's prospect of balancing her budget, maintaining her development and establishing a stable foundation for existence as a separate state must be regarded as uncertain and hazardous. In following this road, it must be expected that she will look to Britain for continued external aid towards her recurrent budget as well as for some contribution to development capital. A claim upon Her Majesty's Government for substantially increased assistance over the next few years at least is therefore involved. But there is a readiness among Nyasaland leaders to shoulder their own burdens, given the initial help of a 'tapering off' financial settlement. To what extent that initial help may be afforded, as a final discharge of Her Majesty's Government's protectorate responsibilities, will be a matter for negotiation after the financial consequences of secession have been determined in detail. Even so, Nyasaland may well be hard put to it to make her own way and be obliged to accept a considerable set-back in her progress: but that is the price her leaders and people will have to pay for their political objectives.

345 FO 1109/540

20 Feb 1963

[Future of federation]: letter from Lord Alport to Mr Butler on the future of the federal government

Our Secret bag is due to catch the evening Comet in a couple of hours' time. I am therefore sending you a hurried letter about recent developments here.

You will see from Welensky's latest message that he has turned down the proposal that Dalhousie should continue. I showed this message to the latter this afternoon in

case he wished to withdraw his offer or to vary it in any way. However, he is going away for a couple of days and is returning on Monday to be here when his 'ultimatum' runs out. Welensky's refusal to face the facts of the situation is part of the modified Samson act on which he is at present engaged. As Dalhousie says in his telegram, Welensky is prepared to be defeated but not to admit defeat. He and the coterie that surround him continue to conduct their affairs without any relationship to prevailing opinion in the Territories or to the political facts of the situation.

In these circumstances the problem which I put to you when you were here becomes pressing. As long as the Federal Government in its present form remains in being the chances of getting any solution which includes some form of association between Southern and Northern Rhodesia and some arrangement with Nyasaland progressively decline.

Luyt,¹ who is staying with me at the moment, is quite emphatic about the dangers of delay, since he anticipates that opinion among the African ministers in Northern Rhodesia will harden fairly quickly as new influences begin to bear on them. For instance, Prain has recently been impressing Kaunda with the fact that Northern Rhodesia should have its own currency, banking system and financial policy. His object is to get rid of Exchange Control which prevents Northern Rhodesian European copper miners from repatriating their savings and creates employment difficulties from the point of view of the copper companies. The collapse of a central currency and banking system here would be very serious but I have no doubt that Prain's minions are pumping out his ideas in Northern Rhodesia to the detriment of British policy and to the chances of getting some form of association in Central Africa in the future. Other people are no doubt working with varying degrees of unscrupulousness along other lines but all will increase the difficulty in making sense out of the present situation.

As far as the Governor-Generalship is concerned, I think the best plan is probably to accept Welensky's veto on Dalhousie's continuance in office and then to make an acting appointment. I assume that this must be the Chief Justice regardless of the effect that this may have upon the Federal judicial system. On the other hand, it is my view that the best interests of the Federation would be served by the continuance of Dalhousie in office, at any rate until September. The problem is how far you feel yourself obliged to try to save the Federal Government from the effects of the unwisdom of its own policies. The problem which I am most concerned with, however, is the importance of getting in train the developments which would appear to follow logically from your visit. The programme which I outlined in my telegram No. 225 is, I am quite certain, correct. I have reason to suppose that it would appeal not only to public opinion here but to Conservative opinion in the House of Commons. From your own point of view as well as the Government's I think there is great danger in appearing to let things slide. As far as the position out here is concerned, delay will increase the difficulties as I have already indicated earlier in this letter. It is rumoured here that you are thinking in terms of having the conference in June or July. I must say emphatically that in my view such timing will be much too late. However sharp may be the reaction from the Federal Government and Welensky in particular, H.M.G. must take the initiative and I am sure that the sooner it does so the better.

¹ Sir Richard Luyt, chief secretary, NR, 1962-1963.

I hope that nothing more will be heard about the pledges. There is no doubt that public opinion is bored stiff with what the Lord Chancellor quite rightly called 'an arid controversy'. Public opinion here is not concerned with past events or political manoeuvring. It wants to see decisions made regardless of whether those decisions are right or wrong, wise or unwise. It realises that the process of dealing with the Federal situation will be a long one but I think that confidence and morale would start to revive if people knew that the process was beginning. I am quite sure that this applies equally to interested opinion at home.

I hope, therefore, that you will feel able, within the next few days, to make decisions regarding the programme of action during the immediate future. You cannot make things easy for Welensky because he is determined not to make things easy either for you or for himself. What matters now is instituting a course of action which provides some chance of achieving solutions for the situation here which are fair and reasonable—and not discreditable—to H.M.G. and our reputation for constructive statesmanship in Africa.

I know that you are just as anxious to achieve this as I am and it is for this reason that I write to you in such urgent tones.

346 DO 183/462, no 26

6 Mar 1963

[Federation and the USA]: letter from R W H du Boulay¹
(Washington) to N D Watson

John Hennings and I had lunch yesterday with Ed Mulcahy, the Desk Officer for the Federation of Rhodesia and Nyasaland in the State Department, who has been engaged for the past week in analysing Governor Williams' report on his visit to the Federation and briefing him for his talks with Mr. Butler on March 11. You may like to have a short summary of Williams' main impressions from his visit and a note on the points which he apparently intends to take up with Mr. Butler and on which he will hope for reassurance. Mulcahy spoke very freely in the obvious expectation that his confidence would be respected.

2. All those I have talked to about Williams' visit agree that he was very tired by the time he reached the Federation, but they do not seem to be aware that this exhaustion was so obvious to those he met there. In fact Governor Williams' staff seems to be on the whole well pleased with the visit.

3. Governor Williams returned from his visit very despondent about the outlook for Southern Rhodesia. He found 'mounting tension in Southern Rhodesia' and feared 'an inevitable explosion there before more than a few months have passed'. He went to the Federation hoping that his deep misgivings would turn out to be unjustified. He came back more convinced than ever that they were justified. He and his staff concluded that the leadership on either side, both in the Government and in the African Nationalist opposition, does not measure up to the needs of the situation and that the best men in the territory have no say in planning its future. When he meets Mr. Butler, Governor Williams will no doubt put to him his extreme concern at 'the drift to violence' in Southern Rhodesia; he will hope to be convinced either that we

¹ UK embassy, Washington, 1960–1964.

have some hitherto unrevealed plan to forestall the debacle, or that his estimate of the situation is, on the evidence available to us, altogether too catastrophic.

4. Governor Williams will, I think, admit frankly that he has no solutions of his own to put forward. He does not see the American role in this light; he and the State Department hold strongly to the view that Central Africa is a British responsibility and that, on the strength of our record as responsible decolonisers, we can and will discharge our responsibility here successfully. They see their role as being on occasion 'the burr under the saddle' but mainly that of helpful but silent partner in the operation. Governor Williams will have had his attention drawn to the House of Commons debate on Central Africa on February 28, and in particular to the statements made then in explanation of Her Majesty's Government's policy. But he will need to be convinced that what he sees as the drift to violence in Southern Rhodesia will not overtake the prolonged negotiations over Nyasaland secession which we appear to envisage. We argued to Mulcahy that the situation in Southern Rhodesia was nowhere so desperate as Governor Williams seemed to believe, and that in these circumstances protracted down-to-earth discussions, among other things, were a useful means of keeping political temperatures down. Mulcahy himself was receptive to these points, and will no doubt represent them faithfully to Williams. But Mulcahy gave the impression that Williams in private was inclined to be impatient of this approach.

5. Governor Williams' office and we ourselves have repeatedly explained to him the constitutional and physical limitations on our capacity to intervene. He understands these arguments but will be inclined to argue that in the unprecedented situation which he fears is developing he would expect that we would be ready to disregard constitutional niceties and to take unprecedented steps to deal with it.

6. On the question of our tactics on the Federal issue, Governor Williams may be inclined to see the continued existence of Sir Roy Welensky and the Federal Government as a major obstacle to our achieving a satisfactory measure of association between the three territories, and he may need to be persuaded that the 'clean break' theory is not only impractical but will deprive us of several valuable bargaining counters.

7. I have seen telegraphic reports from the Federation on Governor Williams' visit and also the Federal Government's own records of meetings between Federal Ministers and Governor Williams. There are two discrepancies between Governor Williams' impressions of his visit and those of the men on the spot who received him, which I think worth noting:—

(1) The Americans think that Governor Williams left Banda in no possible doubt about the difficulties confronting the Americans in increasing development aid to Nyasaland after independence and the absolute impossibility of the Americans granting budgetary aid. Both the Federation's information and Zomba's telegram indicate that Governor Williams played this in a very low key and may well not have been taken seriously by Dr. Banda. Nevertheless I think it is pretty well certain that there is no chance whatever that the Americans will move into the field of budgetary support, and given the current attacks on foreign aid in the Congress, I cannot personally see that it is likely that they will be able to increase significantly their allocation of development loans or technical assistance to Nyasaland. Mulcahy took the point which we put to him that however vigorously

the U.S.A. might deny all intentions to meet any significant part of Nyasaland's needs for foreign aid, these denials would be discounted in some measure by Banda as being inspired by us.

(2) Federal Ministers tackled Governor Williams about chrome, cobalt and tobacco. In the Federation's record, Governor Williams gave unconvincing and to a certain extent self-contradictory replies to these reproaches. Naturally enough Governor Williams' record puts a better face on the matter and it is possible that he himself is still not aware of the extent of anti-Americanism in the territory. On the other hand, Mulcahy, who has been dealing with it for some years, is very well aware of it. In this connection he was very disappointed with Major Wall's speech in the House of Commons on February 28, particularly that he should have felt it necessary to raise the hoary old *canards* about the Malawi Party's victory procession and the American Information Services' film, both of which points have been dealt with and should have been buried months ago, and both of which points Mulcahy himself claims to have discussed with Major Wall at least once.

8. Incidentally, members of the State Department at Desk level, especially in the Bureau of International Organizations, have by no means abandoned the hope that we will if need be go on record before the Committee of 24 and make a public declaration that we will not grant independence to Southern Rhodesia under its present constitution. This may have been what Mulcahy was hinting at when he said yesterday that there was a possibility that the Americans might reconsider their present policy of non-involvement in the discussion of Federation affairs. Mulcahy hastened to add that he thought the outcome of any reconsideration would be to maintain the present policy. But he did note that Governor Williams had been reproached for this policy in the Federation, especially by Nkomo and members of the ZAPU. And he also mentioned in passing that U.S. officials in the Federation had commented to Williams on the extent to which ZAPU had spread its tentacles, despite the inefficiency of its organisation, since his last visit. I do not therefore think the Americans have said their last word on a declaration about Southern Rhodesia's independence. But I doubt whether Williams will raise it on March 11.

9. I am sending copies of this letter to Foster in the Foreign Office, Scott in Salisbury and Campbell in New York.

347 FO 1109/536

6 Mar 1963

[Future of federation]: minute by Mr Butler on the nature of the Central African problem

The Central African question has weighed very heavily on my mind in the last fortnight since I realised that if we were to call the sides together the inevitability of a clash between the different interests would have been seen. On the other hand to have delayed longer was already having a bad effect upon the Africans and making them think that we had no taste for action. The delay was also having an effect upon the mind of Winston Field. I have written a separate minute, of which I attach a copy, on the problems of bringing the sides together.¹

¹ See 348.

Over and above everything there is a strong nostalgic feeling about the grandeur and the decadence of the Federation. Also a firm realisation that Sir Roy is going to go on fighting to the bitter end as he has done throughout his life in the various campaigns he has espoused, whether it be the Chartered Company's royalties or attacks on the British Government. Every hour in the Africa Office we find some obstruction by the joint strength of the Federal Government engineered and placed in our way. This is particularly remarkable over the Nyasaland secession exercise. Even when I went to vote on the Defence Debate last night Robin Turton told me that he, Sir Donald Kaberry² and Sir Harmar Nicholls³ were going out on the organisation of Robinson, the High Commissioner. This means immediate handling and seeing of them and that is now all in hand. It is a struggle far bigger than the India Bill.⁴ Although the India Bill assumed bigger political proportions the Indian people voted and with all Winston's machinations yet the physical repercussions of what might happen in India were no greater at the time of the passage of the India Bill than they are now in Central Africa.

² Sir Donald Kaberry, Conservative MP for North-West Division of Leeds since 1950.

³ Sir Harmar Nicholls, Conservative MP for Peterborough Division of Northamptonshire since 1950.

⁴ A reference to the prolonged controversy preceding the 1935 Government of India Act in the UK, witnessed first-hand by Butler who was parliamentary under-secretary of state at the India Office, 1932–1937.

348 PREM 11/4419

c 8 Mar 1963

[Central Africa talks]: minute by Mr Butler to Mr Macmillan

The Central African talks at the end of March will be very difficult to conduct without a break and without bringing things to a head owing to the diametrically opposed views of the Northern Rhodesians and the Federal Government.

2. It may not be possible to continue the period of attrition which we were both discussing indefinitely but I will work on the assumption that this is our policy and is summarised in the objective of getting the North, the South and the Federal Government round a table so that if the Federation is to break up it is shown to come to an end *proprio motu* and not at the instigation of the wicked British Government.

3. In order to achieve this 'confrontation' H.M.G. will have to have a posture or stance from beginning to end. This I suggest should be that we desire to see the best possible form of association between the Rhodesias. In order to get the Federal Government to a Conference it will be necessary not to bar any language on their part referring to political links. To keep our good faith this will have to be shown to both sides.

4. The possibility, however, is that it will be impossible to hold both the Northern Rhodesian Delegation and the Federal Government. Here the attitude of Mr. Winston Field assumes its importance. If he shows himself determined to meet the Northern Rhodesians with a view to achieving an economic union then I think we must encourage these two parties to get together. It is clear that the break with the Federal Government may come. If I read your mind right you would prefer

H.M.G. so to act at this juncture that we insisted that the Conference was open for anyone to express their point of view.¹

¹ Macmillan minuted, 9 Mar: 'I think is (sic) quite right. What about informing Cabinet?'

349 FO 1109/536

21 Mar 1963

[Central Africa talks]: notes by Mr Butler on the attitude of the British Cabinet and talks with Mr Nkomo¹

The Central Africa talks have started with Southern Rhodesia. The more difficult have to come. The S.R. Prime Minister has however already played a most significant ball, namely the independence of his country.

I raised this at the Cabinet this morning & was surprised at getting no reaction from an entirely pug like assembly. They seemed to me to have no idea of the moral issues involved. Nor did anyone question the rightness of the mandatory death sentences & the repressionist legislation.

I went to the ceremony for handing over St John's Smith Square at the Jerusalem Chamber at the Abbey & the PM asked me to go home with him. He said he would tackle Mr. Field himself & try to postpone independence so that it coincided with the liberation of the African territories.

It is by itself an issue of world-shaking importance for the Commonwealth & we had better take it seriously.

I met Mr. Nkomo yesterday who put his case with great moderation. I asked him to see Field but he flatly refused to do so. His whole theme was to blame the British Govt for not legislating to amend the Sandys constitution. He paid no attention to the 40 years old convention not to intervene.

I listened to Field on the wireless tonight. He said they were working under a constitution devised by the British.

I certainly have quite a lot to consider Sandys for. First this & then the undertaking to Banda on secession of Nyasaland in February 1962.

The difficulties with N. Rhodesia will be greater, & the problem of keeping the Federation in bounds greater still. I will comment in due course.

¹ These notes were hand-written by Butler. At the Cabinet meeting that morning, Butler had presented a paper which predicted that the issue of independence was likely to arise during talks over SR, and suggested that the government should seek to defer a decision for as long as possible (CAB 128/37, 17(63)5, 21 Mar 1963, reproduced in Hyam & Louis, part II, 515).

350 FO 1109/536

23 Mar 1963

[Future of Southern Rhodesia]: notes by Mr Butler on his talks with Mr Field¹

Winston Field the PM of S. Rhodesia had an hour & ½ talk with me tonight. This represents the first stage of our difficult negotiations.

¹ These were hand-written notes by Butler.

He is prepared to see Roy Welensky on Monday evening and square him up to the situation in which S.R. wants an early negotiation with N.R. on the lines of association which will be 'acceptable to the Territories'. This I have got him to agree.

There has been some doubt whether he would not put first S.R.'s loyalty to the Federation but I think I have made progress. We must now see how N.R. negotiations go.

R.A.B.
23.3.63

In a further talk with Winston Field the following points emerged:—

- (1) In response to my showing difficulty over 'independence' he said he would talk this over with his colleagues. He asked for the Nyasaland date. I said probably spring of next year. He said he would consider whether S.R. could wait till then.
- (2) He gave me no further hope that they would engage in internal reform simply because I do not think he feels he has an electoral mandate and he has not 'got it in him'. I said we would keep this subject alive.
- (3) He said that Sir Roy had on previous occasions been unconstructive, &, while hoping for the best on Monday he did not know what success he would have in getting him to take a statesmanlike view.
- (4) He said it was not his business to describe how to deal with N. Rhodesians, but he would show them the advantages to themselves of co-operation, e.g. over a new . . . factory.

351 CAB 128/37, CC 23(63)2

4 Apr 1963

[Future of Southern Rhodesia]: Cabinet conclusions on the issue of independence

The Cabinet resumed their discussion of the request by the Prime Minister of Southern Rhodesia, Mr. Winston Field, that Southern Rhodesia should be granted its independence as soon as Northern Rhodesia or Nyasaland had been allowed to secede from the Central African Federation or had obtained its own independence. They had before them the draft of a reply to this request, together with a Note by the First Secretary of State (C. (63) 58) describing the main features of the present constitution of Southern Rhodesia.

The First Secretary of State said that the reply to Mr. Field's request could not avoid recognising that, as a result of our decision that none of the constituent Territories of the Federation could be kept in the Federation against its will, Southern Rhodesia, like the other Territories, would henceforward advance by the normal processes to independence. It should also indicate, however, that certain steps must be taken before independence could be granted to the Colony. In particular, the Federation itself must first be dissolved, since Southern Rhodesia could not become a wholly independent country while remaining a member of a Federation which was not itself independent. In addition, before any further changes

were made it would be necessary to examine the transitional arrangements which would be required to give effect to the declared desire of the other two Territories to secede from the Federation; and before independence could thereafter be granted to Southern Rhodesia itself we should need to discuss with the Government of the Colony a number of questions which would arise in that connection.

A reply on these lines would serve to emphasise the order in which the successive stages of the advance of Southern Rhodesia to final independence should ideally take place. It would have the additional advantage that, if it was acceptable to the Government of Southern Rhodesia, it should ensure their attendance at the proposed conference to discuss the future economic links between the Colony and Northern Rhodesia which we should still seek to establish before the Federation was dissolved; and it would also enable us, if we wished, to stipulate at the final stage of the process that independence could be granted to Southern Rhodesia only if, as one of the questions which would then arise for consideration, the Government of the Colony were prepared to amend the existing Constitution on more liberal lines. It was doubtful, however, whether the Government of Southern Rhodesia would in fact accept the proposed reply as an adequate acknowledgement of their claim. They might be unwilling to contemplate discussions about economic links with Northern Rhodesia as a precondition of their achieving independence, since they would feel that the Union of South Africa would provide them with an alternative source of moral and material support: and they would be likely to resist any implied suggestion that they could not expect to attain independence unless they were prepared to accept a more representative form of government. This reaction would not be wholly unreasonable since, as was clear from the details appended to C (63) 58, the present Constitution had been accepted by the House of Commons as representing a significant advance in terms of electoral opportunity for the African population of the Colony and would in fact have enabled the Africans, if they had taken full advantage of the rights which it accorded them, to achieve at the last election a position of considerable influence in the Legislature.

In discussion there was considerable support in principle for a reply to the Government of Southern Rhodesia on the lines indicated by the First Secretary of State. There were some grounds for believing that that Government, which was relatively new to office, had not sufficiently distinguished between the concept of secession and the concept of independence or appreciated the action which would have to be taken if the dissolution of the Federation was to be effected in an orderly manner, before they could achieve independence. There would be considerable advantage, therefore, in making clear to them the successive steps to be taken during this transitional period in the hope that, if they were convinced that they would finally achieve their objective of complete independence, they would be prepared to co-operate in the necessary action in the interim and to refrain from asserting their independence by a unilateral act. On this hypothesis it was not impossible that the African leaders in Northern Rhodesia would be prepared to discuss the possibility of maintaining economic links with Southern Rhodesia without necessarily making their agreement explicitly conditional on an immediate improvement in the political status of Africans in the Colony. Moreover, the Government of Tanganyika had privately indicated their support for an approach to the problem on the gradual and progressive lines which the First Secretary had indicated.

On the other hand, a considerable section of public opinion in the United Kingdom would be likely to resist any suggestion that independence should be granted to Southern Rhodesia without some specific reference to the need for further liberalisation of the Constitution. Moreover, the United Nations Organisation was displaying increasing concern about the situation in the southern part of Africa; and it would be a negation of our past policy in colonial affairs if, by appearing to grant independence to Southern Rhodesia unconditionally, we condemned the Colony to virtual ostracism by the rest of the Commonwealth and by international opinion as a whole.

The Prime Minister, summing up the discussion, said that, on balance, the wisest course would be to defer for as long as possible the final decision on the terms on which we would eventually be prepared to grant independence to Southern Rhodesia and, while making our intentions in this respect reasonably clear, to seek to restrain the Government of the Colony from unilaterally asserting their independence forthwith. The reply to Mr. Field's request might therefore concede our agreement in principle that Southern Rhodesia should proceed in due course to ultimate independence; but it should also make it clear that, in accordance with our normal practice in such a situation, we should expect, before that stage was reached, to discuss with the Government of the Colony a variety of matters—financial, constitutional, military, &c.—which always arose in relation to the conferment of independence on a colony and would in any event need to be dealt with in the legislation which would have to be passed by the United Kingdom Parliament for that purpose.

The Cabinet:—

Invited the First Secretary of State to be guided, in his further negotiations with the Government of Southern Rhodesia, by the considerations which had emerged during their discussion.

352 PREM 11/4420

28 Apr 1963

[Future of Southern Rhodesia]: Central Africa Office outward telegram no 704 to Canberra transmitting a message from Mr Macmillan to Sir R Menzies

Dear Bob,

We are facing a difficult problem over Southern Rhodesia and I should be grateful for your thoughts on this question. I expect you will have seen the White Paper¹ we published on April 16th giving the text of letters exchanged between Winston Field and Rab Butler, following the talks held in London at the end of March.

We had taken the view that the situation in the Federation was such that it had become clear that the present position could not be allowed to continue. We

¹ *Correspondence between Her Majesty's Government and the Government of Southern Rhodesia* (Cmnd 2000, Apr 1963).

therefore invited representatives of the Governments of the Federation, Southern Rhodesia and Northern Rhodesia to come to London for talks on the future. It had been our hope that the three Governments would agree to work out an agenda for a round-table Conference to discuss the next stage. Northern Rhodesian elected Ministers however, refused to enter into any joint discussions other than on the basis that Northern Rhodesia should be granted immediately the right of secession from the Federation, a right already agreed in principle for Nyasaland. It has never seemed to us a practical possibility that the Federal Government should be encouraged and helped to hold down the greater part of the population of Northern Rhodesia by force. It did not, therefore seem possible to refuse our consent to the Northern Rhodesian demand.

It was against this background that the Southern Rhodesian Government, supported by Roy, put in their bid for immediate recognition of their right to independence. And that is where we now stand.

Unfortunately the policies followed by Edgar Whitehead's Government have not been followed by Winston Field's Government. The trend of progress has not only been halted; it has been reversed. It would be a difficult proposition to put to the House of Commons here that with its present constitution and legislation Southern Rhodesia should be granted independence by the United Kingdom Parliament. There might be, on our side, sufficient abstentions or votes against as would, added to the Opposition, give us an awkward time.

On the other hand, there are an even larger number of Conservative Backbenchers, perhaps over 200, who feel that we should now immediately recognise Southern Rhodesia's right to become independent either before or at the same time as either of the other Territories of the Federation either secedes or becomes independent itself.

Our internal political difficulty might be over-come by some sort of formula whereby Southern Rhodesia agreed to attend a Conference to discuss the winding-up of the Federation on the understanding that such a Conference would not go on to discuss the future of the Territories concerned or the links between them. That would give us a bit of time. Especially if this were to be coupled by some sort of move forward by the Southern Rhodesian Government either by amending their constitution to give wider representation to the Africans or by a formal declaration of such intent. There appears to be no likelihood at present that Winston Field will agree to do this. But Whitehead's new Rhodesia National Party (the old Southern Rhodesia wing of the U.F.P.) has passed a resolution in favour of a negotiated independence giving Southern Rhodesia full membership of the Commonwealth. Since Whitehead still enjoys considerable support in Southern Rhodesia the effect of this may be to make Winston Field more ready to adopt a more progressive policy.

But that still leaves us with the Commonwealth problem. If Southern Rhodesia were granted independence in the near future with no change in the franchise, there would be no prospect of the Commonwealth unanimously welcoming her into membership. Events have moved fast since March, 1961, and what would have been regarded as progressive and forward-looking then would not now be accepted as sufficiently enlightened. It would be a sad paradox if Southern Rhodesia remained loyal to the Crown but was refused admittance to the Commonwealth.

The position has not been made any easier by the United Nations Committee of Twenty-four. They have been active in London this week, as you will know.

I should very much welcome your thoughts on all this. I do not despair of finding some solution but it is not easy and we have still quite a way to go. *Ends.*²

² The words 'Yours ever, Harold' were inadvertently left off the tel. Menzies did not respond until 31 May, when he repeated to Macmillan the texts of a reply to a letter from Julius Nyerere of 6 April, and a message to Winston Field, both sent that same day (CRO inward telegrams, no 503 secret, and nos 504 and 505 confidential, 31 May 1963). He had told Nyerere that he saw the goal in Southern Rhodesia as being 'equality of status among all citizens; that we regard progress towards this goal as both inevitable and desirable; and that we consider it should be achieved as rapidly as practicable whatever inequalities now exist'. He told Field, 'in the modern world I see the pressures towards the goal of equality as being in the long run inevitable. I also believe it is now clearly evident that if any independent Southern Rhodesian Government is to win general international recognition it will be essential that other governments are convinced that it is or will within a reasonable period become genuinely representative of the majority of the population of the country'.

353 DO 183/305, no 19

6 May 1963

'Southern Rhodesia: first months of Mr Field's Government': despatch no 2 from Lord Alport to Mr Butler

It is a little over four months since Southern Rhodesia's largely-European electorate decided to break with tradition and abandon their United Federal Party Government under Sir Edgar Whitehead in favour of the Rhodesian Front led by Mr. Winston Field. In this despatch I attempt to assess the new Government's performance so far and the strength of its present political position.

2. Mr. Field wisely allowed himself and his almost wholly inexperienced team of Ministers a period of two months' grace before exposing himself and them to the test of a Parliamentary session. By the time the Legislative Assembly met on 12th February, the character of his Government was already beginning to emerge; and during the ensuing six weeks of what proved to be a crowded and controversial session, the image took firmer shape. Simultaneously, the capabilities and limitations of the Prime Minister and his lieutenants came to be more clearly seen.

Racial issues

3. The Rhodesian Front had won the general election largely on racial issues. But they were confronted in Parliament with an Opposition in which half the members were either African or Coloured. As his first positive act in his new role as Leader of the Opposition (in which position he showed himself distinctly ill at ease), Sir Edgar Whitehead put down a resolution calling for the avoidance of any discrimination against Members of Parliament. This was duly side-stepped by the Government though Mr. Field did at a later date issue an appeal (which may have startled some of his more reactionary supporters) urging owners of businesses and licensed premises to serve all customers equally, regardless of race. On the other hand, and more in character with pronouncements during the election campaign, there have been hints that the Government may attempt to reverse the previous legal position by introducing legislation to enable swimming baths in European areas to be reserved for European use. Such legislation would, of course, have to run the gauntlet of the Constitutional Council.

African nationalist activities

4. In their attitude to African nationalist activities, the Government have not differed markedly from their immediate predecessors. This has had the effect of hampering the Opposition in its attacks on the fresh batch of security legislation introduced by the Government, much of which was designed to tighten up the Law and Order (Maintenance) Act and the Unlawful Organisations Act for both of which the U.F.P. Government had been originally responsible. There was however one provision over which the Opposition felt no inhibitions whatsoever; this was the clause providing for a mandatory death sentence for certain offences involving the use of petrol bombs or explosives. But the Government remained adamant in spite of strong attacks both inside and outside the House and refused to make any concession beyond accepting some limitation on the application of the Clause.

5. This was characteristic of the tough line which the Government have generally followed in regard to nationalist activities. Another instance was their decision to legislate for a permanent ban on public meetings on Sundays and Public Holidays, whereas the U.F.P. had found it sufficient to use existing powers on an *ad hoc* basis. But this firmness has to some extent been tempered by reasonableness. They have made it clear, for example, that they would have no objection to the nationalists forming a new political party (subject to it acting constitutionally) and Mr. Field has expressed willingness to meet Mr. Nkomo, which the latter has not reciprocated. Moreover, Mr. Field lost no time in fulfilling the undertaking which he gave shortly after taking office, that those restrictees against whom charges could be preferred would be brought before the courts and that the rest would be released. Even the subsequent arrest of Mr. Nkomo and several of his principal lieutenants in February need not be regarded as having been deliberately contrived to offset these releases; the police are no doubt under orders to maintain a vigilant watch for possible offences under the Colony's stringent security legislation, but there is no greater evidence of victimisation than the police have exhibited during the past year or two.

Domestic matters

7.[sic] On the wider domestic front the Government's performance has been unremarkable and, generally speaking, unimaginative. They can, however, claim credit for having had the courage to face up to the Territory's precarious financial situation and for introducing in the Supplementary Estimates an inevitably unpopular measure, in the form of increased personal tax. Furthermore, perhaps with an eye to the greater responsibilities which must sooner or later devolve upon the Territorial Government, they have taken the constructive step of setting up an advisory committee to consider the possible establishment of a Development Corporation. The Chairman of this Committee is a former U.F.P. Minister, Mr. Quinton, who lost his seat at the General Election.

The Cabinet

8. As you, Sir, will be only too well aware from your meetings with them, Mr. Field has a team of very uneven quality. He is well served by several:—

Mr. Dupont, in particular, has stood up well under the strain of steering the new security bills through the House in the face of strong opposition. In addition, he has acted as the Prime Minister's principal adviser on the constitutional issues which have come to the forefront in recent weeks.

Mr. Howman, another lawyer, bears a heavy burden in the form of three important portfolios (Internal Affairs, Local Government and African Education) and has given every appearance of carrying out his responsibilities with competence and good will.

Mr. Smith, an earnest and conscientious Treasury Minister, who deputises as Prime Minister when Mr. Field is away, also appears to be doing a good job in trying circumstances.

9. In the second echelon, the Duke of Montrose, or *Lord Graham* as he prefers to be called, presides in the spirit of a Scottish chieftain of the era before the Jacobite rebellion of 1745 over African agriculture. The energetic *Mr. Harper*, a man of undoubted racist views who earlier led the Southern Rhodesia Dominion Party, who broke then with Mr. Field in 1960 and whose ambitions can scarcely be satisfied with Water Development and Roads, is perhaps waiting in the wings to lead a party revolt if ever Mr. Field should seem too moderate. Bringing up the rear are *Mr. McLean* and *Mr. Gaunt*. The former, as Minister of Labour, managed to provoke a storm of protest in the Legislative Assembly as a result of his over-ruling a unanimous recommendation by an Industrial Board. As for Mr. Gaunt, his performance both inside and outside the House remains more that of a buffoon than of a responsible citizen; what people find most objectionable about him is his intolerable rudeness. It is widely believed that Mr. Field originally placed Mr. Gaunt on the Front Bench because he thought that he would be less of an embarrassment there than as a back-bencher. If so, he may well by now have concluded that he was wrong.

10. As for Mr. Field himself, he has confessed freely that no one was more astonished than he was to find himself Prime Minister of Southern Rhodesia in December last; with no previous ministerial experience behind him, he was well aware of how much he had to learn. What is more, he had little time in which to settle in before being confronted with major issues. But the Rhodesian Front is fortunate in its leader. Given the complexion of the present Government, I think that we also can count ourselves fortunate in having him to negotiate with. He has steadily grown into his part; he speaks and acts with authority and dignity; and, whilst his qualities of firmness and obduracy may at times make life difficult for us, we can derive consolation from the thought that they are also employed in restraining the more extreme elements both in his Cabinet and in the party.

Constitutional issues

11. During the March talks in London Mr. Field was perhaps wisely disinclined to give positive assistance in resolving the difficult situation created by the respective attitudes of the Northern Rhodesian and Federal delegations. Generally speaking, however, his attitude in regard to the future of the Federation has helped rather than hampered us. His statements on the subject, both in and out of Parliament, have injected an element of realism into the issue that was sorely needed. Whilst he carefully avoided any open quarrel with Sir Roy Welensky, he made it clear that he was not prepared to tolerate Federal Ministers stumping the countryside and prophesying doom for Southern Rhodesia if the Federation should break up; he felt sufficiently strongly about this to interrupt proceedings in the Legislative Assembly on 5th March to make a special statement to that effect.

12. In his relations with the two Northern Governments, Mr. Field has shown a similar realism, and also considerable tact. He paid an early visit to Zomba to call on Dr. Banda, and also put out feelers for making personal contact with Mr. Kaunda. Unfortunately, prospects of success for the latter initiative were compromised by an incident involving Mr. Kaunda at Salisbury Airport, and so far no meeting has been achieved.

13. Now, in the aftermath of the London talks, the question of economic links with the Northern Territories has for Mr. Field taken second place to the issue of independence. To what extent these tactics were planned in advance it is difficult to say. Certainly, as far back as 13th February, in his maiden speech in the Southern Rhodesian House he gave more than a hint that for him the two issues were closely related. But it has nevertheless been disappointing that he should feel obliged to beat this particular political drum so strongly at this stage. Signs are, however, appearing that pressures are building up to compel him to modify his attitude and these may well prevail.

The opposition

14. Meanwhile, the official Opposition, although not fully recovered from the shock of last December's electoral defeat, has had to pull itself together and decide what its policy should be on the independence issue. It has had little time for sorting out any differences within the Party, particularly as it faces the challenge of a by-election in the Matobo constituency on 23rd May. Following the recent dissolution into its Federal and territorial components of the former all-embracing United Federal Party, the Southern Rhodesia division has now taken a completely new name, the Rhodesia National Party (R.N.P.). I understand that there was some support for a return to 'United Party' but it was felt that this title had unfortunate associations, particularly in the South African context, and that a brand new name was to be preferred. (It is not known whether the name finally selected was designed to scoop up a few of Dr. Verwoerd's supporters for good measure.)

15. The Rhodesia National Party remains under the leadership of Sir Edgar Whitehead, but some of the office bearers have changed. I learn that Sir Roy Welensky thought it inappropriate that members of the Federal Party should continue to hold office in the separated territorial party (although some remain for the time being on the committee). Thus Mr. Sidney Sawyer has been succeeded as chairman by Mr. Geoffrey Ellman Brown, the former U.F.P. Treasury minister; one of the new African M.P.s, Mr. Hlabangana (who was tipped to become Minister of African Education had Sir Edgar won the last election) has been made a Vice-Chairman. One unfortunate upshot of the change, however, is that Mr. Abrahamson, the strongly liberal ex-U.F.P. Minister, has temporarily retired from the scene, apparently in a huff at not receiving office.

16. One of the first acts of the new party was to issue a resolution declaring itself against any unilateral declaration of independence and proclaiming its belief in 'a negotiated independence, giving Southern Rhodesia full membership of the Commonwealth and having the support of all sections of Rhodesians . . .'. I understand that, although this declaration was eventually passed unanimously both by the parliamentary caucus and by a larger meeting of party members drawn from various parts of the Colony, its drafting in fact proved an extremely delicate operation. It had to be made acceptable both to those Europeans in the party who

wanted an unequivocal call for independence, and to the African members, who were full of apprehension about the possibility of independence being granted under the present Government. Thus the resolution represented a compromise and, as such, was a considerable achievement.

17. This, of course, underlines the extremely difficult position in which the Rhodesia National Party finds itself. It cannot afford to lose any more European support if it is to preserve any chance of making a comeback; it cannot therefore afford to seem less determined than the Rhodesian Front to gain independence for Southern Rhodesia. On the other hand, if it does not handle this issue with the greatest care, it stands to lose its African support. The party therefore has to tread a tight-rope, and its ability to do this successfully will be put to a searching test first in the forthcoming by-election and subsequently at the Party Congress which is planned for June. Between now and then a working party will be busy drafting policies on matters which are at present Federal responsibilities but which can be expected to revert in due course to the Territorial Government. Meanwhile, on matters within the Territorial field, the Rhodesia National Party adheres to the policies of the U.F.P; which, notwithstanding its electoral defeat, still include the abolition of the Land Apportionment Act and the prohibition of racially discriminatory practices.

18. It is encouraging that the Rhodesia National Party has taken the stand it has on the independence issue. Even if the party cannot hope to present any real challenge to the present regime (which is not likely to be seriously embarrassed by its continuing slender majority of 4 or 5 in the Legislative Assembly) its readiness to put before the Rhodesian electorate the serious implications of any attempt to 'go it alone' on the independence issue is of great value. Although there are as yet no signs of any defections from the Government benches, there is evidence of a growing body of opinion which is deeply concerned by both the political and economic consequences of attempting to go it alone. There is still some talk of 'fighting for our independence' and many eyes are still cast longingly southwards to the Republic of South Africa. But for every man who is prepared to fight, there is another who is making sure that his British passport is in order, and it seems likely that if the Southern Rhodesia Government decided to take independence without the blessing of the British Government, they would find their less resolute supporters softly and silently vanishing away. The ratio of black to white is high enough already (about 15 : 1) and any substantial deterioration in this figure would inevitably prejudice the European position still further.

19. Finally, there is the question of relations with South Africa. Mr. Field has personally made it clear that although he aims at securing closer economic links with the Republic, he is not trying to secure either political integration or a military alliance. This attitude appears to be based on a realistic appreciation of the limitations to the help which the Republic could in practice offer. Dr. Verwoerd has made it plain that South Africa could not accept the incorporation of a Southern Rhodesia whose policy was based on a multi-racial approach and included even a limited African franchise. Moreover, the South African Government have plenty on their own plate without asking for a very substantial increase in their African population. Even on the economic front, it is doubtful whether Southern Rhodesia stands to gain much by closer association with her highly industrialised neighbour to the south; if Southern Rhodesia were opened to unlimited South African

competition, many local industries would inevitably be forced to the wall. The best that Southern Rhodesia can probably hope for therefore is some military support in the event of a major internal uprising or external aggression, and a measure of financial support in the form of private loans. As a senior Southern Rhodesian civil servant told a member of my staff last week, thinking people here still regard Britain as Southern Rhodesia's best friend.

20. I am sending copies of this despatch to the High Commissioners in Accra, Lagos, Dar-es-Salaam and Kampala; Her Majesty's Ambassadors in Cape Town, Lisbon, Leopoldville and Washington; to the British Permanent Representative in New York; on a personal basis to the Governors of Northern Rhodesia, Nyasaland and Kenya; to Her Majesty's Consul-General at Lourenço Marques; and to the Resident Commissioners in Basutoland, Bechuanaland Protectorate and Swaziland.

354 FO 1109/536

14 May 1963

[Future of Southern Rhodesia]: note for the record by Mr Butler on the issue of independence

The problem of the independence of Southern Rhodesia came upon us rather surprisingly for the following reasons. In my original interview with Winston Field in Salisbury he had mentioned his desire for independence but had stressed the need for a links conference to consider the future of the Federation. When he spoke in his own Parliament he stressed the need for an alternative to the Federation. When he stayed with me at Stanstead this was the burden of his conversation. He switched fairly rapidly to giving preference to independence while Mr. Dupont was in London and since then has made it a condition that independence should be granted before he attends any conference.

We are put in a position that unless we grant independence we cannot wind up the Federation satisfactorily and we have no means of winding it up on our own. My own preference throughout has been to recognise the independence of Southern Rhodesia since we are continually saying we have not the power of intervention and we are at present left with the worst of all worlds. On the other hand, there is a strong practical and moral claim for withholding independence unless we can foresee more clearly the future of representative government in the territory. This point of view is backed by Northern Rhodesia, the pan-African movement, world opinion and a large section of our Party. Latterly the so-called right-wing of our Party have been subscribing more and more to the view that some condition should be attached to the granting of independence. I am, therefore, now in the position of attempting to secure such conditions. I am faced with the fact that the Cabinet will not agree to an unconditional grant of independence; in fact some members, notably the Leader of the House,¹ do not really want to grant it at all. In this sense the Cabinet is just as difficult to handle as the Party in the House.

My present conclusion is that a further attempt must be made with Mr. Winston Field and if it is not successful a public declaration must be made that we cannot agree on terms. What would be preferable to this would be if Winston Field would

¹ Macleod.

start discussions with me and agree to postpone the final talks on independence until nearer the time, meanwhile meeting in a dissolution conference.

Anyone responsible for these territories must be obsessed by the very great difficulties. Secession has been granted to Nyasaland because it was virtually promised before I took office. We now find that in a few years time on current and development account there may be a deficit of as much as £14 million.

I am particularly obsessed with the difficulty of winding up the Federation without consent. If we can pass a Bill through Parliament we can send out a commissioner but we have no means of enforcing our point of view. There is no wonder that a great heaviness hangs upon one, especially as the weeks go by with no development. The only sure guide is to undertake no action which is not morally defensible. I think the granting of the right of secession was morally defensible although it resulted in a terrific onslaught on me. Now I think a similar line must be taken with Southern Rhodesia.

355 CAB 128/37, CC 36(63)2

30 May 1963

[Future of Southern Rhodesia]: Cabinet conclusions on the terms under which the UK might be prepared to grant independence

The First Secretary of State informed the Cabinet that, in further discussions with the Prime Minister of Southern Rhodesia, Mr. Field, about the terms on which the United Kingdom might be prepared to grant independence to the Colony, he had indicated that we should expect the Government of Southern Rhodesia to be ready to enlarge the A Roll franchise, to increase the number of seats in the Legislature reserved for Africans elected on the B Roll franchise and to make a public declaration of intention to extend the scope of non-discrimination. Mr. Field had little hope of persuading his colleagues to endorse action on these lines and had indicated that the Government of Southern Rhodesia might be unwilling to offer more than an enlargement of the B Roll franchise. Nevertheless, he remained reluctant to contemplate a breach of relations with the United Kingdom; and he had clearly been impressed by the most recent messages from the Governments of other member countries of the Commonwealth, particularly Canada and Australia, which had forcibly represented to the United Kingdom Government the objections to granting independence to Southern Rhodesia in the absence of a substantial measure of constitutional reform. If, however, the Government of Southern Rhodesia ultimately rejected even the limited degree of reform which we had suggested, they would probably refuse to take part in the projected conference on the dissolution of the Federation of Rhodesia and Nyasaland and would seek to maintain, with the support of the Federal Prime Minister, Sir Roy Welensky, that the Federation remained in existence.

In discussion it was suggested that, if the Government of Southern Rhodesia maintained their intransigent attitude, we should be faced with great difficulty in enacting legislation to validate the secession of Nyasaland and, in due course, Northern Rhodesia from the Federation since, in the absence of co-operation by the Federal Government and the Government of Southern Rhodesia, it would be impossible to apportion, otherwise than on an arbitrary basis, the Federation's assets

and liabilities among the constituent Territories; and, if the Federal Government itself purported to remain in existence, the complexities would be aggravated still further. The problem would be liable to be particularly acute in relation to the Federal Debt and the Armed Forces. On the other hand, it would be unwise to take a premature decision to cancel the projected conference on the dissolution of the Federation; and the arrangements for this conference should stand until the final attitude of the Government of Southern Rhodesia was clear.

It seemed unlikely, however, that public opinion in the Colony would be prepared to accept the conditions which we had suggested or to contemplate more than some enlargement of the B Roll franchise. This, however, would be valueless as a means of increasing African representation in the Legislature if the number of seats reserved for Africans elected on that franchise remained unchanged. We should therefore continue to press the Government of Southern Rhodesia to accept, in addition, some enlargement of the A Roll franchise and to declare publicly their intention to extend the scope of non-discrimination. Even so, it must remain doubtful whether a settlement on this basis would be acceptable to the African members of the Commonwealth; and it was for consideration, therefore, whether we should seek to enforce a further interval before independence was conceded to the Colony, in which we could claim that the enlargement of the A Roll franchise (if it had been accepted by the Government of Southern Rhodesia) would gradually secure an increase in African representation in the Legislature. It was perhaps unlikely, however, that this would in fact suffice to satisfy the African members of the Commonwealth; nor was it realistic to hope that it would be accepted by the Government of Southern Rhodesia in the light of their insistence that complete independence for the Colony must coincide with the dissolution of the Federation.

The Cabinet:—

- (1) Invited the First Secretary of State to be guided, in the concluding stages of his discussions with the Prime Minister of Southern Rhodesia, by the considerations which had emerged in their discussion.
- (2) Took note that the First Secretary of State, in consultation with the Lord Chancellor, would give further consideration to the scope of the Bill which it would be necessary to introduce if the Governments of the Federation of Rhodesia and Nyasaland and of Southern Rhodesia eventually refused to participate in the projected conference on the dissolution of the Federation.
- (3) Agreed to resume their discussion at a subsequent meeting.

356 DO 183/103

30 May–13 June 1963

[Barotseland]: minutes by G W Jamieson and S P Whitely¹

[The hostility of Barotseland's Litunga to Kaunda's UNIP raised the danger that as independence neared, his territory might attempt to secede from Northern Rhodesia rather than accept incorporation in a nationalist-governed state. In 1962, the British government had commissioned R S Hudson, a former secretary for native affairs, to write a report on the situation in Barotseland. This was delivered in Nov 1962. It stressed the

¹ CO principal, seconded as assistant secretary to CAO.

need for a widening of popular representation in the territory's traditional institutions and recommended that an officer be seconded to assist the Barotse leaders in the process of reform. British officials hoped that democratisation would strengthen the influence of the UNIP over the territory's traditional institutions, and hence dampen calls for secession.]

It has now become urgently necessary to consider how we can fit the Barotseland problem in to the general programme of developments in the months ahead.

2. We have been envisaging what may now appear a somewhat leisurely and deliberate approach on the following lines:—

Stage (a) The First Secretary would send the Litunga a message setting out his suggestions for the future course of discussions between H.M.G. and Barotseland. Mr. Hudson's report would accompany this message if it proved suitable for this purpose

Stage (b) The First Secretary and the Litunga would meet for discussions either in Africa or in London. It would be during these talks that H.M.G. laid its cards on the table, making it clear that the U.K. could not envisage retaining responsibility for Barotseland after Northern Rhodesian independence.

Stage (c) Negotiations would then be started in Northern Rhodesia between the Litunga and the elected Ministers, with representatives of H.M.G. in attendance. The aim of these discussions would be to achieve agreement in principle on what Barotseland's position was to be in a self-governing Northern Rhodesia.

Stage (d) The Northern Rhodesia Constitutional Conference which reached agreement on the introduction of internal self-government would endorse the agreement which we hope would emerge from Stage (c).

Stage (e) When Northern Rhodesia's self-government's constitution came into force it would incorporate special provisions for Barotseland giving effect to the agreement achieved in Stage (c) and endorsed at Stage (d). This would replace the whole series of agreements from 1890 onwards which would then lapse.

3. This proposed pattern of development is basically sound but it is now threatened from several directions:—

(a) Sir Roy Welensky has said Barotseland must be on the agenda for the Dissolution Conference. It is also clear from (49) that they may be putting the Litunga up to seek the attendance of a Barotseland representative at the Conference.

(b) We recognised that Mr. Hudson's original report (E/4) was unsatisfactory, being far too emotionally 'pro-Lozi'. Following discussions early this month he agreed to a number of deletions. We put these to Northern Rhodesia (44) but Mr. Thomas's view (para. 1 of 50) is that even with these changes the report is still not suitable. I reluctantly agree with this.

(c) It is clear from (53) that it may not be easy for the First Secretary to avoid meeting the Litunga or his emissaries while he is in Africa for the Dissolution Conference.

(d) A visit to London this year by the Litunga is inescapable, whether or not the First Secretary meets any of them on this forthcoming visit to Africa (see 'X' of 50).

4. Another development in Barotseland which may have a most important effect on all this are the elections on 3rd July for 25 members to the Barotse National Council. These are the first directly elected members of the Council, which comprises approximately 50 nominated members. We have recently learned that the Litunga has accepted (no doubt with many misgivings) that the political parties may participate in the elections. Bearing in mind the UNIP landslide in the October 1962 General Election, this might result in an equally sweeping UNIP victory at these elections and a National Council thereafter considerably more critical of the traditional authorities in Barotseland than ever before. This, of course, would suit our book very well insofar as it could put considerable pressure on the Litunga and his Councillors to enter into any subsequent negotiations with NRG in a realistic spirit, and readiness to compromise.

5. It is necessary to try and fit all these strands into the next few months and, if possible, to see if we can still execute, more or less, the same plan as in para. 2. It must be assumed that the Northern Rhodesia Constitutional Conference may start not later than, say, mid-September or early October. We ought to allow at least a month for Stage (c)—the Nationalist/Litunga 'confrontation'. We must assume that the First Secretary will leave for his summer holiday when the House rises about the end of July. This will make it necessary to think of holding Stage (b) some time between the First Secretary's return from the Dissolution Conference and before his departure on holiday, and preferably after the Barotseland elections. This would seem to me to point to a date around 15/20th July for a visit to London by the Litunga. It would be possible to avoid him coming to London by having the talks in Northern Rhodesia immediately after the Dissolution Conference, but this would mean almost immediately after the Barotse elections and would not have given time for the impact of these elections to cause the necessary re-thinking in the minds of the Litunga and his Indunas.

6. The immediate problem, however, is how to keep the Litunga in play, and avoid a meeting while the First Secretary is in Africa. I suggest we should ensure that a message from the First Secretary gets to the Litunga before the Conference opens. This, apart from the usual greetings, assertions of goodwill, etc. might issue a specific invitation to visit London, and contain excuses for not having talks during the Dissolution Conference. Such a message would not probably do more than indicate rather tentatively what H.M.G.'s thinking now is; it would of course have been much more forthcoming had Mr. Hudson's report accompanied it.

7. We should try and clear the text of this message telegraphically with the Governor, and this may take some little time. One device for seeking to avoid any meeting during the First Secretary's visit would be for one of the U.K. Delegation at the Dissolution Conference to be sent to the Litunga bearing the message. This would, of course, flatter the Litunga that he had been given such consideration. It would also enable the bearer of the message to get something of the feel of thinking in Lealui (I think I am correct in saying that none of us concerned with Barotseland have ever been there!) Sending a message in this way might avoid the necessity of receiving a delegation of Indunas which we are told in (53) is 'the least

that Barotse protocol and etiquette will demand'. I myself think we ought to go to considerable lengths to keep these Indunas away from Victoria Falls, where no doubt the Federal Delegation will include Mr. Godwin Lewanika who, we know, is always fishing in Barotse troubled waters.

8. To sum up, we can still keep the pattern described in paragraph 2 as follows:—

Stage (a)—Message to the Litunga in mid-June, possibly taken by bearer
—Barotse Elections on 3rd July

Stage (b)—Litunga to visit London, 15/20 July

Stage (c)—NRG/Barotseland negotiations, mid-August

Stage (d)—Northern Rhodesia Constitutional Conference—September/
October

Stage (e)—Introduction of Constitution—? early 1964.

9. I am sending this file initially to Mr. Whitley but sending an advance copy of the minute to Mr. Watson as it has a bearing on the whole Dissolution exercise.

G.W.J.
30.5.63

I agree generally.

A—I wd underline the words 'at least'; but

B—I agree that this is a good reason for not bringing the Litunga to London any earlier.

C—? a nice little 'swan' for someone!

S.P.W.
4.6.63

I have made a few drafting suggestions.

2. The argument in paragraphs 4 and 5 of Mr. Jamieson's minute of 30th May needs modifying in the light of Barotseland's decision to postpone the National Council elections from the 3rd to the 24th July. There would have been a lot to be said for having the delegation over here *after* the 'old men' had felt the impact of the election. But, with the virtual necessity of holding the Northern Rhodesia Constitutional Conference this autumn, I think we cannot afford to delay the Barotseland talks beyond about mid-July (i.e. *before* the National Council elections).

3. A tiresome complication in the preliminaries is our inability to send the Hudson Report, either whole or 'potted', to the Litunga. (Mr. Thomas won't allow it 'whole' and Mr. Hudson won't allow it 'potted'.) This means that the First Secretary's message to the Litunga has to be too thin to give him any substantive detail to be biting on before the London talks. It is perhaps for consideration therefore whether some emissary from Victoria Falls should go out to Barotseland and 'fill in' orally; or alternatively, whether, despite the arguments to the contrary, the First Secretary should after all meet the Litunga immediately after the Conference, for this specific purpose (and still merely as a preliminary to the substantive talks which would follow in London).

4. I have not modified the draft telegrams in this sense (as I am not yet closely enough in touch with the situation, nor sufficiently acquainted with the First Secretary's plans). Unless some such arrangement is made however, I think we must pay great care to the wording of paragraphs 7 and 8 of draft 'B'. If we give, at this stage, too sharp an indication that the only future for Barotseland is with Northern Rhodesia, we may perhaps precipitate an influx of Indunas etc. to Victoria Falls and lend impetus to intrigue with Godwin Lewanika and his Federal associates. I have accordingly modified Mr. Jamieson's wording in the direction of vagueness.

5. The draft is perhaps still open to the criticism that it really tells the Litunga no more than he was told last January. It may however, serve for immediate purposes of lubrication and of directing Barotseland thinking to the London talks in July.

S.P.W.
13.6.63

P.S. on further reflection, and after studying the official record of the January meeting with the Litunga (which was not available when I first set to work on this submission) I am inclined to think that draft 'B' could perhaps, with some advantage, be re-cast. As it stands—with no accompanying 'Hudson'—it is perhaps not merely too thin but too repetitious. I have accordingly attached a possible variant (draft B(1)), in which the main emphasis is on inviting the Litunga to London for talks, in pursuance of the proposals in paragraph 3(f) of the official record of the January meeting. As regards the future of Barotseland, I am suggesting that we do not, at this stage, show our hand at all. This, together with the emphasis on the London invitation, should do as much as we can, in diplomatic exchanges of this kind, to steer away the Indunas from Victoria Falls. As regards domestic reforms, I am suggesting an exchange of correspondence between now and mid-July, with a view to formulating an agenda. It is still for consideration however, whether there should not be (instead,² or in addition) some direct personal contact—in Northern Rhodesia, but away from Victoria Falls.

As things have turned out, it will be desirable, I think, to soft-pedal Mr. Hudson and his Report, as such, and to submerge his separate identity in 'us'.

² Whitley added a further note at this point: 'If the Litunga *can't* come in July (e.g. because of pre-election throes), the only alternative—bearing in mind that the First Secretary will not be available in August—may be to have substantive talks, in Barotseland, on Barotseland's future, immediately after the V.F. Conference.'

357 DEFE 13/270, no 28A

17 June 1963

'Central African conference, Victoria Falls, 1963: defence': Central Africa Office paper

Existing position

Defence is an exclusively federal responsibility and all military forces in the Federation are controlled by the Federal Government. There are no U.K. forces in the Federation, though there are a very small number of technical personnel on

secondment from the British Army and the R.A.F. The order of battle of the Rhodesia and Nyasaland Army and the R.R.A.F. is set out in Annex 'A'.¹

General approach

2. (i) The question of defence is essentially a political one: and in the political climate of Central Africa there is little or no prospect of maintaining joint arrangements for defence after the dissolution of the Federation, even to the extent of a consultative Defence Council as suggested by the Stevens Mission.

(ii) The African leaders in the two Northern territories will want their own forces for security as well as prestige reasons and, at least so long as Southern Rhodesia remains under European domination, will not be prepared to contemplate collaboration in this field with an independent Southern Rhodesian Government with whom there will be no community of interest in the internal security field and whose external policies may be dramatically opposed to their own.

(iii) It is precisely because the existing Federal military structure is seen by the Federal and Southern Rhodesian Government as a protection for the 'civilised way of life' and of the European minority in Central Africa that the African nationalists will insist on its disappearance.

(iv) It is just possible that the two Northern territories would be prepared to consider the continuation of the present defence structure for a time, *as a purely transitional arrangement*, provided that it passed to British control. Such a situation, however, even as a transitional arrangement, would not be accepted by the Southern Rhodesia Government.

(v) Apart from the local factors, H.M.G.'s attitude towards the desirability of maintaining a joint defence structure depends on consideration of (a) the likely external threat to the area (b) the value of the present defence arrangements to Britain (c) the discharge of H.M.G.'s ultimate responsibility for internal security in the two Northern territories so long as they remain dependent, and (d) the international aspects.

(vi) It does not appear that likely external threats are such as to warrant argument for joint arrangements against strong local political opposition. The main value to Britain has been in terms of the 'bonus' forces available in the Federation for Commonwealth defence purposes generally: but these are useful rather than essential, and not worth maintaining at U.K. expense, which would certainly be involved in any post-dissolution arrangements. We need staging and overflying facilities, which are essential to our being able to meet our commitments in the High Commission Territories: but these we could hope to secure as part of normal Commonwealth relations, without joint defence arrangements in the area, and we do not need a British base. Neither are joint defence arrangements necessary for the discharge of our internal security responsibility in Northern Rhodesia and Nyasaland for the short period before independence. Finally, any attempt by H.M.G. to bring Southern Rhodesia in to the ambit of joint defence arrangements against the wishes of the Northern territories would not only be unproductive [sic] but calculated to arouse great suspicion of our motives in the international field.

(vii) There therefore appears to be no alternative but to accept the partition of the

¹ Not printed

Federal forces, and the full reversion of defence to territorial control (subject to H.M.G.'s responsibility pending the independence of the two Northern territories). This brief in consequence seeks to deal with the problems of partition, and British relations with successor defence forces in the territories.

Attitude of the federal government

3. (i) The control of its own forces has been the Federal Government's prime source and instrument of power since 1953. It can therefore be assumed that they will be particularly sensitive over their disposal. It would be in keeping with their attitude to insist on retaining control of the forces right up to dissolution, and to back the Southern Rhodesia view that control should not pass to any other authority as a transitional arrangement. They might indeed seek to deny either H.M.G. and the territories (except possibly Southern Rhodesia) any say in how the forces are partitioned. They are also likely to try to ensure that Southern Rhodesia benefits disproportionately and inherits not only the entire R.R.A.F. but also the bulk of the Army and particularly its stores and equipment. Some months ago, when considering the withdrawal of Nyasaland from what was then assumed would be a continuing Federation of the Rhodesias, they threatened to disband both K.A.R. battalions and use their officers and equipment to form new European units. Other attempts to benefit Southern Rhodesia might be made e.g. the withdrawal of military stores from the Northern territories. Sir Roy Welensky also undoubtedly feels that he has a particular responsibility for the future of the personnel of the armed forces. He can be expected to seek to manoeuvre that any compensation arising out of redundancy falls directly on H.M.G. (This subject is dealt with in Brief No. 17 on the Federal Public Service).

(ii) We believe the senior officers of the federal forces do not see eye to eye with Sir Roy's attitude at all points. There have been signs that some senior officers in the forces are anxious to safeguard the future of their officers and men in relation to service under the Northern Rhodesia Government. The senior officers of the forces might therefore, under certain circumstances, influence the Federal Government towards a more reasonable approach to the partition problem.

Attitude of Southern Rhodesia

4. (i) Southern Rhodesia is determined to resist any suggestion that H.M.G. should assume direct control, even if briefly, of the entire federal forces. They will insist that 'their share' passes immediately to their control, which they will claim is merely a return to the position that Southern Rhodesia enjoyed between 1924 and 1953, when she voluntarily handed her forces to the Federation.

(ii) The present laager mentality makes Southern Rhodesia anxious to maintain the largest possible forces. Mr. Field realises that the territory cannot afford the scale of forces she wants and has put forward feelers to see if H.M.G. would assist. In effect, he is asking H.M.G. to contribute to the cost of maintaining the R.R.A.F. in particular at something like its present level, but without offering in return anything more than the staging and overflying facilities which we could hope to secure without this. He has said that he will not have a British military presence in Southern Rhodesia. As explained above, we do not regard the 'bonus' contribution of the R.R.A.F. to Commonwealth defence as worth paying for as part of H.M.G.'s defence

commitments. If it is made plain that H.M.G. are not prepared to contribute to the cost of Southern Rhodesia forces, financial considerations may modify the expected Southern Rhodesia demand to retain the whole R.R.A.F., on the grounds that it is descended from the former Southern Rhodesia Air Force. Mr. Field will no doubt wish to take over the two infantry battalions at present stationed in Southern Rhodesia (R.L.I. and R.A.R.) He may also either wish, or be willing, to take over the two small European regular units now stationed in Northern Rhodesia (the Selous Scouts and the S.A.S. Squadrons).

Attitude of Northern Rhodesia

5. (i) Although the Nationalist ministers may strike initial poses to the contrary, we do not think any serious objection will be raised to H.M.G.'s resuming control of the forces in the Northern territories, as long as it is made clear that this does not represent any attempt to delay independence.

(ii) Northern Rhodesia apparently intends to build up her army to three regular battalions (although the Chiefs of Staff consider that only two may be necessary in the long term) and two multi-racial territorial battalions. She will wish to take back the Northern Rhodesian Regiment. She may also be willing to take over the 2nd K.A.R. which is a Nyasa battalion now stationed in Lusaka and gradually covert it to a purely Northern Rhodesian unit. Northern Rhodesia is unlikely to wish to retain the regular European units which are now stationed in the territory, but they may wish to take over some of their equipment.

(iii) Northern Rhodesia will also lay claim to a share of the R.R.A.F. It is possible that they only really want a proportion of the transport and communications aircraft, which is all the Chiefs of Staff think they need, but they may put in an opening bid for more.

Attitude of Nyasaland

6. (i) We do not think Nyasaland will object to our resuming control of her defence forces on the basis that this is an inevitable temporary measure until independence (ii) There is only one battalion (1 K.A.R.) now stationed in the territory but there is a second battalion (2 K.A.R.) stationed in Lusaka which is also composed of Nyasas. Dr. Banda has said he wishes both battalions. Nevertheless he apparently recognises that Nyasaland can only afford and does not need more than one battalion. He has therefore suggested that the U.K. should take on one of the battalions as a kind of Gurkha mercenary unit for service in any part of the world, (a proposal which we could not accept). Nyasaland does not appear to want any share of the R.R.A.F.

The interests of the U.K.

7. These are as follows:—

(i) To ensure that the partition of the forces is fair and leaves as few grievances as possible:

(ii) To secure the maintenance of continuous and unambiguous constitutional control of all units of the forces throughout the process of dissolution:

- (iii) To ensure that the minimum financial burdens fall on the U.K.
- (iv) To reduce the U.K.'s strategic obligations in Central Africa to the minimum
- (v) But to retain overflying and staging facilities particularly to reinforce the High Commission Territories.

H.M.G.'s proposals

8. These are set out in the 'Blueprint for the future of the Federal Forces' (Annex B) which has been endorsed by the Chiefs of Staff. The main concept of the Blueprint is that when the federal forces are partitioned at the point of time when the Federal Government ceases to exercise responsibility for defence two successor commands should then take over the federal forces. H.M.G. will assume direct responsibility for those parts of the forces which accrue to the Northern Territories, and will appoint a U.K. military commander to control them. Southern Rhodesia's share of the forces will pass directly under her own control. Thus there will be a reversion to the pattern that existed before 1953.

In so far, however, as the R.R.A.F. has been considerably expanded since 1953 (when it was the Southern Rhodesian Air Force) simple reversion to the pre-1953 position gives rise to a considerable political problem. The Northern territories may well raise objection to leaving so potent a force in the hands of a European dominated Southern Rhodesia. On the other hand, it would be extremely difficult for H.M.G. to insist on the disbanding or reduction of existing forces which any territory is prepared to maintain, and to do so would certainly inforce [sic] the argument that H.M.G. should accept financial liability in respect of redundant personnel. This is a problem that can only be tackled in the light of reactions at the Conference. Its proportions might be reduced if the Southern Rhodesians (a) are prepared to let some part of the air force pass to Northern Rhodesia and (b) are precluded for financial reasons from maintaining their share at its current level.

Tactical objectives at the conference

9. It will not be possible or appropriate at the Conference to embark upon the technical military discussions which will be required when the details of the partition of the forces are discussed. The aim of the U.K. delegation should therefore be to concentrate on achieving the agreement of the Conference to certain broad principles, which would then be available to guide whatever Working Party or other body is charged with effecting the detailed partition of the forces. These broad principles are as follows:—

- (a) When Federal responsibility for defence ceases the position will, generally, revert to that which obtained before 1953, i.e. Southern Rhodesia will take over responsibility for her own defence and H.M.G. will reassume constitutional responsibility for the defence of the Northern Territories (financial liability for their own forces being a matter for the territorial Governments).
- (b) In general, units of the forces should pass under the control of either Southern Rhodesia or H.M.G. according to their present stations. Where there are exceptions to this broad rule the units concerned should be moved over the Zambesi before the date of partition. [This will, presumably, be the Selous Scouts,

the S.A.S. Squadron, and possibly, some elements of the R.R.A.F.]

(c) There will be an equitable distribution, in the light of the decisions on partition, of the physical assets of both the army and the R.R.A.F. and of liabilities arising in the defence field.

(d) The discharge of obligations to members and former members of the Federal Armed Forces, and the apportionment of liabilities arising therefrom, should be arranged on the same broad basis as for the Federal Civil Service (see Brief 17).

(e) The details of the partition of the forces should be worked out by machinery to be agreed at the Conference for this purpose.

358 DO 183/133

22 July 1963

[Unrest in Nyasaland]: minutes by K J Neale

The evidence being given before the Copperbelt Inquiry (see attached) helps to put the Nyasaland (comparatively a haven of peace) situation into perspective. As far as I know there has been little press or parliamentary interest in the N. Rhodesia situation¹ although the security record there, including political violence against Europeans has been very considerably worse than in Nyasaland over the past two years and might well deteriorate further.²

The fact is that although there are some serious underlying tendencies in the Nyasaland situation (common to all Africa), recent incidents have been comparatively trivial and blown up in order to discredit Dr. Banda.³

In my view the Nyasaland record in law and order over recent years—and currently—compares favourably with that of any other territory in Bantu Africa at comparable stages of constitutional development and it is worth bearing this in mind when dealing with the subject.⁴

It is no use expecting a highly sophisticated concept of national behaviour to appear overnight in the rapidly advancing African territories where the political froth is running down the side of the glass. But Nyasaland, unlike Kenya, Congo and N. Rhodesia has avoided killing Europeans and for that we should be thankful to Dr. Banda.⁵ The most serious casualty yet is Mr. Kleine's 'clipped ear'. The irresponsible should be brought to understand, if possible, that their false propaganda against Nyasaland may well create the circumstances they are inventing.

¹ S P Whitley noted: 'Broadly true—though there was a fair amount of Press publicity & some limited Parl[iamentary] interest (e.g. a fairly recent PQ).'

² Neale added here: 'Although we notionally do not want to emphasise this', and Whitley: 'I am not qualified to speak about the past 2 years.'

³ Whitley commented: 'I agree broadly. But Banda has recently not been above reproach; certain ministers—e.g. Chipembere, Chiumbe, & Orton Chirwa—having been shooting their mouths off in an unfortunate way; and there is here an inter-racial tension, whereas in N.R. it is more a matter of strife between different brands of African nationalists. However, there has been an undoubted tendency to "blow things up out of all proportion" in Ny'd, and I think we should emphasise this.'

⁴ Whitley commented: 'Mr Neale is in a good position to judge; and this tallies with my own (inexpert) impression—at any rate post-Devlin.'

⁵ Whitley commented: 'A good point to bring out.'

359 DO 183/63, no 93

28 Aug 1963

[Northern Rhodesian constitution]: letter from N D Watson to Sir E Hone

We sent you a telegram yesterday about the terms of a possible communique for the Press when the new Order in Council is published on the 4th September. The flow of telegrams on this subject has been fast and furious in recent weeks, and the First Secretary has now asked me to find an opportunity of writing to you personally about the background to these exchanges as seen from here.

We recognise of course all the pressures that have been bearing upon you, and are glad that the compromise of aiming at a January election has enabled you to hold the situation with both Kaunda and Nkumbula and apparently relieved the tension.

On the other hand, the recent trend of events has thrown up very definite problems for us at this end, and the First Secretary is sure that you will understand the political difficulties with which he is faced.

Acceptance of the 'aim' of January elections, with the consequent need for a very early Order in Council if the timetable was to be met, has involved the First Secretary in taking important political decisions on major aspects of the new constitution, as regards the future representation of the European minority and the franchise. He has had to do this 'off the cuff', as it were, against a background of keen political interest here in all developments affecting the future of the Rhodesias, at a time when Parliament is in recess, and in an unorthodox way, i.e. side-stepping the normal processes of a constitutional conference.

As soon as the Order in Council appears, followed immediately by your electoral regulations, there will clearly in these circumstances be a lot of questioning about what has been going on and what precisely has been decided. This will have to be answered at a stage when the First Secretary is not yet in a position to announce complete agreement on all aspects of the self-governing constitution, or even to say whether further discussions with the political leaders (if not a full-scale conference) may or may not be necessary. Roberts' failure to acquiesce in the decision on the number of reserved seats and his renewed demand for a formal conference does not make the position any easier.

The other worrying feature is that, in committing ourselves as far as we have done to the possibility of January elections, we are obviously chancing our arm, with other factors such as the Barotseland situation still unresolved and the possibility of so very tight an administrative timetable slipping for one reason or another somewhere along the line. It was with this in mind that the First Secretary particularly wished to see the phrase 'if administratively practicable' included in any public announcement about January elections (see paragraph 5 of our personal telegram No.369); and he is rather perturbed that this qualification was omitted from the announcement as it eventually appeared. He notes however that you spoke in this sense to Kaunda, and hopes that you made the position similarly clear when you met all the leaders together.

All this adds up to a tricky situation to handle here and, in return for stretching ourselves to get your Order in Council through in time and relieve the local pressures, I am sure we can rely on your help and understanding in dealing with it.

Your electoral regulations, as soon as they appear, will of course clearly indicate the franchise arrangements which the First Secretary has agreed, and we have asked in our telegram for your views as to whether these should be more fully described in the announcement itself, and if so, in what terms.

The question of the number of reserved seats is more difficult. Because of the Barotseland complication, and also of the uncertain position of Roberts (which could of course be reflected in political activity here) it seems best to us that any communique at this stage should carry the impression that the details of the composition of the Legislature are still open. On the other hand a decision by the First Secretary as regards the number of reserved seats has already been conveyed to the political leaders. We have also asked your views on how this should be played with the Press for the time being. Clearly we cannot in any event hold the position beyond the point when you publish your delimitation regulations, which will have to be based on a clear indication of the number and nature of the seats in the new Legislative Council. We should be grateful to know when you reckon these regulations will need to be promulgated.

As regards Roberts' position as reported in your Personal telegram No.275, you will no doubt be consulting us again when it is further clarified, and suggesting how he might be handled. We would hope to avoid a full-scale conference, and should be glad of your advice whether Roberts might be met by something short of this.

360 DO 181/136, no 13

28 Aug 1963

[Republican status for Nyasaland]: CRO briefing paper for Mr Sandys

[Banda had indicated to Sir Glyn Jones that, although he wished Nyasaland to become a republic in due course, he was prepared for this move to be delayed until 6–12 months after independence. Butler supported this. Despite the objections set out below, Sandys eventually relented, and the course proposed by Butler was approved by the Cabinet (CAB 128/37, CC 57(63)3, 24 Sept 1963).]

The First Secretary of State has recommended *inter alia* that Nyasaland should have a period of six to twelve months of independence whilst still acknowledging Her Majesty as Head of State before moving to Republican status.

2. The Secretary of State feels strongly that unless there are compelling reasons (e.g. over timing) to the contrary, emerging territories such as Nyasaland, which are known to want Republican status sooner or later, should be urged to become Republics from the start. He has advanced three reasons for this view:—

- (a) It is derogatory to The Queen to use the monarchy as a stop-gap arrangement.
- (b) A later change from monarchical to Republican status is bound to have some anti-British flavour.
- (c) Whilst we can sincerely celebrate Independence, it is embarrassing for us to participate later in Republican ceremonies which in effect represent the rejection of The Queen as Head of State.

3. The Prime Minister has written to the First Secretary of State to say, 'I am inclined to agree with this argument'.

4. If nevertheless the First Secretary presses his case in the Cabinet and the Cabinet agrees with his view, the Secretary of State has asked for an opportunity to discuss the matter further with the First Secretary before any commitment is entered into with Dr. Banda. Discussions with Dr. Banda are due to start on 23rd September.

4[sic]. There are some other points in the First Secretary's paper¹ on which we would wish to comment:—

(a) We dissent from the view that a transitional period of monarchy might bring Nyasaland financial benefit. We cannot see any reason why this should be so, either in terms of British Governmental aid or private investment. Indeed, past experience has shown that the retention of the monarch brings down accusations on the African Government concerned that it is still in some way under Britain's thumb. This in itself hinders rather than helps the British expatriate, whether civil servant or investor.

(b) It is suggested that the present Governor, if he becomes Governor-General, may be able to offer useful advice; our experience of similar changes in the past has not been altogether happy. The change of functions is much more radical than most Governors imagine.

(c) In the case of Nyasaland there should be ample time to go through the legislative processes required for the establishment of a Republic. As to paragraph 7 of Mr. Butler's memorandum it should be recalled that Cyprus achieved independence as a Republic.

(d) The waste of Parliamentary time through the passage of consequential legislation is also a point to bear in mind.

(e) What is done in the case of Nyasaland may have repercussions in other emerging territories and cannot be considered in isolation. Here admittedly the question of Kenya's possible emergence as a monarchy arises. But it could with some confidence be argued that Kenya and Nyasaland are two very different problems.

¹ A reference to the Cabinet memorandum by Butler (see 361).

361 CAB 129/114, C(63)156

17 Sept 1963

'Nyasaland and Northern Rhodesia constitutional questions': Cabinet memorandum by Mr Butler

Nyasaland

On 23rd and 24th September I shall be engaged in talks with Dr. H. K. Banda, the Prime Minister of Nyasaland. There are two issues on which I should welcome my colleagues' concurrence.

The date of independence

2. Dr. Banda wants a date for independence. He proposes either 3rd March or 6th July, 1964, and is believed to favour the latter date. I am sure the right course is to

grant independence at the earliest possible date compatible with an orderly transfer of authority and a settlement of Nyasaland's difficult financial problems. On that criterion, and having regard to the complications arising from the dissolution of the Federation, the July date is to be preferred. I do not think a later date would be negotiable and from our point of view there would, in my submission, be no advantage in further delay. I therefore seek agreement to accept the July date and announce the decision at the conclusion of my talks with Dr. Banda. I would, of course, impress on him the necessity for a settlement of the territory's financial problems before that date.

The form of independence

3. Dr. Banda, who is supported in this by the Governor of Nyasaland, has intimated that he would prefer Nyasaland to have a period of 6–12 months of independence whilst still acknowledging Her Majesty as Head of State before moving to republican status. Whatever the form of government, he wishes the territory to remain within the Commonwealth.

4. Among his reasons for this he no doubt has in mind the inevitable financial relationship which will continue to exist between Nyasaland and the United Kingdom, as well as his personal need for the advice of a British Governor-General (presumably the present Governor) for a period. He also believes that this course would be preferable to Her Majesty's Government and to that extent his suggestion is meant to be helpful.

5. I recognise that there are arguments in favour of encouraging an immediate move to republican status. A short and purely 'token' period of monarchical rule is undesirable in relation to the personal position to the Sovereign. It also gives rise to Parliamentary problems as regards consequential legislation after independence and possible difficulties over appeals to the Judicial Committee of the Privy Council.

6. On the other hand a transitional period of Monarchy, even though recognised as transient, is calculated to assist the territory in its movement into independence, and may be expected to have a considerable bearing on creditworthiness and on the morale of expatriate civil servants, business men and investors.

7. Moreover, it could well be politically embarrassing for Her Majesty's Government and Parliament to be associated, and indeed responsible in law, for the introduction of a republican Constitution on the lines that Dr. Banda might desire. This, to my mind, outweighs the opportunity we should have of influencing the republican Constitution and the risk that, if the latter is left to a completely independent Government, they may at that stage sweep away safeguards and institutions which we shall have put into the independence Constitution.

8. My view therefore is that there should be a period of monarchical status, and subject to the views of my colleagues I would propose to settle the matter with Dr. Banda on that basis.

The constitution

9. The form and content of the Constitution will depend to a considerable extent on the decision taken on the question of republican status, but broadly speaking what I have in mind (subject to detailed negotiation later) is a Constitution on the

following lines. There would be a Legislature of some 50 or 55 seats. All of these seats would be filled by elections on the basis of universal adult suffrage apart from four or five specially included to cater for minority representation. I understand that this arrangement would be satisfactory both to Dr. Banda and the Leader of the Opposition (Mr. Blackwood) in Nyasaland. The franchise for the minority seats would be designed, probably on the basis of citizenship, to extend only to the permanently settled European population.

10. The independence Constitution would also embrace the Bill of Rights which exists in the present Constitution. I would also hope to negotiate the retention of the Right of Appeal to the Privy Council in fundamental rights cases and to introduce reasonable safeguards in regard to the competence of the Nyasaland Government and Legislature to promote constitutional changes.

Northern Rhodesia constitution

11. Following recent discussions between the Governor and the leaders of the political parties which I hope will have removed the need for a full Constitutional Conference, I have agreed in principle that Northern Rhodesia shall move to internal self-government. There have also been successful talks between the Northern Rhodesia Government and Barotseland. The aim is to hold a general election under a new Constitution in January 1964 with full adult suffrage. The legislature will comprise 75 seats, 10 of which will be European Reserved Seats. There will be a Bill of Rights, and a Constitutional Council with executive powers which will be able to refer to the High Court any Bill which it considers infringes the Bill of Rights. No date for independence has yet been discussed.

Summary of proposals

12. I seek the agreement of my colleagues to the proposals in paragraphs 2 and 8 above.

362 CAB 129/114, C(63)155

17 Sept 1963

**'Dissolution of the Federation of Northern Rhodesia and Nyasaland':
Cabinet memorandum by Mr Butler**

My colleagues may be interested to have a brief account of the progress made towards the dissolution of the Federation since the Victoria Falls Conference. It will be recalled that the Conference agreed to the establishment of inter-Governmental machinery at official level to tackle the detailed problems of dissolution and a start was made on this work in Salisbury shortly after the conclusion of the Conference early in July.

2. I am glad to say first of all that after protracted and sometimes difficult negotiations, an early settlement should now be possible on the terminal arrangements for Federal Public Servants, including the terms on which they will be offered employment in the various territorial services. This settlement is designed to ensure:—

- (a) the orderly handover of functions to the Territorial Governments and the avoidance of disruption in these services;
- (b) that as many Federal Civil Servants as possible should be able to continue their public service careers in one or other of the territories;
- (c) security of terminal benefits and functions of Federal Civil Servants after dissolution.

Her Majesty's Government and the three Territorial Governments have agreed that:—

- (i) the Federal Pension Fund will be retained and administered by a Pension authority and Trustees;
- (ii) the four Governments will share fairly in making good any deficit in the Federal Pension Fund to the extent necessary for honouring the terminal benefits of Federal officers;
- (iii) they will between them enter into a Central African Public Officers agreement which will secure the terminal benefits of Federal Officers for the future. (The precise form of the United Kingdom association has been reserved.)

Federal Civil Servants will be allowed to choose which Territorial Government they wish to serve, and are being encouraged to accept in the first place voluntary secondment to a territorial service for a period not extending beyond 31st May, 1964, on their Federal salaries and conditions of service.

3. Progress has also been made in identifying those Federal functions for which arrangements for early transfer to the territories can be made. It is proposed to make the necessary provision by Order in Council at the end of this month.

4. The special Committee dealing with inter-territorial questions is at present working on the problem of joint arrangements for Kariba, the Rhodesia Railways and Central African Airways. A representative of the World Bank has been assisting in the Committee. It is too early yet to say in what other fields joint arrangements may prove acceptable to the territories. As regards currency, both the Northern Governments are at present publicly committed to separate currencies, and a representative of the Bank of England is at present advising all three territorial Governments on how these might be established. It is satisfactory to note, however, that all Governments have recognised the need for an adequate transitional period and have pledged themselves to full support of the Central Bank during that period. As regards Customs and Tariffs, the advantages of the Federal system of internal free trade operating behind a common external tariff were unequally distributed between the territories, and it is now clear that such a system will not survive dissolution. On the other hand, the two Northern territories have publicly announced their readiness, subject to the protection of local industry, to suspend the application of tariffs to imports from the other territories, pending the negotiation of long-term trade agreements with them. These announcements have been well received in commercial quarters, as well as by the Southern Rhodesia Government.

5. I think it can fairly be said that the negotiations set in train at Victoria Falls have got off to a good start. There are, of course, still difficult problems ahead, more particularly on the contentious subject of Federal Assets and Liabilities, on which discussions have only just started. Generally speaking, however, negotiations are proceeding in a good spirit and I remain hopeful of our being able to carry out the programme planned at Victoria Falls and dissolve the Federation at the end of this year.

363 CAB 129/114, C(63)159

17 Sept 1963

'Future relations with Southern Rhodesia in the defence field':**Cabinet memorandum by Mr Butler. *Annex***

The Prime Minister of Southern Rhodesia has on more than one occasion raised with me the question of our future relations in the defence field. More specifically he has asked whether Her Majesty's Government has an interest in Southern Rhodesia maintaining defence forces at a level which would provide a contribution to Commonwealth defence; whether Her Majesty's Government would make a financial contribution for this purpose; and whether the United Kingdom require a base in Southern Rhodesia.

2. The Annex to this paper contains a memorandum prepared in the Central African Office in the light of consultations at official level during the past months with other departments concerned. The conclusion reached is that negative replies will have to be returned to Mr. Field's questions and that this news should be conveyed to him before the forthcoming talks on the partition of the Federal Defence Forces which are due to open in Salisbury on 23rd September.

3. I accept the validity of the arguments advanced in paragraphs 3 and 4 of the Annex. At the same time paragraph 5 makes it abundantly clear that action on the lines proposed would have a profound emotional effect in Southern Rhodesia which could seriously damage our future relations with her. I would therefore welcome the opportunity of discussing this matter with my colleagues before any final decisions are taken.

4. I would myself like to envisage some contribution to Commonwealth defence from Southern Rhodesia, backed by a modest measure of financial assistance from the United Kingdom. It would not, I think, be possible in advance of the general apportionment of Federal assets and liabilities to give any firm assurance in regard to financial assistance for this specific purpose. I could, however, if my colleagues agreed, tell Mr. Field that if after the assets and liabilities of the Federation have been apportioned the question of financial aid to the territories by the United Kingdom were to arise, then we would have regard to the contribution which the Southern Rhodesia Defence Forces might make to Commonwealth defence. (I would at the same time make it clear that while we would wish to negotiate over-flying and staging facilities in Southern Rhodesia, we would have no requirement for a base there to replace our base in Kenya.) This would admittedly not provide the Southern Rhodesia Government with a firm basis on which to plan the size of their defence forces, but the door would at least remain open and the worst blow to Southern Rhodesian susceptibilities would be avoided.

Annex to 363*Mr. Field's questions*

During discussions with the First Secretary on 22nd March in London, and subsequently at Victoria Falls, Mr. Field asked the following questions:—

- (a) Does the United Kingdom have any interest in Southern Rhodesia maintaining her defence forces at a level which would provide a contribution to Commonwealth defence?

(b) Would the United Kingdom contribute financially to enable Southern Rhodesia to do this?

(c) Does the United Kingdom wish any 'base' or similar facilities in Southern Rhodesia now that the Kenya base has to be given up?

2. These propositions were never put very clearly, and the records of the meetings indicate that Mr. Field is probably muddled in his own mind as to precisely what he really wants e.g. he talks loosely of a 'base' when all he may mean is logistical facilities. The essence of his approach is that he realises Southern Rhodesia cannot afford to keep forces on the scale he would like without some external financial assistance. He would prefer to get this from the United Kingdom than from South Africa; he may indeed have already been told by South Africa that they cannot assist him in this way. He hopes to keep the R.R.A.F. at its present level of 7 squadrons (costing £4 million a year) and we believe he would like to expand the army from 2½ to 3½ battalions.

Objections to complying with Mr. Field's requests

3. Military objections

(a) The United Kingdom does not need any 'base' in Central or Southern Africa. The Middle East Theatre Reserve now in Kenya is eventually to be redeployed afloat and in the Arabian Peninsula. Southern Rhodesia is too far away to be an acceptable location for any part of this Reserve, and is in any case land-locked so that access always depends on the goodwill of other powers.

(b) The Federation's contribution to Commonwealth defence comprised the operational squadrons of the R.R.A.F. and their Special Air Service Squadron. These have never been an integral part of United Kingdom defence planning. They were regarded as a 'bonus' to our plans, i.e. though admittedly a useful addition to forces available in the Middle East, we could manage without them.

(c) Within a year there will be a Central African Barrier of African states which can at will prevent the northward movement of Southern Rhodesian aircraft to the Middle East. Thus the use of Southern Rhodesian forces for any operation will depend on the approval of these African states to the purposes of the operation.

(d) The Defence Departments are unwilling to agree that the provision of money for Southern Rhodesia forces should fall on the United Kingdom defence budget. They would not agree to any reduction in United Kingdom forces to provide such money.

4. Political objections

The views of the Foreign Office and Commonwealth Relations Office have been taken and they consider that the United Kingdom's interests would not be served by our accepting any close relationship with Southern Rhodesia in the defence field. They would oppose any financial aid. They are also strongly opposed to any deployment of Southern Rhodesian forces, elsewhere in Africa or in the Middle East. They point to the recent debate in the Security Council as evidence for the inevitably serious damage that will be done to our relations with the Afro-Asian *bloc* if we assented to any of Mr. Field's propositions. There would also be immediate repercussions for our relations with Northern Rhodesia and Nyasaland. We have reason to believe that the

attitude of elected Ministers in Northern Rhodesia to the Falls settlement was influenced to some extent by the belief that Southern Rhodesia would not in fact be able to maintain the R.R.A.F. at its present level.

The other side of the picture

5. The effect on Southern Rhodesia of a negative reply

There is reason to believe that the senior officers of the Federal Army and the R.R.A.F. are realistic about what can be expected from the United Kingdom. Mr. Field and his Cabinet are however apparently still living in hopes that the United Kingdom will assist them in the military field, and a negative reply to Mr. Field's questions will be felt very acutely by Southern Rhodesian ministers. The emotional shock might bring the independence issue to a head once more. Many Southern Rhodesians will feel this was the final and conclusive evidence that Her Majesty's Government was prepared to wash their hands of Southern Rhodesia because 'they like their black friends best'. The decisions will be linked with the current Security Council debate on Ghana's resolution deploring Her Majesty's Government handing over the military forces, and it will be said that this is yet another reflection of British pusillanimity in the face of militant African nationalism. There will also be accusations that the Federal forces had been built up to their present level with the encouragement of Her Majesty's Government, because of their Commonwealth contribution and that we are therefore guilty of bad faith; (*we* are currently researching into the history to see how damaging this could be). There may also be a tendency for Southern Rhodesia to look more to South Africa, particularly in military matters. There is a remote risk that Southern Rhodesia, if sufficiently angered, might seek to place restrictions on the over-flying and staging facilities we require for the reinforcement of the High Commission Territories.

6. The September defence meeting

The defence meeting which opens in Salisbury on 23rd September is to finalise the details of partitioning the Federal forces. There is a real danger that unless Southern Rhodesia knows Her Majesty's Government's answers to Mr. Field's questions in advance of this meeting that her delegation may be unable to bid realistically for units, personnel, equipment etc. and that the meeting may run into the ground over this difficulty. If the Southern Rhodesians proved willing to participate constructively in the work of the meeting, despite uncertainty about Her Majesty's Government's ultimate response to their proposals, it would still be possible for the meeting to do useful work. But if they came to the meeting on the basis that they did not yet know the size of their future forces, and refused to come to decisions while they remained in this state of uncertainty, the meeting might achieve very little. The consequences of this would either be delay in removing defence from the Federal Government, which could delay dissolution, or a partition of the forces without adequate preparation, which would probably result in the units in the Northern Territories being ineffective for some time to come, thus necessitating the stationing of United Kingdom troops in the area, which we wish to avoid.

7. Thus, from the point of view of this meeting, which is an essential link in achieving an orderly partition of the forces before the end of the year, it is very desirable that Southern Rhodesia should be given at least a very clear indication of the eventual answers, if not the answers themselves, within the next 7–10 days.

Summary

8. There appears to be no alternative but to give Mr. Field negative answers to his questions in as kindly a way as possible so that the minimum damage is done to our future political relations. The 23rd September meeting will be in some hazard unless this is done before it starts. Furthermore if we attempt to run this meeting without the reply being sent to Southern Rhodesia, we may very well subsequently be accused of bad faith, particularly if it transpires that Southern Rhodesia has bid for, and been allocated, forces which she cannot unaided possibly support.

364 DEFE 13/270, no 31

18 Sept 1963

'Future relations with Southern Rhodesia in the defence field': MoD brief for the minister¹

The point at issue is whether or not H.M.G. might allow the Southern Rhodesian Government to believe that we should take into account the possible value to Commonwealth defence of the Southern Rhodesian armed forces in any future discussion of financial aid for the territories.

2. In considering the brief for the British delegation to the Victoria Falls Conference the Ministry of Defence, with the support of the Chiefs of Staff, pointed out that those units which had been included in British contingency plans (Squadrons of the RRAF and the SAS Squadron) had only a 'bonus' value. We did not count on their use and the retention of these units at HMG's expense would not be justified militarily.

3. Aircraft of the RRAF were used in the Kuwait operation in 1960 but since then the political advice has always been that further use in operations would be unacceptable because of the possible reaction of some Commonwealth countries and of international feeling generally. There have even been political objections to joint training exercises. At the start of the recent Swaziland operation some embarrassment was caused by the unsolicited use of two RRAF Dakotas. As is pointed out in the Annex to the Memorandum, these objections are likely to continue.

4. There is a risk that in being unhelpful we might not be able to negotiate the use of staging facilities we need in Southern Rhodesia for access to the High Commission Territories, but it could be pointed out that substantial aid for their forces would be out of proportion with the scale of help we occasionally need at present.

5. While there are really no reasons, on military grounds, for making a contribution to Southern Rhodesia's forces there might be a case on political grounds as a part of any general financial settlement. If this were so it would be at least misleading to allow the Southern Rhodesian Government to believe that such aid was justified by a contribution to Commonwealth defence. Furthermore they might expect such aid to continue and we should at some time be faced with having to explain the real position.

6. *Recommendation.* You are recommended to confirm that there is no case on defence grounds for contributing to the costs of Southern Rhodesian forces and that

¹ Mr Thorneycroft. The brief refers to 363.

the use of Defence Votes for this purpose would not be justified. If however it is felt that the hope of some degree of assistance might be held out then it should not be implied that this would be for a contribution to Commonwealth defence. You are also recommended to agree that the Prime Minister of Southern Rhodesia should also be told that we do not need a base there to replace that in Kenya but that we should like to be able to use facilities at Salisbury for air staging en route to the High Commission Territories.

365 DO 183/444

14 Nov 1963

[Governor-generalship of Nyasaland]: CRO minute by G StJ Chadwick to Sir S Garner

I hope that this will reach you before you see Mr. Tennant¹ this morning.

The question of Governors soldiering on after Independence has, of course, been discussed many times in the past. As you say, it is far preferable to have a Republic straight away rather than to make this change very soon after Independence. But, in view of Dr. Banda's desire for a Monarchy, I suggest that Sir Glyn Jones' future (and that of any other Governor in similar circumstances) can only be decided against the following criteria:—

- (a) The personality of the individual Governor.
- (b) The confidence the new Prime Minister has in him, and his capacity for keeping the boat steady in the months following Independence.
- (c) The availability or otherwise of an alternative local candidate.

If, with some disrespect, I may refer to earlier Governors-General in Africa, I would say that Sir Charles Arden Clarke did extremely well and attracted no criticism. This must have been due partly to his excellent personal relations with Dr. Nkrumah but also to his capacity to make the change smoothly. Sir Maurice Dorman in Sierra Leone, on the other hand, showed increasing signs as time went on of yearning for the old Colonial days and before he left there were some embarrassing points of friction between him and his Prime Minister. In Tanganyika, Sir Richard Turnbull started brilliantly and exerted useful influence on Tanganyika Ministers, but towards the end he was beginning to alarm us by the degree to which he lectured and hectoring his Prime Minister. Sir Walter Coutts' tenure in Uganda was frankly undistinguished and he showed little ability to appreciate the difference in his status.

That said, I would, from all I have heard of Sir Glyn Jones and of his good relations with Dr. Banda, equate him with Sir Charles Arden Clarke rather than with any other African Governors. This, coupled with the fact that there can hardly be a suitable local candidate in Nyasaland, leads to the conclusion that we should welcome his retention with perhaps a rider that it would be preferable that he should not stay longer than 12 months as Governor-General.

¹ Of the Central Africa Office. At the meeting Garner agreed that Jones should stay on for a short time (minute, 14 Nov 1963). Jones's tenure as governor-general was to last until the declaration of a republic in Malawi in July 1966, two years after independence.

366 CAB 128/38, CM 10(63)1**9 Dec 1963****[Dissolution of the Federation]: Cabinet conclusions**

The Cabinet had before them a Note by the Secretary of the Cabinet (C.P. (63) 28), to which were appended the texts of messages exchanged between the Prime Minister and the Prime Minister of the Federation of Rhodesia and Nyasaland, Sir Roy Welensky, discussing certain objections by the Federal Government to the procedure which had been adopted for the drafting of the Order in Council to be laid before the United Kingdom Parliament in order to give effect to the dissolution of the Federation.

The Lord Chancellor said that, on behalf of the Commonwealth Secretary, who was absent in Kenya, he had considered these objections in the light of the timetable for the dissolution of the Federation which had been outlined in paragraphs 52–57 of the Report of the Conference on Central Africa (Cmnd. 2093) which had been held at Victoria Falls in June. Those paragraphs made it clear that the target date of 31st December, 1963, for the dissolution of the Federation was conditional on the substantial settlement by that time of such important general issues as the apportionment of the public debt and other liabilities and assets of the Federal Government and the future of the Federal Public Service but that, on the assumption that decisions on these points were reached in good time, ‘the United Kingdom Government should be in a position to complete and enact, before the end of December 1963, the legal instruments necessary to give effect to the decisions agreed upon by the Governments, who would be given an adequate opportunity of commenting on their proposed provisions’. The Federal Government now sought to interpret these words as implying that the Order in Council providing for the dissolution of the Federation could include only such decisions as were agreed by all the Governments concerned; and, in his messages to the Prime Minister, Sir Roy Welensky had maintained that the apportionment of assets and liabilities between the three Territorial Governments of Southern Rhodesia, Northern Rhodesia and Nyasaland had not been so agreed, on the grounds that certain of its provisions in this connection were unacceptable to the Federal Government. He had also protested that the Federal Government had not been afforded ‘adequate opportunity of commenting’ on the Order in Council as regards both this item and others.

In fact, however, the proposals as regards the apportionment of assets and liabilities had been accepted by the three Territorial Governments without modification, while the Federal Government had dissented not on the grounds that the proportions in which the assets and liabilities were to be distributed were unacceptable but on the grounds that apportionment would reduce the security of stockholders and that their position should therefore be reinforced by some form of guarantee to be provided by the United Kingdom Government. We could not afford to entertain this suggestion; and we were therefore bound to maintain that the reference to ‘the decisions agreed upon by the Governments’ did not entitle the Federal Government to impose a veto on proposals which were acceptable to all the other Governments concerned. The Prime Minister’s reply to Sir Roy Welensky’s latest message should adhere to this attitude. As regards the other matters on which the Federal Government claimed that they had been insufficiently consulted, we might offer to make these the subject of an additional Order in Council, provided that the necessary provisions were agreed before 31st December.

In discussion there was general agreement that any action which might postpone the date of dissolution of the Federation beyond 31st December, 1963, could not be contemplated, since postponement would be liable to provide an opportunity for the reopening of agreements which had already been reached on such issues as the future of the Rhodesian railways, the Kariba hydro-electric station, etc., and would therefore jeopardise the process of orderly dissolution of the Federation. On this assumption, however, the Order in Council must be tabled on the following day; and it would be necessary to make this clear to Sir Roy Welensky. It was more doubtful whether the Government could demonstrate, in the face of possible criticism in Parliament, that the provisions of the Order in Council relating to the apportionment of Federal assets and liabilities were based on substantial agreement between the parties concerned or reflected 'decisions agreed upon by the Governments'. The Federal Government's suggestion that some form of additional guarantee should now be attached to the liabilities involved was a significant reservation; and, although there could be no question of our entertaining this proposal, it might be thought to debar us from purporting to act on the basis of general agreement. In these circumstances it was for consideration whether we should confine the Order in Council to those provisions which were genuinely agreed by all the parties concerned and should thereafter legislate unilaterally on any matters of contention or whether we should first offer to discuss further with the Federal Government the issues on which they were dissatisfied. Since it was virtually certain, however, that we should fail to reach agreement with them on the most significant of these issues, *i.e.*, the apportionment of assets and liabilities, any further discussion would serve only to delay the introduction of the Order in Council and so to jeopardise the 31st December as the date of dissolution of the Federation. The wisest course, therefore, might be to adhere to our planned timetable; to table the Order in Council on the following day; to make it clear, in the Prime Minister's reply to Sir Roy Welensky, that we were unable to accept the claim that the Federal Government enjoyed an implicit right of veto on such of its provisions as they did not accept; and to suggest to the Commonwealth Secretary, who was attending the Independence Celebrations in Kenya, that, before returning to the United Kingdom, he should visit Salisbury in order to defend our attitude to the Federal Government and to explore with them the least contentious method of dealing with other issues which had been raised in Sir Roy Welensky's messages but did not need to be dealt with by the Order in Council.

The Cabinet then considered the draft of the Order in Council to be tabled on the following day. The order of certain paragraphs was amended.

The Cabinet:—

- (1) Took note that the Prime Minister, in consultation with the Lord President and the Lord Chancellor, would give further consideration, in the light of their discussion, to the terms in which he should reply to the latest message from the Prime Minister of the Federation of Rhodesia and Nyasaland about the provisions of the Order in Council on the dissolution of the Federation.
- (2) Agreed that no concession should be made to the suggestion of the Federal Government that the apportionment of Federal assets and liabilities between the Territorial Governments should be accompanied by the provision of some form of additional guarantee by the United Kingdom Government to the stockholders concerned.

(3) Agreed that, subject to the amendment approved in their discussion, the Order in Council should be tabled in Parliament on the following day.

(4) Took note that the Prime Minister would give further consideration to the suggestion that the Commonwealth Secretary, before returning from Kenya to the United Kingdom, might visit Salisbury in order to explain our attitude to the Federal Government and to seek to resolve any other outstanding issues in connection with the dissolution of the Federation.

367 DO 183/202

24 Jan 1964

[BSAC mineral rights]: minute by S P Whitley

*Mr. Fullerton*¹ (through Sir Mark Tennant)

On the constitutional side, Sir Mark Tennant was on the point of replying to Messrs. Coward, Chance's letter of 23rd December when your minute arrived (see folio 94). In the circumstances he thought the best course would be to reframe the reply into one to be sent by the Duke of Devonshire to the Chairman of Chartered; I have attached a draft.

2. Regarding paragraphs 2 and 3 of Mr. Emrys Evans' letter (95), Chartered's Solicitors wanted to tighten the wording of the safeguarding clause in the constitution (formerly 56, now 58) in a way that would place a more direct legal and constitutional obligation on the Northern Rhodesia Government itself to observe the provisions of the 1950 Agreement (copy beneath folio 80). The actual change in wording would have been so unobtrusive as, possibly, to escape the detection of any but a very close observer. It would however have been a 'fast one' to slip it in without consulting Northern Rhodesia; whereas, if Northern Rhodesia were consulted, we felt pretty certain that there would be not merely resistance but a heightened antagonism towards Chartered. Moreover, we did not consider that this legalistic 'foot in the door' would in fact help Chartered one iota when it came to negotiating the position on Independence. Be that as it may, Mr. Emrys Evans seems content to let this aspect go, and perhaps we need discuss it no further.

3. Regarding the negotiations on a compensation settlement for mineral rights, things began to look a bit brighter around Christmas and early January. One proposition was that the purchase price to Chartered might be secured in part by a stock-pile of one-hundred-thousand tons of copper, to be stored in this country at the Northern Rhodesia Government's expense. That foundered however, mainly because one of the two mining groups, Rhodesia Selection Trust, could not make enough copper available. More recently, Messrs. Warburg have been exploring with Chartered a proposal that the annual payments should be secured by a legally binding Order requiring the first proceeds of copper sales in Britain each year to be made available to meet the payments. Chartered were definitely interested in this idea and examined it closely with their legal Advisers. I learned to-day however from Warburgs that they had finally turned it down. My latest information is that the Chairman of Chartered (Mr. Emrys Evans) is going out to Northern Rhodesia very shortly to look into the whole problem himself.

¹ Principal, CRO, private secretary to minister of state.

4. I would myself have hoped that recent events in East Africa² might have made Chartered more disposed to do a deal while the going is good, since *any* safeguard we may include in the Independence constitution is in the last resort 'a piece of paper' and the trend of the times seems to be for 'domesticated' Africans (such as Kaunda) to be at the mercy of 'wild' Africans. It is possible that during the coming months Chartered will see the writing on the wall more clearly.

5. To revert to the constitutional side, I doubt if any very firm conclusions could be reached, at this stage, at a meeting between the Directors and the Duke of Devonshire, and in the draft letter I have suggested that we first do some spade work at official level with the Solicitors.

² Zanzibar had been recognised as an independent sultanate on 6 Dec 1963. Only five weeks later, on 12 Jan 1964, there was a coup which overthrew the Sultan. Also in Jan, Julius Nyerere in Tanganyika was forced to ask for British assistance in suppressing a left-wing rising, and British troops were also flown into Uganda to suppress a revolt in the army.

368 PREM 11/5046

27 Jan 1964

[Southern Rhodesia]: note for the record by T J Bligh of a meeting at 10 Downing Street between Sir A Douglas-Home and Mr Field¹

It was agreed that the private discussions that had been held on Friday and Saturday had been helpful and that it would be useful if Mr. Field would have further discussion with the Commonwealth Secretary in the course of the afternoon. This was provisionally arranged for 4.30 p.m.

There was some general discussion about Southern Rhodesian problems with particular reference to their desire for independence. *Mr. Field* said that the case for this could be based on the following points:—

- (i) The emotional case. There was a strong feeling amongst his people that it was right for Southern Rhodesia's independence now to be formally recognised. They had been virtually independent for many years. It would be impossible to expect them to continue in their present status if both Nyasaland and Northern Rhodesia became independent later in the year.
- (ii) Their investment programmes were being held up while the present uncertainty continued. This was interfering with both internal investment and external investment both very important to Southern Rhodesia's growth and future expansion.
- (iii) The uncertainty was also affecting the immigration and emigration. Last year they had a net loss of some 2,500. This was for them extremely significant. It was the first year they had had a net loss for so long as they could remember. Their white population was relatively small and they could not afford to lose any.
- (iv) So long as there was a formal link remaining with the United Kingdom the dissidents felt that they had a right to appeal to the United Kingdom which they

¹ Present: Sir Alec Douglas-Home (formerly Lord Home, who succeeded Macmillan as prime minister on 18 Oct 1963), Field, Sandys, Evan Campbell (high commissioner for SR in London, Jan 1964-June 1965), and Bligh.

supposed to be acting as a watch-dog on their behalf. He had no complaint about the behaviour of our High Commissioner in Salisbury but the fact remained that many of the disgruntled in Southern Rhodesia went to see him from time to time. (v) He was determined that there should be no handover of power to Africans. This was all the more important in the light of recent events in East Africa. His aim was increasing participation in Government and it was only in this way that they could avoid upheavals.

In amplification of these points, Mr. Field said that Southern Rhodesia would much prefer to be independent and remain a member of the Commonwealth. But they would readily sacrifice their membership if this were necessary to achieve independence. They attached great store to continuing a special relationship with the United Kingdom and the Crown. But South Africa had managed to weather their leaving the Commonwealth and keep a special relationship with the United Kingdom, and he hoped Southern Rhodesia could do the same. He did not believe it was worthwhile undertaking any Commonwealth consultation although he would always be prepared to talk to individual Commonwealth leaders and show them any part of his country they wished. If this matter were to be discussed at a Commonwealth Prime Ministers' meeting, however, he would be prepared to attend, but did not think it would be suitable for an all-party conference to go from Southern Rhodesia. There was no reason why the Government should not represent their case. Mr. Field added that this seemed to be a good opportunity for the United Kingdom to demonstrate their strength as leaders of the Commonwealth. He was sure that if they argued the case for Southern Rhodesia and pressed the Commonwealth to accept their independence and continuing membership this lead would be followed. For example, Nyasaland were not opposed to Southern Rhodesian independence and he did not think that Northern Rhodesia would be either. Indeed, Dr. Banda had emphasised to him that there would be no anti-pathetic movement in Nyasaland 'so long as you are there'.

Mr. Field recognised the United Kingdom attitude on this and entirely accepted that they had Southern Rhodesia's best interests at heart. He was prepared to consider some sort of package deal which would comprise the following elements:—

- (a) 'A' Roll. Perhaps a minimal change on property qualification.
- (b) 'B' Roll. A simplification and improvement in the qualification.
- (c) Land Apportionment Act. An undertaking that this would be repealed in time—perhaps about four years.
- (d) Discrimination. All residual discrimination would be ended forthwith.

Mr. Field added that Southern Rhodesia was the one place left in Africa which could prove that Europeans and Africans were able to live together in political and economic harmony. And he added that there was a precedent for independence being granted to a Commonwealth country with a minority Government, namely the Act of Union.

He felt that he must return to Southern Rhodesia this time with some agreement. This was not for publication but he must be able to assure his colleagues that some definite agreement was in mind.

The Prime Minister and the *Commonwealth Secretary* thought it important that there should be some definite new initiative to demonstrate that the Southern Rhodesians accepted the need for some definite African advance. This would have to be something that was *done* rather than said to make this seem real. In this country

the general feeling was that it was no good tinkering with the franchise, and that it was essential to make some significant improvement to the 'A' Roll. *Mr. Field* said that broadly the 'A' Roll in Southern Rhodesia was exactly equal to the franchise in this country and he was not prepared to go lower than that since it would pass the point of no return. He could not do this even as a gesture to demonstrate their sense of partnership with the Africans. They were already doing things which showed this, for example they had taken over all the African Federal civil servants although they could on a rational approach have dismissed half of them. *The Prime Minister* said that whereas events in East Africa had certainly strengthened what might be described as a negative side, there was still something required on the positive side difficult though this might be. He could not accept that widening the 'B' Roll would be regarded as significant in this country. *Mr. Field* said that widening the 'B' Roll would be recognised as an advance in Southern Rhodesia. At the same time he hoped to get the necessary two-thirds majority to enable him to knock out cross-voting between the Rolls which was not understood and which led to mistrust. After all, to widen the 'B' Roll as they proposed would give every person in the country some say in the representation in Parliament.

The Commonwealth Secretary asked whether Africans enjoyed the same sort of facilities for education and whether there was anything that could be done here to improve the position. *Mr. Field* said that private schools were multi-racial and where there was a definite requirement for a multi-racial school the State would supply them. But he thought that some improvement could be made here so that it would be fair to say that on non-discrimination there would be a new look.

The Prime Minister thought that the position of Southern Rhodesia *vis à vis* the Crown would be very difficult if they proclaimed their independence without agreement with the United Kingdom. *Mr. Field* said he saw no difficulty in this.

369 PREM 11/5047

18 Feb 1964

[Consequences of UDI]: minute by Sir B Trend to Sir A Douglas-Home on a Cabinet paper (CP(64)47)

This memorandum examines the consequences of a unilateral declaration of independence by Southern Rhodesia. The main results are as follows:—

1. A simple declaration of independence, whether with or without legislation in Southern Rhodesia, would have no legal effect unless legislation was enacted by the Parliament at Westminster.

2. Nevertheless, we could not use the illegality of such a declaration as a pretext for ignoring it for more than a few days—partly because we could not sustain indefinitely an ambiguity in the legal and constitutional position (particularly as regards Southern Rhodesia's relationship with the Crown) and partly because the question of Southern Rhodesia's international status would arise at once.

3. The financial and economic consequences of a breach with Southern Rhodesia are complex and are being studied further by officials.

It follows that, if we reject *Mr. Field's* offer (summarised in paragraph 3 of C.P.(64)47) and if, as a result, he is driven to make a unilateral declaration of independence, we shall face a very difficult situation. The attached telegrams nos. 247, 248 and 250

from Salisbury suggest that Mr. Field may well adopt this course. In these circumstances we ought to consider two things:—

A. How we might still make yet one more attempt to pull Mr. Field back. The possibilities are:—

(i) A message from the Commonwealth Secretary—or perhaps, preferably, from yourself—to Mr. Field, on the lines of Salisbury telegram no. 248.

(ii) Some Commonwealth intervention—whether in the form of a visit from Mr. Barwick, a letter from Mr. Pearson¹ or a joint statement by the three members of the old Commonwealth on the lines suggested in Wellington telegrams no. 71 and 78 attached.

(iii) Some public statement in this country, which might rally the substantial body of European opinion in Southern Rhodesia which is opposed to unconstitutional action.

B. How we should prepare ourselves for the situation which will arise if, despite all our efforts, Mr. Field declares Southern Rhodesia's independence unilaterally. In particular:—

(a) What will be the position of the Governor; and how far can we abrogate his authority and so underline the unconstitutional nature of any emergency which Mr. Field may try to declare (see Salisbury telegram no. 250)?

(b) How far could we make use of the fact that the armed forces of Southern Rhodesia have presumably taken the normal oath of personal loyalty to the Queen (as distinct from the Government of Southern Rhodesia)?

(c) How far could economic action—e.g. by blocking Southern Rhodesia's balances in London or by instructing the Governor of the Bank of Southern Rhodesia to refuse credit to the local government—be brought into play in order to restrain Mr. Field?

Some of these issues have been examined in the past, when we thought that Sir Roy Welensky might adopt unconstitutional action. *Mutatis mutandis*, the answers might be valid in relation to Southern Rhodesia also. In any case, there is room, and need, for a further urgent examination of the practical steps which we might take—and might also threaten in advance to take—if Mr. Field is really going off the rails.

¹ Sir Garfield Barwick, chief justice, Australia, and Lester Pearson, prime minister of Canada.

370 PREM 11/5047

25 Feb 1964

[Future of Southern Rhodesia]: note for the record by T J Bligh of a meeting between Sir Douglas-Home, Mr Butler and Mr Sandys

The Prime Minister dined with the Foreign Secretary and the Commonwealth Secretary at 7.45 p.m. at 10, Downing Street on Tuesday, February 25. I was present.

Southern Rhodesia was discussed. *The Prime Minister* said that great weight must be attached to the fact that after October 1964 Southern Rhodesia, unless there was some change in the constitution, would be the only country in the continent of Africa that was not independent [sic]. He was therefore most anxious that every effort should be made to find some means of demonstrating to Field that we were making a

positive approach. He himself still thought that there was something to be gained by pursuing the idea of an appeal to the Privy Council. This would be a body outside Southern Rhodesia and could therefore fairly be represented as a safeguard to the African majority and would constitute a defence against any attempt by the white minority to alter the present situation.

The Commonwealth Secretary represented his view that it would be wrong morally to try to press Field to increase the pace of African advancement. In the light of what had happened in East Africa it would clearly be indefensible to press the Southern Rhodesia Government to move faster towards majority rule than the pace already set by the existing constitution. Mr. Sandys recognised that Field would not accept the *status quo*. In his view the right course was to proceed on the basis that whatever the Southern Rhodesia Government said provided they did not alter the present situation we would continue to regard them as dependent. Provided the United Kingdom Parliament did not legislate to recognise any unilateral act of independence everything could go on as it was at present. We could continue to give them the preferences and the position of The Queen could be assumed to be exactly the same as at present. In short Mr. Sandys pressed the argument: there is no elephant in the drawing room.

*The Foreign Secretary*¹ wondered whether it would be possible to follow up ideas that he had put to Field whilst he was First Secretary. This was a 3-pronged package:—

- a) removal of discrimination including repeal of the Land Apportionment Act
- b) changes in the A role qualifications
- c) the institution of the blocking third.

Mr. Butler thought that an approach on these lines would have the support of the serious Commonwealth countries such as Australia and Nigeria. It would be important always to move with these Commonwealth countries. They would not agree to independence with the present situation.

Discussion revolved round these points. It was agreed that every consideration should be given to the Privy Council point and that examination should proceed of the possibility of increasing expenditure on Secondary Education in Southern Rhodesia with the possibility of America and Commonwealth countries associating themselves with such expenditure. It would also be important to see the High Commissioner later in the week.

¹ Butler had been appointed secretary of state for foreign affairs on 23 Oct 1963.

371 PREM 11/5047 27 Feb 1964

‘Southern Rhodesia: financial and economic aspects of the constitutional problem’: report¹ by officials on the implications of a unilateral declaration of independence. Annex: ‘Possible actions by H.M.G.’

The purpose of this paper is to examine the financial and economic implications of a unilateral declaration of independence by Southern Rhodesia. It does not appear that

¹ Forwarded by Trend to Macmillan as a supplement to the Cabinet secretary’s minute of 24 Feb.

any consequences would inevitably flow from such action by Southern Rhodesia, beyond the effects of the general uncertainty to which this would give rise on Southern Rhodesia's economic position. The consequences would depend on political and constitutional decisions by the British Government, on actions by third parties (particularly Northern Rhodesia) and on subsequent reactions by Southern Rhodesia.

2. The contingencies and possibilities are set out in detail in the Annex. This analysis leads to the following conclusions:—

(i) so long as it is a matter of British policy for Southern Rhodesia to remain a dependent territory, withdrawal of Commonwealth preferences would require deliberate legal action of an unprecedented kind.

(ii) If the British Government were prepared formally to accept Southern Rhodesia as independent, a positive decision would be required either to continue or to deny Commonwealth preferences (regardless of whether or not she remained within the Commonwealth), and legal action would be required to continue them.

(iii) The effect of loss of preferences on Southern Rhodesia's economy cannot be precisely estimated. It could not however be relied on by itself as an effective means of economic pressure. If we lost our preferences, we should probably lose more than Southern Rhodesia in actual money terms.

(iv) Southern Rhodesia's access to the London Market could be officially hampered, but this would have no effect because for the next year or two she is in any event not going to be able to raise money on the Market.

(v) Her sterling assets could be frozen, but apart from the currency backing they are probably so small that this would not have much practical effect; in so far as they consist of the backing for the common currency, freezing would involve complications with Northern Rhodesia and Nyasaland.

(vi) Positive legal action would be required to remove Southern Rhodesia from the sterling area, unless she were to leave the Commonwealth or become a republic within it (when specific provision would be required to reinstate her within the area). Exclusion from the area would only be effective if all other members (including South Africa) co-operated.

(vii) Financial aid would probably have to be withheld: the effect on Southern Rhodesia would largely depend on the way her economy was otherwise affected in the situation.

(viii) Action by Northern Rhodesia and Nyasaland could restrict Southern Rhodesia's export trade to an extent which could cause severe economic damage.

(ix) Action by Northern Rhodesia could place in jeopardy the Agreements reached on the dissolution of the Federation for the continuation of the common services (Kariba, railways and airways); and might lead to a situation in which the British Government were called on to honour their guarantee of the International Bank loan to Kariba and the railways.

(x) Southern Rhodesia could react to such action by Northern Rhodesia (or to unfriendly action by the British Government) by some repudiation of her public debt liabilities, with possible involvement for the British Government; or by denying railway and other services to Northern Rhodesia, which could have a serious effect on the territory's economy through the copper industry, and on Britain through a shortage of copper.

(xi) There would therefore be a problem of trying to exercise restraint on Northern Rhodesia Ministers, so far as that was possible in the circumstances of political emotion and pressure and the development of our own policies towards Southern Rhodesia.

(xii) If it were decided to withdraw preferences and breach the Ottawa Agreement with Southern Rhodesia, for which the pressures would be strong, there would be danger of renewed pressure to adopt a tougher line towards South Africa. In any major change of our economic relations with South Africa, very considerable British as well as South African interests would be at stake.

Annex to 371

The British Government would be under strong pressure to take economic action against Southern Rhodesia, especially in the field of *trade*.

2. Britain's trade relations with Southern Rhodesia are formally governed by the Ottawa Agreement of 1932. Under its terms Southern Rhodesia is guaranteed duty free entry into Britain for virtually all her exports, and some preferences. In return, Britain is granted some preferences. In practice, however, the Ottawa Agreement is less significant for trade between the two countries than Southern Rhodesia's membership of the Commonwealth Preference Area and Britain's inclusion in the lowest column of Southern Rhodesia's four-column tariff. Southern Rhodesia is included within the Commonwealth Preference Area under the Import Duties Act 1958, but (as a consequence of the Federation of Rhodesia and Nyasaland (Dissolution) Order in Council 1963) as a dependent territory and not by name.

3. So long as Southern Rhodesia remains a dependent territory (and that is a matter for the British Government), she will in consequence remain a member of the Commonwealth Preference Area within the ambit of the Import Duties Act—unless unprecedented legal action were taken to exclude her from the Area while still a dependent territory. If, however, the British Government formally accepted Southern Rhodesia as an independent state, the effect would be to remove her from the ambit of the Import Duties Act. The normal course when a dependent territory becomes independent is to take legal action to reinstate the country within the Commonwealth Preference Area. This is a bilateral decision on the part of H.M.G. to maintain existing trade relationships with the country concerned. Membership of the Commonwealth Preference Area does not necessarily depend on membership of the Commonwealth (e.g. Burma and South Africa). If, therefore, political decisions were to lead to acceptance of Southern Rhodesia as an independent country, the British Government would also be faced with the decision whether or not in the political circumstances Southern Rhodesia should continue to be included in the Commonwealth Preference Area. If this acceptance were to follow a unilateral declaration of independence, the arguments against treating Southern Rhodesia as favourably as South Africa in this respect would be strong. On the other hand, if a tougher line were taken with Southern Rhodesia there might be pressure to reconsider the attitude towards South Africa. As Southern Rhodesia's racial policy is considered less rigid than South Africa's, it might be difficult to justify maintaining a more favourable attitude towards South Africa; but very considerable British as well

as South African interests would be at stake in any consideration of excluding South Africa from the Commonwealth Preference Area and *a fortiori* from the Sterling Area (see paragraph 15). These interests were studied in The Inter-departmental Study of the Effects on United Kingdom Interests of South Africa's becoming a Republic, March 1961.

4. If the decision were to exclude Southern Rhodesia from the Commonwealth Preference Area, Britain's obligations under the Ottawa Agreement would, however, still subsist and could only be terminated without breach of the agreement at six months' notice. There would clearly be pressure for us to withdraw preference in breach of the Agreement. (If we did this might give Southern Rhodesia a handle for breaching other agreements, e.g. on the Federal debt—see paragraph 11 below).

5. No separate statistics for Southern Rhodesia's trade with Britain are available after 1953. It is estimated, however, that she imports goods worth about £35 million from Britain each year (about 30 per cent of her total imports), and exports goods worth about £30 million in return (about 40 per cent of her total exports other than to Northern Rhodesia and Nyasaland). British exports to Southern Rhodesia are widely diversified. Motor vehicle parts and spares account for some £8 million; machinery, textiles and clothing are also important. The principal Federal exports to Britain, mainly originating in Southern Rhodesia were in 1962 tobacco £23 million (half her production); asbestos £5 million; meat and meat products £3 million; maize £2 million; ferro-alloys £0.5 million (tobacco accounting for about two-thirds of the total).

6. The most important preferences for Southern Rhodesian imports into Britain are the preferences of 1/6½d. a pound on unmanufactured tobacco, 10 per cent on maize and 10 per cent on asbestos. In return Britain enjoys preferences averaging something like 10 per cent over most other countries on nearly 90 per cent of her exports to Southern Rhodesia.

7. If Southern Rhodesia lost her preferences in Britain, it would be expected that Britain would lose hers or most of them in Southern Rhodesia. As a result we would stand to lose, mainly to South Africa but also to other competitors, a great deal of our export trade to Southern Rhodesia. Southern Rhodesia would mainly be concerned with the effect on her tobacco trade. Although Southern Rhodesia Ministers attach great importance to the tobacco preference, it is in fact doubtful whether removal of the preference would change the pattern of British imports of tobacco very much, though production in Southern Rhodesia might fall because of loss of confidence in the future of the trade and sales of low quality leaf to the E.E.C. might be reduced because prices would no longer be supported by profitable sales of high quality leaf to us.

8. Generally, the effect of loss of preferences in either direction cannot be estimated precisely; and although Southern Rhodesia prizes her preferences in the United Kingdom, it would not be wise to rely on their withdrawal as an effective means of economic pressure. To go beyond this, however, would take us into the field of trade boycott or embargo.

9. Pressure might also be put on the British Government to take other forms of retaliatory action against Southern Rhodesia, e.g. (a) refusal of aid (b) denial of access to the London Market (c) freezing of the Southern Rhodesia Government's funds in London (d) expulsion from the sterling area. These possibilities are examined in the following paragraphs.

10. We have undertaken to review Southern Rhodesia's financial needs in the light of the additional burdens which she has assumed in consequence of the dissolution of the Federation and to examine by what means including British aid those burdens might be alleviated. The extent, however, to which British aid may be necessary has not yet been established; Southern Rhodesia has been getting about £5–£6 million over the last two years either direct or through the Federation, while it has been impossible for loans to be raised on the London market. If the political problems with which this paper is concerned were not to arise, Southern Rhodesia's claim to external assistance is likely to be limited even allowing for the increased debt burden resulting from dissolution (assets and revenues were also taken over from the Federation at the same time as the debts). If political difficulties do arise, there would obviously be considerable pressure on the British Government to withhold all aid. Talks with the Southern Rhodesia Government are due to begin early in March, and an urgent decision might be necessary as to whether they should continue. There could certainly be no response to arguments of an increased need for aid as a result of the consequences of the situation which Southern Rhodesia had herself been responsible for creating.

11. Southern Rhodesia, however, might well react either to a refusal of aid or to other measures such as a breach of the Ottawa Agreement by some repudiation of her debt liabilities. Her internal debt is approximately £97 million of which £37 million was raised by Southern Rhodesia before Federation. Her external debt is £93 million of which £61 million is pre-Federal. It is unlikely that Southern Rhodesia would repudiate her debt entirely since as an independent country she might then be precluded from help from the I.M.F. or I.B.R.D., but she might find plausible grounds for claiming to be unable to service some or all of it. This could particularly apply to her share of the external market debt taken over from the Federation (amounting to about £22 million). Nearly all of this was raised in London, and there would in this event be great pressure by the stockholders on the British Government to compensate them. If Southern Rhodesia were to repudiate this debt, Northern Rhodesia and Nyasaland might be tempted to claim also that they should be relieved of their shares of the Federal external market debt (£15½ million and £4½ million respectively). The British Government could therefore be at risk to the extent at least of the annual interest and redemption charges on £42 million worth of debt. The Southern Rhodesia Government might also withhold repayment on the C.D. & W. loan (though these are not due for some years) and the outstanding payments of approximately £2 million in respect of aircraft sold by this country to the R.R.A.F.

12. *Access to the London market*

As a sterling area country Southern Rhodesia is in a favoured position (other financial criteria being satisfied) to obtain Treasury permission to operate on the London Market. There would be no formal difference if Southern Rhodesia had left the Commonwealth. In the new political situation, the Treasury could withhold sanction but in any event it is unlikely for some time that any Southern Rhodesia loan would be taken up by the market. If Southern Rhodesia left the sterling area (see paragraph 14 below) her general position on borrowing in London would be less favoured but a loan to finance the purchase of British exports would still not be excluded.

13. *Freezing of Southern Rhodesia government funds in London*

It is possible to freeze sterling assets in London, though the general effects of this would have to be considered as well as the desirability of applying this particular sanction to

Southern Rhodesia. It is, however, thought to be unlikely that Southern Rhodesia in fact has any balance in London other than the currency backing; and since that backing for the time being is in respect of the continuing Federal currency still being used by all three territories, any action against Southern Rhodesia in the next year or so would involve complications with Northern Rhodesia and Nyasaland. It would, of course, be necessary to consult the Bank of England in regard to any such action.

14. *Sterling Area membership*

There might be pressure from other Commonwealth countries to expel Southern Rhodesia from the sterling area. At present she is included in the area by virtue of the first Schedule of the Exchange Control Act as one of Her Majesty's dominions. So long as Southern Rhodesia remains legally a dependency she would remain in the area (unless specifically excluded by statutory instrument). If, however, the British Government formally accepts her as independent, and she leaves the Commonwealth or becomes a republic within the Commonwealth, the effect would be to remove her from the area (unless specific provision was made to reinstate her).

15. The main effect of Southern Rhodesia's expulsion from the sterling area would be to subject capital exports to her to exchange control; but such control would be effective only if all other members of the area (including South Africa) agreed to cooperate. Southern Rhodesia might retaliate by imposing controls against Britain. The remittance of profits was about £9 million last year, against new investment by British companies in Southern Rhodesia of about £7 million; and the balance of invisibles in our favour is thought to be about £15 million.

16. Southern Rhodesia's banking and exchange system is at present operated through the Central Bank which, so long as a single Federal currency remains, continues to operate exchange control for all three territories as under the Federation. It would therefore be difficult for us to apply exchange control in respect of Southern Rhodesia only until separate currencies are in existence.

II. *Possible action by and effect on third parties*

17. Northern Rhodesian Ministers might, as part of their deliberate political reaction to a Southern Rhodesian declaration of independence, suspend (if not formally break off) economic and financial relations with Southern Rhodesia. Nyasaland might feel obliged to follow the Northern Rhodesia example.

18. Southern Rhodesia has recently entered into provisional trade arrangements with both Northern Rhodesia and Nyasaland. While it is impossible at this stage to say what the post-dissolution trade pattern between the three territories will turn out to be, it is estimated that Southern Rhodesia's trade surplus with the two Northern territories before dissolution probably amounted to about £40 million a year. Under the post dissolution arrangements exports will still be substantial and would be immediately put at risk, probably involving Southern Rhodesia in an industrial run-down and a balance of payments deficit.

19. Northern Rhodesian Ministers might also be inclined to withdraw from the Higher Authorities set up to run the Kariba project, the Rhodesia Railways and Central African Airways, if not actually to repudiate the recent agreements relating to these common services. If the operation of these agreements were to be put in jeopardy, a situation might be reached in which the International Bank would be entitled to call on the Southern and Northern Rhodesia Governments either to meet payments on its loans to Kariba and the Railways or to refund the loans, and the

British Government would be liable to the extent that one or other of the two Governments might fail to honour their obligations as primary guarantors. The International Bank loan to Kariba is of the order of £28 million and the Railway £9 million. In addition the Commonwealth Development Corporation has lent £15 million to Kariba. Action by the Northern Rhodesia Government could thus place the British Government at risk to the extent of loans totalling £52 million.

20. The Southern Rhodesia Government would, however, be in a position to retaliate against such action by Northern Rhodesia. They could deny, if they were so minded, the use of the railways in Southern Rhodesia to Northern Rhodesia. This could have serious effects on copper exports. It is not possible to assess how much extra traffic the alternative routes through the Belgian Congo and Angola could carry, but almost certainly they would be unable to take the whole traffic, particularly having regard to other increased demands that would follow the closure of the Southern Rhodesian route. At a guess, exports might be reduced by as much as half. This would have a serious effect on Northern Rhodesia's whole economy, which could be further weakened if Southern Rhodesia were to take steps to deprive her of Wankie coal, hydro-electric power from Kariba and the means of transport for her imports of petroleum products and other necessities.

21. Any interruption of Northern Rhodesia copper exports would have serious implications for Britain. Rather more than 40% of our imports of copper come from Northern Rhodesia. At the present time the major producers of copper are just about able to meet demands from regular customers and stocks in Britain are about normal. The loss of say half of the Rhodesian supply would represent one-fifth of our imports and about 7% of the free world production. Prices would soar and production in some metal-using firms in Britain would be dislocated, as stocks were used up, with resultant unemployment.

22. The probabilities are that Northern Rhodesian Ministers would be inclined to take action without thought of the economic consequences for themselves. In view of the risks for Britain, in terms both of possible increased financial commitments and of consequences for the copper consuming industries, it would be important to try to dissuade Northern Rhodesian Ministers from precipitate action.

23. Any dislocation of the railways might have some subsidiary effect on the Bechuanaland Protectorate. As, however, the railway line through that territory would still be required for the conveyance of goods between South Africa and Southern Rhodesia of which there is likely to be an increase, it would be in Southern Rhodesia's interest to see that the way-leave payments (at present £140,000 a year) made to the Bechuanaland Protectorate were continued.

372 PREM 11/5047

28 Feb 1964

[Future of Southern Rhodesia]: note for the record by T J Bligh of a meeting between Sir A Douglas-Home, Mr Sandys and Mr Campbell

The Prime Minister and the Commonwealth Secretary saw the High Commissioner for Southern Rhodesia at 10, Downing Street on Friday, February 28, 1964. I was present.

The Prime Minister said he had been thinking about the position of Southern Rhodesia in the light of the conversation he had had with the High Commissioner the previous weekend. He would like to suggest that the most helpful approach the U.K. Government could now adopt to Southern Rhodesia problems would be to make a fairly formal declaration confirming the present convention whereby the U.K. Government did not interfere in Southern Rhodesian affairs, and at the same time offer financial assistance, possibly in conjunction with other members of the Commonwealth, towards expanding the programme of secondary education. Thereafter it would be U.K. policy to say that they had a special relationship with Southern Rhodesia.

The High Commissioner thought this was very helpful as an approach. He had himself been considering the possibility of a move on education expenditure. However, the suggested declaration confirming the convention would leave a gap in that it would seem that it would not include the Opposition Party in the U.K. It seemed quite possible, judging from what speakers of that Party had said in the past, that if they became responsible for government they would be prepared to throw Southern Rhodesia to the United Nation wolves.

The Commonwealth Secretary felt that there would be no advantage to the Southern Rhodesia government in taking a provocative initiative before any change of Government, and the Prime Minister added that the present Government or a successor administration from the Conservative Party would clearly have to react to any illegal action by the Southern Rhodesia government. It would seem inadvisable to assume that the worst would happen.

There was some discussion about the desirability of making an informal approach to the Leader of the Opposition, but the Prime Minister said that he would not consider doing this unless he knew that the sort of ideas he had outlined would be receptive to Mr. Field.

The High Commissioner then agreed that he would put on a private basis to his Prime Minister the idea of a U.K. declaration, assistance from the Commonwealth on education, and possibly some move by Southern Rhodesia on non-discrimination and the Land Apportionment Act. He hoped it could be made clear in the U.K. declaration that it would not be worthwhile the Africans in Southern Rhodesia being encouraged to feel that they still had some form of appeal to the U.K. to alter the present constitution or the franchise.

The Prime Minister hoped that in putting this point to Mr. Field the High Commissioner would make it quite clear that any action to amend Section 111¹ of the Southern Rhodesia constitution as suggested by Mr. Lardner-Burke would clearly spoil the special relationship that he had in mind. The High Commissioner reported that Mr. Ellman Brown had made it quite clear that his Party did not support any change in the A-role qualifications.

¹ Under Section 111 of the 1961 constitution, the British government reserved the right to intervene in Southern Rhodesian affairs by Order-in-Council. Desmond Lardner-Burke, then a Rhodesian Front backbencher, introduced a private member's bill calling on the British government to give legislative effect to the convention that Britain did not interfere in the internal affairs of Southern Rhodesia. Despite pressure from Britain for the bill to be withdrawn, it was passed in April with the support of Rhodesian ministers. Lardner-Burke later became minister for law and order.

The Commonwealth Secretary referred to the speech that Mr. Field had made in the Southern Rhodesian Parliament in which he had talked about the 'extravagant terms' which the United Kingdom Government were supposed to be suggesting. This was unfortunate since the U.K. Government had not suggested any terms. The High Commissioner said that he had expected to be questioned on this and felt very awkward about it since what the Commonwealth Secretary had said was true. The Commonwealth Secretary added it would be fair for Mr. Field to deduce from conversations he had with the U.K. Government that they would agree independence now on the basis of changes that would amount to extravagant terms. But the outside world would not look at it like this.

The High Commissioner then turned to the Southern Rhodesia economy and said that another way of speeding up the enfranchisement of the Africans on the A-role would be to increase their incomes by the expanding economy. A general development loan would be very helpful to this end. The Commonwealth Secretary suggested that there were many other countries in the Commonwealth poorer than Southern Rhodesia.

The Prime Minister hoped that the High Commissioner would put the proposal to Mr. Field on a personal basis as soon as possible so that there would be no danger of the Motion put down in the Southern Rhodesian Parliament for March 11 gaining any support. The High Commissioner agreed to do this.

The Commonwealth Secretary said he had been considering the possibility of a White Paper setting out the facts of the existing Southern Rhodesia constitution and explaining exactly what the residual powers were. The High Commissioner thought that this would be helpful.

The meeting ended at 5.35 p.m.

373 DO 183/99, no 193

3 Mar 1964

[Barotseland]: minute by Sir M Tennant to the Duke of Devonshire

The Litunga (Paramount Chief) of Barotseland enjoys special rights under the Northern Rhodesia constitution. These derive historically from Agreements between his predecessors and the British Government and the B.S.A. Company (which until 1924 administered the country of behalf of H.M.G.). British protection was accorded in 1891; and the 'Lewanika' Agreement of 1900 with the B.S.A. Company contained the words 'this Agreement shall be considered in the light of a treaty or alliance made between any said Barotse Nation and the Government of Her Britannic Majesty Queen Victoria'. On the basis of these and similar agreements (made before Northern Rhodesia, as such, came into existence) the Litunga has always claimed a direct relationship with the Crown; and the 'special position' of Barotseland has been recognised in successive Orders-in-Council. The most important features are that certain types of legislation cannot apply to Barotseland without the latter's agreement and that no constitutional changes affecting Barotseland will be made without the consent of the Litunga and his Council. On this latter point, successive Secretaries of State have given assurances to the Litunga.

2. The Litunga's regime is old-fashioned and feudal and at loggerheads with modern African nationalism. In the light of constitutional developments, this led

him last summer, with reliance on his direct British connection, to ask for secession and the establishment of Barotseland as a separate British High Commission territory. Morally, and to some extent legally, he was on strongish ground; but the idea was wholly impracticable, for the main reasons that Barotseland was not remotely viable, that British protection could not in practice have been provided and that the resulting estrangement with Northern Rhodesia would have been in the very worst interests of Barotseland.

3. This question came to a head in talks with Mr. Butler in London last July, when the constitutional development immediately pending was self-government for Northern Rhodesia. Mr. Butler succeeded in containing the issue and in persuading the Barotse to agree to enter into separate talks with the Northern Rhodesia Government. These would be held under H.M.G.'s auspices and would be chaired by a representative of the First Secretary. The Litunga, moreover, would be allowed a 'special administrative adviser' (Mr. R.S. Hudson¹ of the D.T.C.) and legal advice, at H.M.G.'s expense.

4. The talks were held at Livingstone in September. The Chairman was Sir Colville Deverell, a former Governor of Mauritius, and the legal advisers, Mr. Cooke, Q.C., and Mr. Ronald Bell, M.P. (the latter having acted as the main Barotse spokesman at the London talks). The Barotse at this stage began to retreat from their secessionism. Partly, this was due to persuasion of its un wisdom but, still more, to the rising influence of the United National Independence Party within Barotseland. This Party had gained all 25 of the seats in the National Council thrown open to election by a recent reform; with them, inclusion within Northern Rhodesia was axiomatic, and their main demand was for domestic reform. The Livingstone talks achieved their immediate purpose. Useful working-contacts were established between Northern Rhodesia Ministers and Barotse traditionalists, and terms were agreed for Barotseland's inclusion within the self-governing Northern Rhodesia. The most controversial point was the carrying forward into the new constitution of two clauses which safeguarded Barotseland's special position and reflected the various Agreements (to which H.M.G. were a party), but Northern Rhodesia eventually conceded this.

5. Since then a local Barotse working-party, under the guidance of expatriate officials, has formulated proposals both for domestic reform and for future relations with Northern Rhodesia following Independence. The latter are considered a reasonable basis for negotiations and are at present being considered by the Northern Rhodesia Government. They assume inclusion within Northern Rhodesia but request terms rather better than those enjoyed at present. The Northern Rhodesia Government is proposing to open informal talks with the Litunga in the near future and, if possible, to dispense with any formal conference, except perhaps for the signing of an agreement.

6. There are two points on which I must consult you; first, the form of the negotiations, and secondly, the means of fulfilling H.M.G.'s historic obligations to the Litunga.

¹ See 356, note. Between 1963 and 1964 Hudson was special administrative adviser, Barotseland. He was then at the Department of Technical Co-operation (DTC), and was head of Administrative Services Branch at its successor, the Ministry of Overseas Development, 1964–1965.

7. On the first point, the Northern Rhodesia Government is proposing, as I said, to dispense as far as possible with formal talks and to negotiate on an informal basis direct with the Barotse. From several practical angles this would be all to the good. But there is a danger that it might be interpreted by the Litunga as going back on Mr. Butler's undertaking to provide an independent British Chairman (para 3 above).

8. In my view, we should allow the talks to proceed on this informal basis, provided that this proves acceptable to the Litunga. If it does not, or if the talks run into difficulties, we should be ready to stage more formal talks under British auspices.

9. In that event, since Sir Colville Deverell, is no longer available, we shall need to appoint a new chairman. We have in mind Sir Alexander Williams, K.C.M.G., M.B.E., former Governor of the Leeward Islands, who was previously Chief Secretary in Northern Rhodesia and has a good knowledge of the background. We think he would be well equipped for the task and the Governor has confirmed that he would be acceptable.

10. The second question, the means of fulfilling—and indeed, with Independence, terminating—H.M.G.'s obligations to the Litunga, is one of considerable delicacy and is certain to arouse political interest in this country. The Litunga has constantly harked back to his British protection and Agreements with H.M.G. and has relied on these as the ultimate safeguard of his 'special position'. The plain fact is, however, that—if, as is now accepted as inevitable, Barotseland is to be included in the independent Northern Rhodesia—the Agreements with H.M.G., and the direct relationship of protection, must necessarily lapse; for it would be quite impossible for the British Government or the Crown to maintain special and direct relations with one province within an independent sovereign State. This is the hard fact: but it has never been stated explicitly; and, although it is inherent in the situation, it may be assumed that the Litunga and his advisers have not appreciated it. When it is stated, the Litunga will without doubt be pained and disillusioned, and protests may be expected from his champions (such as Major Patrick Wall)² in this country. Yet, until it is stated, any negotiations with the Litunga must be basically unreal.

11. Given that their own direct relations with Barotseland must lapse, the only way that H.M.G. can fulfil their obligations is to ensure that the maximum negotiable privileges and safeguards for the Litunga are included in the Independence provisions; and, if old and repeated assurances are to be honoured, these must be such as to win the 'consent' of the Litunga.

12. The Colonial Office legal advisers have pointed out that there are three possible courses:—

- (1) The Northern Rhodesia Government could declare that it would regard itself as successor to H.M.G. in regard to existing Agreements and concessions;
- (2) The Northern Rhodesia Government could enter into an entirely new Agreement with Barotseland, which would supersede all the existing Agreements;
- (3) There would be no more dependence on any Agreement, but appropriate provisions in the Northern Rhodesia independence constitution would specify exactly what privileges Barotseland would enjoy after Independence.

² MP (Con), Haltemprice Division of East Yorkshire from 1955; vice-chairman, Conservative Commonwealth Affairs Committee, 1960–1968.

The disadvantage of (1) is that the existing Agreements and Concessions are extremely vague and imprecise and were drawn up in circumstances totally different from those of to-day. The Northern Rhodesia Government might soon find itself in difficulty if it assumed such obscure obligations. Moreover, in practice, it is inconceivable that it would agree to do so.

13. As between (2) and (3), the latter would probably be simpler, clearer, more quickly negotiable and more amenable to constitutional entrenchment. Subject, therefore, to any comments by the Governor, we recommend course (3).

14. I should be grateful for authority therefore to proceed on the following lines:—

(1) the Governor to enter into informal negotiations with the Litunga, on the understanding that formal talks, under H.M.G.'s auspices, will be convened at any time, should this be requested by the Litunga, or should it for any other reason seem desirable;

(2) in the event of formal talks, Sir Alexander Williams to be appointed chairman, representing the Secretary of State;

(3) the point to be made to the Litunga, with careful regard to timing and presentation, that, in assisting a satisfactory settlement with Northern Rhodesia, H.M.G. will be finally discharging their obligations to Barotseland and that the direct connection will thereafter lapse. This is the most sensitive aspect of the whole exercise; and I would propose to consult the Governor, and then to refer to you again, before anything is said;

(4) the aim of the talks with the Litunga, whether formal or informal, to be the formulation of precise proposals for inclusion in the independence Constitution.

15. The proposals, as drafted in constitutional terms, would be finally ratified at the Northern Rhodesia Independence Conference.

16. You will no doubt wish to consult the Secretary of State on some of these points. In the meantime, however, I wonder if you would agree to my sending off the attached telegram which conveys, in provisional terms, advice from the Colonial Office Legal Department and (whilst making it clear to the Governor that the direct British connection with Barotseland will have to cease on Independence) does not commit us to any particular policy or action?

374 PREM 11/5047

19 Mar 1964

[Future of Southern Rhodesia]: note for the record by T J Bligh of a meeting between Sir A Douglas-Home and Sir A Tafawa Balewa

[Sir Abubakar Tafawa Balewa became prime minister of Nigeria following the general election of Dec 1959. The meeting took place in Sir Abubakar's residence during Douglas-Home's visit to Nigeria. Southern Rhodesia was one of a number of subjects included in a wide-ranging discussion of east-west relations, the Commonwealth, and relations between rich countries and poor. Nigeria's prime minister was assassinated in Lagos in a coup in Jan 1966, shortly after hosting a meeting of Commonwealth prime ministers specially convened to discuss Rhodesia.]

The Prime Minister thought it might be helpful if, before any other matters were discussed, the question of Southern Rhodesia could be got out of the way. He would

be quite prepared to discuss this question with any Ministers whom Sir Abubakar might wish to invite to join the discussion. In reply *Sir Abubakar* said that this could be raised again at the talks with Ministers which had been arranged for the following afternoon. *The Prime Minister* then went on to say that the British Government had told Mr. Field that they were not at this stage prepared to grant him independence and they had expressed the hope that he would not ask for independence since by doing so he would bring great suffering to his own country. Of course Field's anxieties largely centred round the political situation in Britain, since he felt that should there be a change in the British government at the General Election his own position might become more difficult.

In the meantime we were prepared to proceed on the following lines. The British Government would make a declaration repeating their decision to uphold the convention whereby they did not legislate in Rhodesian matters and at the same time they would offer to help make the constitution develop more quickly, by being prepared to offer financial help and other assistance to increase secondary education in Southern Rhodesia. Although one might not put the point so crudely in presenting it to the public, in fact secondary education qualifications were the bottleneck in getting Africans onto the A. Roll. By increasing the build-up of secondary education, the period before there would be an African majority on the A Roll might be shortened from about 15 to something under 10 years. Since Southern Rhodesia was self-governing they would themselves have to control the education programme but arrangements could be made to ensure that the money was spent on what it was intended to achieve.

Sir Abubakar thought this idea had much to commend it. It would however take time and he was not certain whether it would be possible to hold opinion in Africa whilst it operated. Everybody would want to avoid bloodshed in Southern Rhodesia and he was most anxious to do what he could to secure this. Another difficulty that struck him about the educational proposals was that they would weight the African element of the A Roll very heavily in favour of the young. This would lead to a preponderance of Africans with no responsibilities and no experience exercising the vote whilst the more mature and steady people did not have one. This would be unfortunate.

The Prime Minister accepted that there were difficulties but pointed out that Southern Rhodesia was self-governing, that we had no means of enforcing our will and this was the only method we had been able to think of which was likely to be acceptable to the Southern Rhodesians since it would operate within the existing constitution. Had *Sir Abubakar* himself any ideas for redevising the franchise?

Sir Abubakar said that the main problem lay in the fact that many Africans in Southern Rhodesia were backward. The aim should be to try and bring about their development to a point of being able to exercise responsibility. The Southern Rhodesian government ought to be prepared in some way to try and associate Africans with government. He accepted that Southern Rhodesians had a right to be in their own country and that these rights must be respected but at the same time they should be prepared to associate the Africans with running the country.

The Prime Minister pointed out that if Nkomo had been prepared to co-operate in working the existing constitution he would now in fact be the leader of the opposition in the Southern Rhodesian Parliament. One could not suddenly assume the responsibilities of government; there must be some period of training and being in opposition in Parliament helped towards this.

Sir Abubakar said that when Nkomo had approached him some time in the past he had been told that it was his duty to co-operate and work the rules, since he could not hope to succeed from outside. Unfortunately Nkomo had not accepted this advice.

Sir Abubakar asked what would be the British attitude if Field declared independence and allied himself with South Africa and Portugal. This did not seem unlikely since South Africa had long felt isolated and in need of an ally. *The Prime Minister* thought that this was extremely unlikely. Welensky had had discussions with Verwoerd¹ who had made it quite clear he was against joining the two countries in any way at all. The South Africans already had a preponderance of Africans in their own country and they did not want Southern Rhodesia, with its three million Africans and only a quarter of a million Europeans, to join them. It was true that if Southern Rhodesia became independent they might form a military alliance with South Africa but this was another question.

Sir Abubakar asked if it would not be possible for Field to appoint an African to his Cabinet at this juncture. It would have a very good effect on opinion in the continent. And would it be possible perhaps to admit Africans to the A Roll on the basis of literacy?

The Prime Minister said that this would present some difficulties, since the percentage of primary education in Africa, being some 82%, the effect of a literacy qualification would therefore be to bring almost all Africans onto the A Roll. He was sure that this was not right. Recent developments in East Africa had shown how difficult life became in countries which achieved their independence a little too soon. One could not press Southern Rhodesia to go too fast.

Sir Abubakar agreed and said that it was easy to say, once one was independent oneself, that practice and training for independence were essential before the responsibility was accepted. He himself of course took this view. There were a number of examples of disaster ensuing from too early a grant of independence. One had only to look at the Congo.

In turning to other measures of helping to bring about greater African participation in administration, *Sir Abubakar* wondered whether it would be possible to use them in some system of local government or whether they could perhaps be trained directly for administrative posts. Perhaps the Rhodesian Government could seek help from ex-Colonial civil servants both in advising on and carrying out this sort of work.

Sir Abubakar then asked whether any consideration had been given to handing the problem of Southern Rhodesia to the United Nations. It was not fair that Britain should have to incur ill will because of the situation in Southern Rhodesia. Britain was doing the best that could be done in this difficult situation. If the problem were given to the United Nations there would be no focus of irritation in Africa against Britain.

The Prime Minister said that the Committee of Twenty Four had already upset a considerable number of Europeans in Southern Rhodesia and to hand Southern Rhodesia to the United Nations was not a realistic proposition. Indeed he could think of no development more likely to drive Southern Rhodesia into the arms of South Africa than direct intervention by the United Nations.

¹ Dr Hendrik Verwoerd, prime minister of South Africa, 1958–1966.

Sir Abubakar said that any scheme that was produced, whatever it was, education, training or anything else, must have as its main objective the bringing together of the two races. That was the important thing. Southern Rhodesia could still be a model for the rest of Africa of how the two races could live and develop properly together. He still thought, therefore, that some experienced people who had worked in African territories should get together and work out some sort of scheme. Coupled with help on secondary education this would be the best thing. Perhaps the former Governor-General of Nigeria could be persuaded to give a hand with this.

The Prime Minister said that the Southern Rhodesians were very touchy on what they thought might be outside interference. For example, we had already suggested that they should be prepared to consult the Commonwealth but they had refused to do so, although they had offered full facilities to a number of Commonwealth Governments to send a representative to visit them and see the position for themselves.

Sir Abubakar said that when there had been a revolution in Brunei the British Government had been prepared to send troops there.² If the Southern Rhodesian Government declared themselves independent this would be a revolution. Why would the British Government not be prepared to send troops to Southern Rhodesia?

The Prime Minister said that the two cases were not at all similar. Southern Rhodesia had been self-governing for 40 years. If they became independent they would of course leave the Commonwealth immediately and Field had been left in no doubt about this. But it was unthinkable that we should mount an invasion (which anyhow, since there were no means of access, would be extremely difficult to carry out). Brunei was a Colony and was an extremely backward country with no possible means of carrying on any form of Government other than by the arrangements which already existed.

In concluding remarks on this question, the Prime Minister said he had set out all the difficulties in a message that was sent to Field by the British Government about the consequences of him declaring independence unilaterally. *Sir Abubakar* said he was grateful for the talk and would go on thinking about some means of devising a scheme that would go somewhat wider than the expansion of secondary education.

² A reference to the Brunei revolt of 1962.

375 PREM 11/5047

23 Mar 1964

‘Southern Rhodesia and the Commonwealth’: minute by Sir B Trend
to Sir A Douglas-Home

[Extract]

There are two main issues for discussion at this evening’s meeting:—

A. *Southern Rhodesia*

Your colleagues will wish to learn the upshot of your discussions with the Nigerian Government¹ about Southern Rhodesia and thereafter to take stock of our chances of promoting a long-term solution. An educational scheme on the lines which we have in mind still seems to offer the best prospects, particularly if it were coupled with

¹ See 374.

arrangements to give some kind of administrative training to the increasing numbers of Africans on the upper Roll. Moreover, a project of this kind would be in keeping with the theme which we have in mind for the Conference of Commonwealth Prime Ministers; and, if that Conference could be brought to face the Southern Rhodesia issue squarely and to endorse a project of this kind as the most hopeful means of solving the problem, we should have achieved a good deal. In particular, we should have managed to educate the rest of the Commonwealth about the extreme difficulty of the problem itself; and we should also have shared with them the responsibility of devising a solution instead of being left to carry it ourselves.

But will the question wait until a Commonwealth Prime Ministers' meeting in July? Or will Field feel that he must force the issue before then? At the moment the debate in the Southern Rhodesia Legislature about the amendment of the constitution is adjourned; and we do not know when it will be resumed. But, when it does start again, what is the most likely outcome? Shall we be ready to deal with it (whatever it may be); and at what point should we publish the White Paper which the last meeting (GEN. 846/2nd Meeting on 28th February) commissioned? You will remember that this White Paper is to:—

- (a) emphasise the extent to which Southern Rhodesia is already independent for practical purposes;
- (b) reaffirm the convention by which the United Kingdom Parliament does not legislate for Southern Rhodesia on matters within the competence of the Legislature, except with the agreement of the Government of Southern Rhodesia;
- (c) describe the assistance which we would be prepared to give for the expansion of African secondary education and the ultimate effect of such a project on the franchise.

In the light of developments since the end of February (particularly the constitutional debate in Salisbury) would a White Paper on these lines still be appropriate? And, if so, what would be the most advantageous timing of its publication?²

² The minute then discussed the arrangements for the prime ministers' conference.

376 PREM 11/5047

26 Mar 1964

[Future of Southern Rhodesia]: note for the record by T J Bligh of a meeting with Harold Wilson¹

I saw Mr. Wilson in his room in the House of Commons at 6.15 p.m. on Thursday, March 26. [I had discussed this with the Prime Minister beforehand but I told Mr. Wilson that I was seeing him on my own initiative.]

I explained the difficulties about Southern Rhodesian independence and indicated the sort of steps which the Government were contemplating such as the possibility of stepping up secondary education or of launching an extended scheme of

¹ Wilson became leader of the Opposition in Feb 1963, following the death of Hugh Gaitskell

administrative training or a combination of both on the understanding that in return Southern Rhodesia would not press for immediate independence nor make a unilateral declaration. I went on to say that Mr. Field was unwilling to accept this deal because of the uncertainties about the British political situation. Supposing, said Mr. Field, that Mr. Wilson won the Election: where would they be then? At the mercy of the Labour Party who would want to alter their constitution.

I told Mr. Wilson that if he was prepared privately to say that he would take no action on becoming Prime Minister unless he were provoked then the position would become easier to deal with. After all should Mr. Wilson win the Election he would not want on his second day in office (when he would have quite a number of other things to do anyhow) to have a first class Commonwealth crisis on his hands. I explained that the purpose of my visit to Mr. Wilson was not to ask him then and there to give a view but to ask him to consider whether it would be worth his while to have a private word with the Prime Minister in order to discuss this position. Would it be fruitful? Was there any point in it?

Mr. Wilson said that shortly after he had become the Leader of the Opposition he had made a rather stupid speech about Southern Rhodesia (in March, 1963).² He wished now that he had not made it but there it was. It was on the record. He had said that the Labour Party would not accept the present situation in Southern Rhodesia. Subsequently he had been briefed extensively by a good young man at Transport House who had once served in the C.R.O. who had urged on him the sort of steps which I had now put to him. It was a pity that he had not been able to take this line earlier.

Mr. Wilson promised to think about this over the weekend. He felt that the most he would be able to do was to give a firm promise that the Labour Party had no commitment but he did not think he could carry his chaps any further.

² Wilson had claimed in a BBC broadcast that a Labour government would act to alter the Southern Rhodesian constitution. Wilson's comments were raised in the Southern Rhodesian legislature on 15 March 1963, providing Winston Field with the opportunity to affirm that any change made to the constitution without the agreement of the Southern Rhodesian government would not be recognised.

377 DO 183/133, no 47

21 Apr 1964

'Events in Nyasaland': despatch no 23 from Sir G Jones to Mr Sandys on violence during the registration of voters

I have the honour to address you on the events which have occurred in Nyasaland since the end of last year when the rolls were opened for the registration of voters on the basis of universal adult suffrage. During this period there has been an unusual amount of activity much of which has been most unfortunate and unnecessary and I feel therefore that you would find it helpful if I set out these events in chronological order. I do not propose to go over again the various arguments and representations which led to the present agreed position in regard to the special roll.

2. Before registration commenced on 30th December there had been two violent deaths. The first one was on 25th December when one Pondeponde was found dead with a fractured skull. His name had been included in an Mbadwa Party list giving its shadow Cabinet. In fact Pondeponde does not appear to have been taking an active

part in politics and the use of his name in these circumstances had not received his agreement. The police have investigated the case as thoroughly as possible but have been unable to obtain any evidence. Unless they obtain some good luck it seems unlikely that a prosecution will be brought. The second death arose from the attack by a gang of League of Malawi Youth on a congregation of the Providence Industrial Mission in connection with a demand by the gang for the production of Malawi Congress Party cards. Two persons are being charged although the preliminary enquiry has not yet been held.

3. Against this background I had a discussion with Dr. Banda on 31st December and I drew his attention to these two deaths as well as the other incidents which had occurred and told him that these incidents appeared to be caused by hooligans who were not obeying his instructions for the observation of peace and calm. I told him that as far as I knew he still commanded some 99 per cent support throughout the territory and he had nothing to fear from any political opponents. I said that if he wished to prove his support the best method would be to encourage his opponents to contest as many seats as possible so that he could demonstrate his superiority at the polls; any outbreak of violence at this stage was totally unnecessary, quite apart from making things extremely difficult. I asked him to speak to his party leaders to get them to do all that was possible to put an end to violence and intimidation and also to make another plea at some convenient time for people to observe peace and calm and to give no trouble to political opponents. He agreed to do as I asked.

4. During the early stages of registration there were a few incidents where people of opposing parties were prevented from registering. One such incident concerned Mathews Phiri, although in his case it appeared that he wished to make political capital out of being prevented from registering as opposed to having a genuine desire to be registered. The Prime Minister's attention was drawn to these cases and he reminded all those concerned that everyone should be allowed to register. This, in the event, I think proved effective.

5. As registration proceeded there was an increasing number of incidents involving in the main a religious sect known as Jehovah's Witnesses who refused to register as a matter of principle. Jehovah's Witnesses have been a source of difficulty for the Government of the day for many years, mainly because they behave in a way which is contrary to the majority. This, though irritating to an African community, is excusable if it does not involve a breach of the law; but Jehovah's Witnesses have a tendency to try and persuade others to adopt their own line of action and thought which can be exasperating for any Government. They will, for instance, decline to take part in any local communal effort and endeavour to persuade others not to do so, but will quite readily avail themselves of the facilities thus provided. The Jehovah's Witnesses have a reputation for being a source of difficulty and have acquired this reputation over the years with some justification. They are non-political and non-co-operative. I make these remarks as background and not in any attempt to justify the considerable number of incidents which took place. There can be no excuse for them.

6. As time went on the number of incidents multiplied. They took the form of bands of young thugs usually identified with the Malawi Party going about slashing crops, burning houses, assaulting and threatening people, mainly Jehovah's Witnesses because they declined to register as voters. By the close of the period of registration on 19th January there had been some 420 such incidents reported to the

police, including two more violent deaths. The first took place on 17th January when a Village Headman was badly assaulted by a gang and subsequently died from cardiac failure possibly brought on by the assault. His injuries amounted to a broken arm, a wound on the other arm and bruising. The deceased had been a supporter of Mbadwa. The police have so far been unable to make any progress in this case as the deceased before he died was unable to identify any of his assailants or give any information which could lead to their identity, and there were no other witnesses. The second death resulted from the beating of a man by a gang, the motive for which is not clear as the person concerned appeared to have been a Malawi Congress Party member. In this case 12 persons have been charged in the murder, and a preliminary enquiry was started on 20th April.

7. In order to keep to the chronological order I must break off at this point and say that the results of the registration were most satisfactory for the general roll, 1,855,961 persons having been registered. Without accurate and up-to-date statistics being available it is difficult to say what percentage of the potential voters this represents but it must in any case be very high. On the special roll only 814 were registered and this low figure led to the need to review the arrangements for that roll. It was said that if Mr. Cameron had not been so active in telling Europeans that it was their duty not to register on the special roll this figure might have been lower still.

8. There is no doubt that the many registration teams all over the country performed their tasks with enthusiasm and put in long hours without any respite over the weekends. To have registered such a large number of voters in only three weeks was a notable achievement and shows the high degree of co-operation which existed on all sides. It removed the necessity, which at one time seemed inevitable, of having to extend the registration period.

9. On 19th January, when registration closed, I had hoped that with the removal of the cause of the incidents of violence the country would quieten down. This however did not immediately occur and by the end of January there had been a further 369 reported incidents, making a total of 789 in January, still mainly concerned with people who had not registered as voters. The Prime Minister was kept fully informed of the position by the police, but on the other side he was receiving reports from his own party officials that general peace and calm prevailed.

10. I had a further discussion with Dr. Banda on 29th January when the persecution of Jehovah's Witnesses was again raised. He did then admit that assaults were taking place and crops damaged but insisted that complaints were greatly exaggerated. He agreed that there was no objection whatsoever to any person refusing to register as a matter of religious principle but if Jehovah's Witnesses tried to persuade other people not to register and to persuade those who had registered to destroy their certificates then their action became provocative and anti-social. It was this provocation, he said, which had aroused the local people. Finally he agreed to see Mr. Johannsen, the European representative of Jehovah's Witnesses, and tell him that if the Jehovah's Witnesses would desist from their provocative behaviour he would ensure that his followers would, for their part, observe his instructions for peace and calm.

11. The Prime Minister met Mr. Johannsen early in February and following that meeting instructions went out to all chairmen of the League of Malawi Youth groups throughout all districts that they must cease taking violent action against religious

sects and opposition groups. Unfortunately this lawlessness had been allowed to continue too long and it took time to subside completely. The worst areas had been the Central Province and Mlanje District in the Southern Province.

12. On 23rd February the Prime Minister addressed a large gathering at Zomba and said publicly that there should be no trouble for anyone, including Jehovah's Witnesses. This received publicity in the Press and on the wireless, and it was from this point that things began to return to normal. There had been 1,263 reported incidents in February but in the last week of the month there were only 45 incidents. There have been, I am glad to say, far fewer incidents since then. Apart from those already mentioned, there have been eight incidents involving deaths and I attach at Appendix D¹ details of these with an indication regarding progress so far made in investigations.

13. The police have, as can readily be appreciated, had a very difficult time during this period. Many of the incidents took place at night and often the people concerned were disguised in the traditional Vinyao dancers' masks. Moreover, during the actual registration period the police were given considerable additional duties in connection with the registration. They have, however, followed up as many of these incidents as their capacity enabled them to do and have concentrated on the more serious ones. To date they have sent 322 cases to the Director of Public Prosecutions who has authorised prosecutions in nine and rejected seven on the grounds of insufficient evidence, leaving 306 still under consideration. Each case of course usually involves several accused. An unsatisfactory feature is the delay in obtaining authority from the Director of Public Prosecutions to prosecute. This is entirely caused by the requirement to consult with the Attorney-General who is very often not in Zomba and when he is, appears to be preoccupied with other matters, so that it is difficult to get hold of him. To try to deal with this aspect I have written four letters to the Attorney-General and received two replies from him. Copies of all letters are attached (Appendix A). In addition I had a discussion with him on 17th March. This discussion lasted for about an hour and although the Attorney-General adopted the line that many reports were exaggerated and others were untrue, I pointed out that there was ample evidence of an ugly wave of violence in the shape of dead persons, injured persons, burned-out houses and slashed crops. I added that politics were simply not relevant to crimes of this sort. He finally promised to go into all the cases referred to him by the Director of Public Prosecutions and consider each one on its merits with the object of proceeding with a prosecution in appropriate cases. I enclose a record of my meeting with him (Appendix B).

14. I very much regret to have to report to you in these terms but I feel that I must keep you fully in the picture regarding conditions in Nyasaland. At present the situation appears to be calm and peaceful, and the Prime Minister is doing his utmost to keep it so. I still firmly believe that he personally and his Ministers did not instigate, and thoroughly disapprove of, the incidents of violence that have occurred during the past few months: the fault lies with the extremist members of the party in the lower echelons. I have pointed out to the Prime Minister the dangers for him and his Government of failing to stamp out violence with the utmost vigour wherever it occurs.

¹ Appendices not printed.

15. The situation has, as I have reported to you from time to time, given me cause for the gravest anxiety; and I have several times considered the possibility of revoking my assignment to Dr. Banda of the responsibility for public order and public safety. I and my advisers however have concluded that such action would lead to serious estrangement between me and the Prime Minister, and thus to a worsening of the situation. I have therefore decided that my best course was to give the Prime Minister robust and frequent advice in the direction of getting him to issue instructions to his party leaders and his people that violence must stop: this has had some success.

16. With the Attorney-General I have had less success but, as you will see from the attached correspondence, I am pressing him hard. I do not intend to relax the pressure on him and I still hope that prosecutions in the more serious cases will take place so that not only law and order but also the rule of law may be maintained in Nyasaland. I attach (at Appendix C) copies of the latest figures both of incidents reported to the police and of the investigation and prosecution of cases.

378 DO 183/69, no 4

24 Apr 1964

[Northern Rhodesian constitution]: outward telegram no 196 from Sir A Snelling to Sir E Hone on difficulties over the draft constitution

Secretary of State has given preliminary consideration to draft constitution brought home by Whitley and at first sight considers that he would be unable to defend certain features of it in British Parliament. He appreciates that as this will be first Republican Constitution to be discussed at any London Conference it must inevitably contain some novel features. But he feels that in some respects, e.g. enormously wide powers of the President, draft goes far beyond what would generally be regarded here as respectable Republican models.

2. Main points of difficulty in regard to draft and suggestions likely to be made by the Secretary of State for their amendment are as follows:—

- (a) The President is irremovable. We appreciate there is a Tanganyikan precedent for this, but elsewhere, e.g. in United States, President can be removed by impeachment on specified grounds. Secretary of State may wish to suggest insertion of provision permitting removal of President on United States model.
- (b) Provisions whereby Judges are appointed by President and removed by simple majority of the Legislature represent one of the most objectionable features of the proposal and are worse than those in Tanganyikan Constitution. Secretary of State will undoubtedly wish to insist on provision to protect independence of judiciary e.g. by retention of Judicial Service Commission and provision for removal of Judges by Judicial Tribunal.
- (c) We think also that Secretary of State will press for retention of Director of Public Prosecutions rather than leaving prosecutions in hands of Political Attorney General.
- (d) Public Services. Similarly the Secretary of State is likely to press for retention of executive Public Service Commission.
- (e) Difficulty is also likely to arise in connexion with provisions for constitutional amendment particularly in relation to Bill of Rights. Although Nyasaland

Constitution can be amended by two-thirds majority in Legislature, Secretary of State tried hard to secure firmer entrenchment (by method involving concurrence of electors on European role). In the end we had to acquiesce in simple two-thirds majority for all provisions. Moreover we recognise, that as in Kenya, there will be no reserved seats in Northern Rhodesia for Europeans after interim period. Nevertheless we think it probable that Secretary of State will press for some form of additional entrenchment for more important constitutional provisions such as the Bill of Rights e.g. referendum or provision (as in Sierra Leone) in which Bill making constitutional change must be introduced in two separate sessions of Legislature with General Election in between.

3. In general Secretary of State's feeling about this draft Constitution is that it lacks the desirable checks and balances of the United States Constitution.

4. Can you let me know urgently whether you think your Prime Minister would be likely to agree without great difficulty during the Conference to changes being made to meet above points. Helpful also to know results to date of consultation with other parties. If you think considerable difficulty would be encountered in London Conference on above points, present inclination of Secretary of State would be to defer date of Conference so as to permit further preliminary discussion before it opens. This might be conducted either by correspondence or if necessary by his sending representatives to Lusaka.

5. I appreciate that I am throwing at you questions which you may find it difficult to answer. Also we do appreciate how upset your Ministers would be at any suggestion of postponement at this late stage. But we are facing unique independence conference and have had for only few days proposals which will inevitably be looked at here against background of dictatorial tendencies elsewhere in Africa. Much therefore depends on what advice we can give to Secretary of State early next week on extent to which Kaunda will be amenable in London to persuasion and compromise.

379 DO 183/69, no 5

25 Apr 1964

[Northern Rhodesian constitution]: inward telegram (reply)¹ no 156
from Sir E Hone to Sir A Snelling

You will have received my No. 236 setting out amendments to the draft constitution which have been approved by Prime Minister and which will be recommended to Cabinet on 27th April. These amendments cover a number of the points raised in your telegram and my following comments on your paragraph 2 should be read with that background as well as that set out in Eldridge's No. 223 to Jamieson in mind.

2. (a) An election of a president becomes necessary at every dissolution of Parliament and the feeling among Ministers is that this, together with the fact that the president is chairman of the Cabinet and, therefore, subject to the influence of Ministers, should act as a check on his assertion of power. As explained in my No.

¹ See 378.

223, Ministers are uneasy at the absolute bar to all criminal proceedings against the President while he is in office and advice has been sought as position of other Heads of State. In discussions with A.N.C., Ministers have also made it clear that it is intended to ensure that President shall not become a dictator and at Prime Minister's request the system of impeachment was explained to the meeting. I do not think, therefore, that there should be difficulty in meeting Secretary of State in some way on this point.

(b) The objection to the provision for the removal of judges has been met by Prime Minister (see my No. 236) and will, I hope, be approved by the Cabinet. The proposal is that a tribunal on the Tanganyika pattern should be set up. It raises also (?omission) being proposed to the Cabinet that qualifications for judges should be provided laying down specified qualifications for period of 5 years and that magistrates should be appointed by the President acting after consultation with the Judicial Service Commission. The Judicial Service (?Commission) as now proposed consists of a Chief Justice, a puisne judge and a person appointed by the President who shall be chairman. It is hoped to persuade Prime Minister to accept the Chairman of the Public Service Commission as the third member of the Commission.

(c) The recommendation to the Cabinet is that the Attorney General should have the same qualifications as required by a judge, so that an unqualified person could not be appointed and that the functions of the office should be included in the constitution as in Section 81(3) of the present Constitution. I do not think there would be objection to the appointment of a Director of Public Prosecutions but I doubt if agreement could easily be reached that criminal prosecutions should be entirely in his hands. At very best it might be agreed that the Attorney General should retain the power of *nolle prosequi*.

(d) The Prime Minister realises that President's powers of appointment, confirmation and removal of persons from office in the Public Service must be delegated and this will be provided in constitution. I feel sure, however, that Ministers will not easily agree to Public Service Commission being executive except possibly for junior ranks of the Public Service and then subject to the President's ultimate powers. This is a point on which they feel strongly and wish to state their position honestly. I fear that if the Secretary of State insists on keeping P.S.C. as executive body the inevitable result would be that shortly after independence an attempt would be made to change the provisions and revert to the Ugandian pattern, where the P.S.C. is now only advisory.

(e) The Bill of Rights is accepted by Ministers as a vital part of constitution and in retaining it in the constitution they intend to demonstrate their faith, which I believe is sincere, in the protection of fundamental freedoms. The existing entrenched clause in draft constitution requires a two-thirds majority at two stages of a bill in the Assembly. Prime Minister is recommending to Cabinet that the two stages should be specified as the second and third readings. To strengthen the entrenched clause I do not think referendum at this stage would commend itself to Ministers. But they might, repeat might, be persuaded to accept that the Bill should be passed at two separate sessions of Parliament, with a general election in between.

3. In discussions between political parties I understand that a large measure of agreement has been reached and that only major point of difference is with A.N.C., who insist on a general election prior to independence and immediate abolition of

reserved seats. Prime Minister is willing to meet N.P.P.² demand regarding reserved seat, and even recommending to Cabinet that this should continue for period of four years after independence and should not be abolished on a dissolution before expiry of that period. In view of this large measure of agreement and of extent to which Secretary of State's points seem capable of attainment, I would not advise a postponement of the conference which would be misunderstood here and would cause the greatest embarrassment to the Prime Minister and seriously undermine his position in his party.

² National Progressive Party, representing the Europeans and led by John Roberts.

380 PREM 11/5048

1 June 1964

'Southern Rhodesia': minute by Sir B Trend to Sir A Douglas-Home

[On 13 Apr, Field was ousted from the premiership of Southern Rhodesia by his colleagues in the Rhodesian Front and replaced by Ian Smith. It was widely assumed that this move heralded a more assertive policy on the issue of independence, and the British government stepped up its contingency planning. A split had appeared in the nationalist movement in 1963. Joshua Nkomo had established the People's Caretaker Council, essentially as a front for the banned Zimbabwe African People's Union (ZAPU) (DO 183/109 'Southern Rhodesia: the political scene', despatch by J B Johnston, UK high commissioner, 17 Jan 1964). The Reverend Ndabaningi Sithole, and other leading colleagues of Nkomo had broken away to form the Zimbabwe African National Union (ZANU). Johnston identified ZANU as the more likely party to reach some sort of negotiated settlement with the Rhodesian Front government. The passage '(?) by the use of covert funds)' at para 5(iii) of Trend's minute has been removed from the copy of the document in PREM 11/5048, but remains in the copy in CAB 21/5064.]

1. I take it that our objective is to try to play this issue as long as we can and to defer the ultimate crunch for the maximum length of time. This for the following reasons:—

A. On merits—i.e. because there is always a chance that, given enough time, Smith will overplay his hand and that his Government will fall before it can take any irretrievable action.

B. For reasons of Commonwealth policy—i.e. because we must try, so far as we can, to share with the rest of the Commonwealth the moral responsibility for dealing with this intractable problem; and we cannot do much in that direction until the Meeting of Commonwealth Prime Ministers in July.

C. For domestic political reasons—i.e. because the Government will not, I assume, wish to face a major row with Southern Rhodesia this side of the General Election.

2. If so, we face the question—how can we least harmfully fill up the time:—

(i) between now and the July Meeting?

(ii) between July and the General Election?

3. As regards the earlier period, it is now fairly clear that the balance of Commonwealth opinion will be opposed to Smith's attending the July Meeting. (And the manner in which this decision should be communicated to him is a separate problem.) If so, the courses open to us in the interval between now and July are:—

- (a) To invite Smith to London for discussions before July.
- (b) To hold him at arm's length but to take some new initiative in the form of a statement of policy or something of that kind.
- (c) To do nothing.

4. Of these courses:—

(a) would be risky. We should have nothing new to say to Smith; and he could have nothing new to say to us. As a result we should probably heighten, rather than relax, the tension; and we might precipitate the crunch which we must seek to avoid.

(c) is also unattractive in so far as it would probably be politically damaging to appear to be completely negative and impassive in the next few weeks.

5. There remains (b)—i.e. some new initiative on our part, not involving a visit by Smith to London. Possibilities are:—

(i) We might issue, shortly before the July Meeting, a fresh statement of our policy towards Southern Rhodesia. This would do no more than restate what we have publicly stated many times before. But it might do something to meet the point, which Welensky made in his talk with you the other day, that public opinion in Southern Rhodesia is now bewildered about the United Kingdom Government's policy and has no idea where we stand.

(ii) If we wished to go further, we could supplement the declaration at (i) by a public invitation to Smith to attend, after the July Meeting, a fresh constitutional conference, in which representative African leaders would also take part.

(iii) At the same time we might try to do something (? by the use of covert funds) to strengthen the moderate African party under Sithole, who is at present outbid by Nkomo (backed by Nasser) but might be disposed—if recent reports are reliable—to come to some sort of private 'coalition' understanding with moderate European opinion and thereby to encompass Smith's downfall.

6. As regards the period after the July Meeting the scope for further action will depend, to a considerable extent, on the way in which the Meeting itself has gone. But, if other Commonwealth Prime Ministers are prepared to endorse the idea of a fresh constitutional conference, we might:—

(a) Consider whether, by some means or other, we could involve one or two of the other members of the Commonwealth in the conference, in order to engage the Commonwealth in some degree of responsibility for the outcome. (Smith would, of course, be strongly opposed to the whole idea.)

(b) Arrange for one or two of the Commonwealth Prime Ministers—e.g. Menzies and Abubakar—to visit Salisbury on their way home and to try to impress on Smith the strength of Commonwealth feeling about Southern Rhodesia.

(c) Formally issue the invitations—to both European and African leaders—to the constitutional conference in the autumn.

7. Any of the courses of action indicated above may, of course, send Smith finally through the roof. But this is a risk which we may have to face in any event. The Southern Rhodesian Assembly is due to meet again in July; Smith still has the Lardner-Bourke motion up his sleeve; and there is no sign at the moment that his

hold on local opinion is weakening—or is likely to weaken unless we do something about it. I suspect, therefore, that, faced with this choice of evils, we should do better to be seen to be doing something than to be doing nothing, provided that we do it as slowly and deliberately as possible and involve the rest of the Commonwealth, as far as we can, in what we do.

381 PREM 11/5048

2 June 1964

[Southern Rhodesia—powers of the governor]: letter from Sir H Gibbs to Sir A Douglas-Home on action to be taken in the event of a unilateral declaration of independence

I apologise for worrying you with the enclosed papers, but I am in need of some advice and, if possible, some instructions regarding my duties as Governor if the Government here should make a unilateral declaration of Independence. I have tried, with the help of the Chief Justice here, through your High Commissioner to get something definite from the Commonwealth Relations Office, but as you will see from the extracts¹ from their telegrams they are not at all clear.

I do not want to be caught napping and I would have thought that you could give me orders in advance to the effect that, if a unilateral declaration is made by the Government, it would be an illegal act, and that I would have the right and be expected by The Queen to dismiss my Ministers forthwith. The advice from the Commonwealth Relations Office makes it clear that I have first of all to ask your people if I may take this action, and I fear that, if there should be a unilateral declaration, I would be physically prevented from communicating with you.

My Prime Minister has been saying publicly in the country at various meetings that the Army, Air Force and Police come under the control of the Government as the oath of allegiance which they take is to the Queen as Queen of Rhodesia which indicates, of course, the build-up towards a unilateral declaration or the possibility of one. I should therefore like to be in a position to take immediate action to carry out my duties which I believe to be as follows:—

1. To dismiss immediately all the Ministers of the illegal Government. (Having The Queen's permission in advance to take this action.)
2. To call on the Army, Air Force and Police to uphold the Constitution and legal Government.
3. To call on someone to form a Caretaker Government until such time as an election can be held.

I presume if the electorate confirm the action of the illegal Government there is nothing more to be done, but I do not believe this would happen, and I think we would return to normal and, what is more co-operate and negotiate with Britain over the future of the country.

The essence of trying to keep things under control here in the case of a unilateral declaration will be quick action, and I believe it would be quite wrong to have to delay matters by having to ask for permission at the time to dismiss my Ministers,

¹ Not printed.

and then to leave it to my own discretion as to what action I take. I am, after all, The Queen's representative acting in certain matters on the advice of Her Ministers in Great Britain, and I take an extremely dim view of the fact that I cannot get more definite advice than I have had to date.

I do hope you can do something to get this matter put right as soon as possible, realising that the event in Nyasaland on July 6th will tend to make people even more restive here.

I would, of course, expect the Government here to try to place me under arrest before actually making their declaration, but I shall arrange to have a statement made in my name if they did take such action. It would then depend on the loyalty of the Army, the Air Force and Police, of course.

One other thing, which I think is extremely important at this time, is that Britain should make it quite clear publicly what the results of a unilateral declaration would be as far as this country is concerned. I believe these to be that:—

1. We would become a Republic outside the Commonwealth without a friend in the world. (Some people, including Government, feel that The Queen would still be able to remain Queen of Southern Rhodesia!)
2. We would be cut off from any financial aid from the U.K. and probably elsewhere.
3. Commonwealth preference would obviously go.
4. No more support from the U.K. at U.N.O.
5. A mass of other things to our disadvantage.

It would obviously be a great help to those of us who wish to remain loyal if you could take an opportunity to make these things clear because it would cause the disloyal to sit up and think things out.

I am sure you will appreciate my intense dislike of having to write about my own Government in this way and that it is only because I believe the situation to be very urgent and serious that I do so.

I might add that my Prime Minister came to see me last week, at the behest of the Cabinet, to make sure that I understood their policy in regard to Independence before taking on a further term of office as Governor. I got the impression that if I was not in line with their policy, although they had agreed originally to ask for an extension of two years, that it might be suggested to be that I tender my resignation. I am, of course, more than willing to see this thing through if it is your desire that I try to do so.

Finally, I want to thank you for your patience with us and the help you are trying to give us all the time.

382 DO 183/306, no 36

6 June 1964

‘Southern Rhodesia: situation report’: letter by J B Johnston to Mr Sandys

It is now almost two months since Mr. Field was eased out of the driving seat in Salisbury, and this is perhaps an opportune time, with the Commonwealth Prime Ministers' Meeting ahead of us, to attempt some analysis of the present political position here.

The change of government

2. The reasons for Mr. Field's demission are not irrelevant to subsequent developments. The Government have claimed that Mr. Field pursued his own policies without taking the Cabinet into his confidence, or the party and the public with him. There is a measure of truth in these allegations; but there would have been no complaint if his 'dictatorial' methods had been seen to be bringing home the independence bacon. In a party without any leader capable of dominating his supporters, and in which no barrier separates Right-wing Ministers from the direct pressures of powerful, exigent and even more Right-wing supporters, who believe they have put the Government into office to do their bidding, it was undoubtedly Mr. Field's manifest lack of progress towards independence which led to the palace revolt. As Mr. Gaunt, now the Minister of Local Government, said unblushingly to me in January, 'If the jockey doesn't obey his riding instructions, you change your jockey'. This dependence of the Prime Minister, not only on his Cabinet colleagues but on the party caucus and paymasters, is now an important feature of the present situation. It is now virtually impossible for the Prime Minister to take any line which he has not previously cleared with the men behind him. In a recent letter to the Press Mrs. Lilford, wife of the rich farmer 'Boss' Lilford, the chief financier and *éminence grise* of the Rhodesian Front, had the effrontery to conclude her criticisms of British attitudes with the words 'If at any time this Government finds its leader wearying of this tug-of-war, he, too, will have to make way for a fresher and more resolute man'.

3. Thus the circumstances of Mr. Smith's accession to power gravely inhibit his freedom of action. They also substantially weaken the party's Parliamentary position. When Mr. Field was dismissed his colleague Mr. Howman resigned with him. It would only require a third party member to join them in voting against the Government to dissolve the Government's present majority of five. Both Mr. Field and Mr. Howman have declared a general intention to continue to support the Government, but have reserved their position on some issues, notably that of independence. There are believed to be other members of the Rhodesian Front who would stop short of supporting a unilateral declaration of independence.

4. The new Government accordingly began life with a Prime Minister who, Right wing in outlook himself, was at the same time the prisoner of the Right wing of his party (as Mr. Field had in the end proved to be); and with a threat to their parliamentary majority which made it extremely unlikely that they could attempt to give any sort of parliamentary cover to a unilateral declaration of independence without being defeated.

5. Their first concern has therefore been to build up Mr. Smith as Prime Minister, and to strengthen their position in the country. The first of these tasks was not easy. Mr. Smith gives an impression of dour uncommunicativeness; is reserved and has few of the social graces; he reads his speeches in a voice that is as dull and colourless as his public personality. As a person he is courteous, courageous and—within his own limitations—straightforward and sincere, though without any subtleness of mind or depth of intellect. He gives an impression of stubbornness of will and purpose, not entirely offset by his boyish appearance. But he is not endowed with many of the attributes of personality which go to make an inspiring national leader. The uneasy task of building him up has been tackled with diligence. His gallant war-time service in the R.A.F. has been much publicised; domestic scenes of himself with his wife and children have been photographed to convey the image of a

family man; and he has made a series of broadcasts on radio and television designed to keep him in the public eye (though how much benefit he has derived from his pedestrian reading of heroic messages to the nation in front of the television camera must be in some doubt). But he has certainly made some progress at the personal level.

6. The task of building up support in the country has been better executed. It has, I believe, achieved some success. The Government have made no bones about where they stand. There has been a large number of political meetings in all parts of the country addressed by members of the Cabinet, and many of them by the Prime Minister himself, at which the Government have hammered away at three themes. First, that they were not going to give in to the demands for rapid African advancement. The second, that the cause of all Southern Rhodesia's troubles was international Communism, and third, that the Government were determined to obtain independence on their terms, by negotiation if possible, but if necessary by other means. There is no doubt that this is what a great number of the white electorate want to hear, particularly the large artisan class, which sees itself the first to be threatened by African advancement, and the still considerable South African element in the white population. The applause of the faithful at these meetings has been tumultuous, and perhaps intoxicating.

7. Behind these heady rhetorical flights in public, whose extravagance tends to increase at each successive meeting, there are a series of indicators of the Government's uncompromising Right-wing attitudes. These are perhaps exemplified in their criticisms of the Press as 'biased' and their undisguised pressures on Press, radio and television to report favourably for the Government. Ministers and others look enviously across the borders to South Africa, are sedulously cultivating their South African ties (without apparently much success in terms of their political ambitions), and have recently imported two South Africans of notoriously rigid racial views to work in the Government Information Services.

The opposition to the government

8. Against this highly organised manipulation of European fears and European self-interest, the official Opposition have had little to offer. Sir Edgar Whitehead, never noted for any charismatic qualities, is regarded even by many of his supporters as a spent force in terms of national politics. The Rhodesia National Party do not believe they could win an election against the Rhodesian Front at the present time and are all too conscious that in the present mood of the white electorate, any nailing of their multi-racial colours to the mast will drive even more voters into the opposite camp. Two African members of their parliamentary party have left it and others are believed to be uncertain whether to continue. The wave of party political meetings organised by the Government has gone unchallenged by the Opposition, who appear to be modelling their conduct on that of Brer Rabbit.

9. The split in the Rhodesian Front which led to Mr. Field's replacement by Mr. Smith raised hopes that some new political combination might now be formed, bringing new blood into the political arena and possibly some of the former Federal politicians, backed or led by Sir Roy Welensky, which would stand a chance of unseating the Government and which would lead the country along a more moderate path. The search for such a combination still continues. Had one existed at the time Mr. Field received his *congé* it might have been able to

capitalise on the temporary disarray on which the Rhodesian Front found itself and have come to power. But the Opposition were in equal disarray. Since then the Government have been diligently consolidating their position, and will now be much harder to overthrow.

10. The degree of opposition to the Government and its policies should not be under-estimated. So far as the Europeans are concerned, it embraces most of the upper echelons in the world of commerce and industry, the professions, many of the civil servants, and so on. In many responsible quarters there is a great deal of heart-searching, and much agonising debate on how a way forward can be found for all races. A group of progressively-minded Southern Rhodesians of all races (including Sir Robert Tredgold and the Mayor of Salisbury) have published their views in a pamphlet, 'Southern Rhodesia—the Price of Freedom'. The recent desperate sally of Messrs. Garfield, Todd and Hardwicke Holderness to London and New York was financed by private subscriptions from a number of worried and liberally-minded Rhodesians. But this section of the population, influential in affairs, and including the most intelligent leadership in the white community, does not represent at the present time, and by itself, a voting majority.

Sir Roy Welensky

11. Sir Roy Welensky's name still carries a great deal of weight in the country—at least to the extent that it is difficult to see how any combination could defeat the Government (always provided they could force or were given the opportunity of an election) without his support and active participation. And it is hard to imagine his returning to active politics other than as Prime Minister.

12. How likely is this? Sir Roy is certainly deeply involved in all the back stage consultations which have been taking place and he has, in great secrecy, even had conversations with some of the African Nationalists. But the problems of agreeing a policy which will commend itself to the electorate and which will at the same time be more liberal than that of the present Government are as difficult as the concomitant problems of personality. Who will serve under who? Will Welensky want to bring back the 'old gang' of Federal Ministers? How liberal is he prepared to be? Will Sir Edgar Whitehead step down? Can any of the present Rhodesian Front M.Ps. be weaned away from Smith and into the new party? All these questions remain at present unanswered. Activity on this front has slackened very considerably since Sir Roy Welensky's departure for Europe. It can be expected to reactivate very quickly on his return, and with the reassembly of Parliament due some time next month. But the outcome remains unpredictable.

The African outlook

13. The Africans remain twice divided. As regards the Nationalists the breach between Joshua Nkomo People's Caretaker Council (P.C.C.) and the Rev. Sithole's Zimbabwe African Nationalist Union (Z.A.N.U.) remains unhealed. Z.A.N.U.'s fortunes have dwindled and it is the P.C.C. which still commands the mass following: but at last month's Conference of Z.A.N.U. the party reaffirmed their determination to remain separate and showed more vitality than had been expected. The African Nationalists themselves remain divided from the more conservative sections of the African population, amongst whom there is resentment at the Nationalists' spoiling tactics. In touring the country one constantly encounters instances in which non-

political Africans anxious to participate in modest private or governmental endeavours for their own education and advancement become the targets for Nationalist intimidation. The restriction of Joshua Nkomo and of large numbers of the African Nationalists has been widely condemned by world opinion, and by liberal opinion in Southern Rhodesia. But these strictures have little effect on the Government who can point to the sharp reduction in incidents of violence co-terminous with the restriction orders—and would have wide public support in so doing. A small number of detainees have already been released from the Wha Wha restriction centre and it remains to be seen how long the present comparative calm can be sustained. All indications are that the African Nationalists themselves are thinking increasingly in terms of violence as the only means open to them of promoting their political objectives. These last remain as intransigent as ever—Britain must call an immediate constitutional conference to arrange for immediate independence on a ‘one man one vote’ Constitution. The absence of any public indications that the Nationalists would entertain a more gradual approach towards majority Government strengthens the Government’s hand in maintaining that without independence (when the Africans would be forced to treat with the Government) African Nationalist intransigence will continue in the expectation that Britain will in some way use her remaining powers to hand Southern Rhodesia over to the Nationalists on a plate.

The economy

14. Such is the present political scene. Economically the country is holding its own. Except in the building and allied sectors, the general level of internal economic activity is surprisingly high and most internal commercial houses and industries have had a very good year. Tobacco prices have been disappointingly low, through the farmers’ own fault in producing far more than they were advised to, and maize, cotton and cattle have been hit by the dry summer and consequent near drought. The low veld development area (chiefly sugar) has made astonishing strides. The forthcoming Budget will have to be very stringent, and the Government have a difficult debt maturity problem over the next years as a result of the inheritance of their share of the Federal debt. They are relying on assistance from Britain to bridge this difficult period. And they are in need of capital investment both in the private and public sectors, if development is to continue and the economy not to stagnate.

Present political attitudes

15. Nevertheless all immediate issues are political. They fall into two categories—the general issues of internal policy, and the issue of independence. And in these two categories, the white electorate divides differently. I described the general attitudes of the European population in my despatch No. 1 of 17th January, and I do not think these have undergone any substantial modification. East African difficulties and events in Zanzibar—in which all evidence of increased Russian and Chinese activity is prominently reported in the local Press—have undoubtedly moved uncertain opinion to the Right. There is probably a numerical majority of the white electorate who would favour a policy of maintaining white supremacy on the lines of that preached by the present Government. But in an election or in any realignment other issues come into play, the chief of them being independence.

Independence

16. The emotional self-righteous claim to independence after 40 years of self-Government, and with independence assured for Nyasaland and Northern Rhodesia, affects almost all white Rhodesians. They began to divide first on the issue of whether it is wise to press for independence in present conditions; secondly, whether such pressure should be accompanied by concessions over racial discrimination and the franchise; and thirdly whether, if independence cannot be obtained by negotiation with Britain, it should be taken unilaterally. The commercial and financial community would like to see the independence issue shelved. The Parliamentary Opposition would be ready to consider concessions in return for independence, and are convinced that a unilateral declaration would be disastrous. Many middle-of-the-road Europeans, not actively concerned with politics (and who might normally vote Rhodesian Front in an election), are equally convinced that a unilateral declaration would be folly, and so is a small but important section of the Rhodesian Front itself. These attitudes are however contingent on Britain continuing scrupulously to observe the convention of non-interference in the country's internal affairs. There seems little doubt that any direct attempt at intervention, such as the amendment or suspension of the Constitution unilaterally by the British Parliament, would unify almost all white Rhodesians behind a declaration of independence.

17. Without such a catalyst the present Government must weigh its chances of a successful declaration of independence very carefully. Many of their more vociferous and insistent supporters urge them to grasp this nettle and discount or damn the consequences. But not only are there a sufficient number of their own party opposed to unilateral action in cold blood to make it impossible to give any sort of Parliamentary cover or suggestion of legality to such a declaration, but also many powerful elements in the country—the Governor himself, the senior officers of the army and air force (though not necessarily of the police), Sir Roy Welensky, the Judiciary—are known to be strongly opposed to it. The Government must therefore calculate whether they could take this action without provoking something perilously close to civil war.

18. If the Government have taken any decision on this issue, they have kept it closely to themselves. The air in Salisbury is full of every kind of rumour and everyone has his own inside information. There are those who know for certain that the Government is going to declare independence on the 4th or 6th July. There are those who are absolutely satisfied that if there is to be a crisis of this kind, it will not come before October when the British General Election and the independence of Northern Rhodesia may bring nearer the moment of truth. Ministerial speeches and indiscretions maintain an atmosphere in which they are committed to nothing and might do anything. My own belief at this time is that they have not as a Government made up their minds. They are under the strongest pressure from behind, and cannot politically do less than stump the country and say what their supporters want to hear. They are also intensely suspicious of Britain. They see our record in Africa as one of appeasement and believe that in our calculations, European civilisation in Southern Rhodesia takes second place to remaining on terms with the Afro-Asians. Our sympathies are supposed to lie with the African Nationalists, and it is a common charge that we regard the Europeans as expendable. I am personally treated with courtesy and consideration; but it is clear that Government departments and the

armed forces have been instructed to be circumspect in their dealings with my office, and the activities of my staff are undoubtedly under surveillance.

The government's strategy and tactics

19. This background of mistrust of our motives and suspicion of our intentions, coupled with the pressures on the Government to obtain independence at all costs, and an intense parochialism of outlook, helps to explain the present Government's attitudes and policies towards us. In their defensive aspect they are concerned with reinforcing at every opportunity Southern Rhodesia's fully self-governing constitutional status. They are consequently touchy and quick to take offence, *e.g.*, at any apparent derogation from their quasi-independent status implicit in our handling of their affairs. It is this which makes the question of Mr. Smith's attendance at the Commonwealth Prime Ministers' meeting so emotive an issue—and one in which national as distinct from party sympathy is wholly with the Prime Minister. The offensive side of their policies consists in probing our position on all matters at issue between us with, I believe, the dual objectives of encroaching where possible on the sphere of responsibility remaining to Britain, and where they are unsuccessful, collecting in the process material to substantiate a case that we are not concerned with the true welfare of the country; that we put our relations with other African States and with the United Nations before any principles of justice or wisdom; and that we and the rest of the Commonwealth are basically hostile to Southern Rhodesia and her true interests. There has been a probe on the question of independence itself, almost certainly designed for eventual publication, and seeking to establish that there was an unwritten contract when the 1961 Constitution was adopted that if the Federation broke up Southern Rhodesia would automatically become independent. This has been rebutted in the firmest terms. There has in the last few days been a probe on the defence front in terms of Southern Rhodesia's willingness to continue a contribution to Commonwealth defence. The Lardner-Burke motion, praying in effect for the transfer to the Rhodesian Parliament of the powers retained by The Queen, is at present held in damoclean suspense. And annoyance and suspicion are mounting at what seem to Ministers the gratuitous delays in dealing with such outstanding matters as the foreign affairs entrustment, and the question of loan assistance towards bearing the burden of the ex-Federal debt.

20. The Government know perfectly well that there is no prospect of negotiating independence with Britain on their terms, *i.e.*, on the basis of the present Constitution only. (The Government represent their acceptance of this Constitution, negotiated by their predecessors, as an act of reckless liberalism on their part which should be rewarded by the grant of independence. But many of their supporters including several Ministers regard the Constitution as giving far too much potential power to the Africans, and I am in little doubt that if the Government seized independence they would very shortly thereafter amend or rewrite the Constitution in a retrogressive manner.) At recent meetings the Prime Minister has declared that the British Government was not prepared to be a party to any arrangement that did not mean an African Nationalist Government in Southern Rhodesia at the next election, and that there was little hope of negotiating independence. Yet in spite of this clear knowledge that there is no prospect of a negotiated settlement, his answer to those who press him on the independence issue is that he is negotiating and

intends to continue negotiating until all hope of a negotiated settlement is gone; at which stage the Government might be forced to take matters into their own hands.

21. There are only two courses open to the Government—to accept the *status quo* and, without dropping their claim for independence, give up any idea of obtaining it in the near future: or to take independence unilaterally. Against these alternatives, their present actions are susceptible of several interpretations. They cannot at this time, in face of their party's pressure, abandon the claim to immediate independence. They may therefore be paying lip service to it to maintain their political position, while dragging out the so-called 'negotiations' until circumstances make it possible to sell a postponement of independence to their party. Alternatively, they may be preparing the ground for a seizure of independence, without having fixed any date for it, by keeping the issue before the public, by gradually building up their case against the British Government, and by sapping the will to resist of those opposed to such action, all in the hope that the British Government will take some action *vis-à-vis* Southern Rhodesia which will rally the country behind a rebellion. (The same tactics do, of course, serve to prepare for an election, if they deemed one opportune or had one forced upon them.) Or thirdly, they may be proceeding, divided internally as they are, entirely pragmatically, and trying to keep both options open. In this last case, which I suspect may be as near the truth as anything, any final decision is not likely to spring from the determined will of a resolute leader, but will be the resultant of the conflicting forces within the Rhodesian Front, as conditioned by the state of their relations with the British Government.

The outlook

22. This dismal picture offers few signs of hope in the immediate future. I do not believe there is any realistic prospect of a negotiated settlement with a Government so determined to maintain white supremacy and so impregably armoured in self-righteousness. Equally, I do not yet believe that they are irretrievably set on a course of rebellion, though a potential rebellion exists and is being fomented. The timber and tinder are assembled and are being added to, but I suspect that—at least at the present time—the Government would prefer us to put a match to it rather than take the risks and the responsibility of starting the conflagration themselves.

23. It is easy to argue from these premises that to lock up our matches is to follow a policy of appeasement. We are under strong pressure from the Commonwealth and from the United Nations to intervene in Southern Rhodesia. But I do not believe that the long-term interests of Britain, or the real interests of Southern Rhodesia, would be served by the British Government taking action which provoked a declaration of independence. One may come, from spontaneous combustion, and we must be ready now to deal with it if it arises. I will not in this despatch enlarge on the action it may be necessary to take, which is being urgently considered in the Department, and which I hope shortly to have the opportunity of discussing in London. But provided we have not by our own actions united white Southern Rhodesians against us, I believe there is sufficient opposition within Southern Rhodesia itself, and a sufficient recognition of the economic and political dangers to cause the present Government—unless they allow themselves to be carried away on a wave of emotion—to pause before committing themselves to rebellion.

24. We have therefore to face an uncomfortable and uneasy period, while this present Government encompass their own destruction, either by folly or by

attrition. The pendulum swings in Southern Rhodesia as it does elsewhere. A few years ago it swung remarkably to the left. To-day it has swung a long way to the right. I do not believe it will remain there, and I believe the forces are now building up, perhaps slowly and certainly painfully, which may lead to a changed situation in this country. It goes against the grain to suggest that we are at present in a position of stalemate, particularly in face of the renewed pressures we shall shortly be under from the assembled Commonwealth Prime Ministers. But in broad strategic terms I believe we have little option but to sit out the present situation, as we are sitting it out with the Russians, and with South Africa, until the sterility of present Rhodesian Government policies comes to be recognised internally, and until the very substantial forces for good in this worried and uncertain country begin to reassert themselves.

25. This is not to suggest a policy of *laissez-aller*. In tactical terms there is a great deal we must do. The dialogue must be kept going, and no opportunity lost of manoeuvring the Government out of an attempt at rebellion. The progressive forces within the country must be kept nourished, as must the goodwill and trust in Britain which still obtains, or is latent, among large sections of the population of all races. Our recent offer of substantial help to the University College, on the basis of which the Southern Rhodesia Government have been able to assume responsibility for its future, has been widely welcomed as a reassurance of concern by exactly these elements in society. There are all kinds of forces, economic and political, internal and external, which may be capable of greater mobilisation. In short, the holding operation will have to be a positive and diligent one, and our policies will have to be guided—as are our policies towards certain other Commonwealth countries—not solely by our opinions and the actions of the present Government, but also by our hopes for the very different Government which must one day emerge, and by the responsibility which we cannot yet lay down for the future of all Southern Rhodesians.

26. I am sending copies of this despatch to High Commissioners in other Commonwealth countries; to the Governors of Northern Rhodesia and Nyasaland on a Secret and Personal basis, and for the information also of their C.R.O. advisers; to Her Majesty's Ambassadors in Washington, Cape Town and Leopoldville; and to the Permanent British Representative in New York.

383 PREM 11/5048

8 June 1964

[Southern Rhodesia—powers of the governor]: letter (reply) from Sir A Douglas-Home to Sir H Gibbs

Thank you for your Secret and Personal letter of June 2¹ about the problem which would arise if the Southern Rhodesia Government were unilaterally to declare independence.

¹ See 381.

I admire your sense of loyalty to the Crown and your desire to do all in your power to prevent a disastrous breach between Southern Rhodesia and Britain. I therefore want to give you any help I can in the difficult decisions which you may have to take.

Under the present constitution and conventions, the British Government do not give the Governor any instructions or advise The Queen to do so on matters within the competence of the Legislature and the Government of Southern Rhodesia; and, so long as the latter act constitutionally, we must continue to observe the rules.

The guidance that was sent you by the Commonwealth Relations Office was based on a strict interpretation of the Constitution and on the application of normal constitutional practice. But the framers of the Constitution did not, of course, contemplate the possibility that Ministers and the Legislature would deliberately act unconstitutionally and seek to arrogate to themselves powers which belong to The Queen or to the Parliament of the United Kingdom.

In such a situation, for which there is no precedent, I consider that you, as Governor, would be justified in taking any measures which are open to you to secure respect for the Constitution, of which you are the ultimate guardian. If, in that eventuality, you decided to dismiss your Ministers or dissolve the Legislature, on the grounds that they were infringing the Constitution, you could count on the full public backing of the British Government. In the exceptional situation which you envisage, we would regard ourselves as free to take whatever legislative or executive steps might be necessary to validate your action.

I understand that you have already discussed this whole problem with the Chief Justice of Southern Rhodesia. Since your right to dismiss Ministers or to dissolve the Legislature would doubtless be challenged, it would obviously strengthen your hand if, before acting, you had consulted the Chief Justice about your constitutional position. But while the Chief Justice's support would be a great advantage it would not, in my opinion, be essential.

In the penultimate paragraph of your letter you refer to the question of the extension of your term of office. There seems to be some misunderstanding. You were appointed by The Queen, on the advice of the British Government, to be Governor 'during Her Majesty's pleasure', without any fixed term. Your tenure of office can, therefore, be terminated only by The Queen on the advice of the British Government or by your resignation.

We here have complete confidence in you and we feel that, at this critical moment, it is most important that you should continue to occupy this key position. I hope, therefore, that you will put out of your mind any thought of resigning and that, as you say, you will 'see this thing through'.

I am giving careful consideration to your suggestion that the British Government should issue a public statement expressing its opposition to a unilateral declaration of independence. But, before deciding to do so, I want to be sure that this would not provoke the very thing which it is designed to prevent.

Your Government has been left in no doubt about the serious consequences of such a step. In case you have not already seen it, I am asking our High Commissioner to show you, in confidence, the message which Duncan Sandys sent to Winston Field

last February,² together with the messages which Field received on this subject from Menzies, Pearson and Holyoake.

If you think there is a serious likelihood of your being placed under arrest, you will presumably make some arrangement in advance to inform us instantly should this happen, and to ensure the publication of any decision by you to dismiss your Ministers or dissolve the Legislature.

You are quite right to make your plans to meet the worst eventuality and to consult me about it. But we still hope that moderate counsels will prevail. In any case, I trust you will continue to keep me informed of any developments and of your own thinking. Our High Commissioner is being asked to give you any help he can and he is of course at all times available to provide a secure channel of communication with us.

With warmest regards and good wishes,

² Reproduced in *Southern Rhodesia: Documents Relating to the Negotiations between the United Kingdom and Southern Rhodesian Governments, November 1963–November 1965* (Cmnd 2807, 1965). The message, dated 22 Feb, dealt with the likely international and Commonwealth reactions to a UDI. It also emphasised that Southern Rhodesia would not be legally independent, and that with Southern Rhodesia effectively in a state of revolt, Field's expressed wish to retain a special relationship with the UK would not be possible because HMG would have no official dealings with Salisbury. An extract from the message is reproduced in Elaine Windrich, *The Rhodesian problem: a documentary record 1923–1973* (London: 1975) pp 201–203.

384 DEFE 32/17, DP 83/64(Final) 19 June 1964 **'Operations in Central Africa': report by the Defence Planning Staff of the Chiefs of Staff Committee on the introduction of UK forces into Southern Rhodesia¹**

Introduction

1. In October 1961 the Commander-in-Chief Middle East prepared plan LANGTOFT for Military Assistance to the Federation of Rhodesia and Nyasaland on request to counter an external threat. This plan arranged for the reinforcement of the Federation by up to one brigade group with provision for a second brigade group if required, and allowed for the use of all LRT aircraft of Transport Command. We agreed that this plan could also serve as a basis for possible internal security reinforcement but this fact was not disclosed to the Federal authorities.

2. With the dissolution of the Federation plan LANGTOFT was cancelled, and since that time we have had no plan for the introduction of British forces into Southern Rhodesia.

3. However, circumstances could arise, especially near the date of the independence of Nyasaland (Malawi) on 6th July 1964, when the Southern Rhodesian

¹ In view of the sensitivity of the subject this study was written without consultation with Service or Political Depts. For the same reason distribution of the paper was strictly limited and no copies were sent to the commanders-in-chief who might be concerned. Sections in square brackets are manuscript amendments to the typed original.

Government might make a statement declaring their independence unilaterally and when a request for British armed assistance might be received from the Governor. It is therefore timely to consider in outline a plan for the introduction of British forces into Southern Rhodesia in these circumstances and to examine the consequent implications.

Aim of the paper

4. To set out an outline plan for, and to examine the implications of, the introduction of British forces into Southern Rhodesia at the request of the Governor in circumstances when the Southern Rhodesian Government declared independence unilaterally.

Assumptions

5. We have been given the following assumptions:—

- a. The operation will be at the request of the Governor.
- b. The Governor is assured of the support of the senior Rhodesian service commanders and of the bulk of the Southern Rhodesian regular armed forces.
- c. The reaction of the territorial forces and police is doubtful.
- d. Inter-racial disorder may occur.

Aim of the operation

6. The aim of the operation as given to us would be to support the Governor of Southern Rhodesia in:—

- a. Maintaining the Constitution.
- b. Supporting the loyal elements of the Southern Rhodesian armed forces and population.
- c. Preserving law and order.

Circumstances of introduction of British forces

7. We would introduce troops into Southern Rhodesia only if requested to do so by the Governor and only when we could rely upon the co-operation of the bulk of the Southern Rhodesian regular forces. [Even in these circumstances, with possible hostility from Territorial and Police, it would place a severe strain on the loyalties and morale of British troops. Intervention in these circumstances, particularly if we met opposition from the Southern Rhodesia Regular Army and the Royal Rhodesian Air Force, would not only place an unacceptable strain on the loyalty of British troops but would also prove militarily impracticable. This situation is not discussed further in this paper.]

Southern Rhodesian Security Forces

Army

8. The Southern Rhodesian Regular Army establishment provides for a total of some 3400 officers and men of which just 1600 are Africans. It includes two infantry battalions, of which one is entirely European but not at full strength, one squadron SAS, signals and administrative units.

9. The RRAF is a very efficient force consisting of one Canberra LB/GA Squadron, one Hunter DF/GA Squadron, one squadron of four Dakotas, one squadron of eight Alouettes, one squadron of 12 armed Provosts, and one squadron of 12 Vampires.

Territorial force (TF)

10. The Territorial Force is virtually all European and about 6500 strong. It is kept at a high state of readiness for internal security operations and has over the past four years been able to operate alongside Regular units in internal security operations. The Regular Army and the Territorial Force are therefore looked upon as one homogeneous force. There are eight Territorial Force infantry battalions, one artillery regiment, and two engineer squadrons, together with signals and administrative units.

11. In the circumstances which we are considering, with the Southern Rhodesian service commanders loyal to the Governor, it is more likely than not that the bulk of the Territorial Force would side with the Regular Forces. At worst any dissident elements within units of the Territorial Force would probably be cancelled out by the loyalists in the same unit. The possibility, however, of one or two complete units, particularly in outlying areas, becoming disaffected, cannot be ignored.

Police

12. The Southern Rhodesian police force has a total strength of about 4000 of whom 1300 are European and the remainder African. The force is well equipped and armed with small arms. The police reserve strength in 1959 was 4500 of whom the majority were European but this number has recently increased and may now have reached 6000.

13. Any unilateral declaration of independence by the Southern Rhodesian Government could result in widespread racial rioting in which the loyalty of the African police to their European officers would be severely tested. The European police themselves might, in the circumstances under consideration, have divided loyalties. It is therefore possible that the Police Force would be ineffective, and some of it might even be actively hostile.

Employment of British forces

14. The main task of British forces would be to help loyal Southern Rhodesian forces to maintain law and order and essential services, both of which could be threatened either by dissident Europeans or Africans, and to assist in upholding the Governor's authority. Apart from these duties British forces must not play any deliberate part in resolving differences of policy between the various factions of European political opinion. However, it is almost inevitable that the situation would develop in such a way that operations against white Southern Rhodesians would have to be undertaken. This would be at the least a most repugnant task for British forces, and the consequent strain on their loyalties is not one to which they should be exposed. Operations against the coloured population might also be necessary and would be likely to have the most serious consequences in other African and Asian countries.

15. The British land forces should initially operate as an entity under their own commander and units or sub-units should not become dispersed in several different areas or under subordinate Southern Rhodesian commanders. Since events are likely

to be centred on Salisbury, it is there that British land forces should be employed, leaving Southern Rhodesian forces to deal with disturbances or threats elsewhere.

Command

16. If British forces were introduced with the objects stated, any action they took would have to be closely co-ordinated with that of the loyal Southern Rhodesian forces. The operations of the British forces could not be satisfactorily directed either from London or by Commander-in-Chief Middle East because there would not be time for local circumstances to be adequately taken into account in what would probably be a quickly changing situation. Conflicting instructions from loyal Southern Rhodesian and British sources could result. The British forces should therefore come under command of the Southern Rhodesian Chiefs of Staff. However, in order to avoid the danger that British forces may be given tasks which could conflict with HMG's policy, any action by British forces should have the covering approval of the British High Commissioner, acting on behalf of HMG. This could be accomplished by the setting up of an Emergency Defence Council consisting of the Governor, the Southern Rhodesian Chiefs of Staff, and the British High Commissioner.

Force requirements

17. On the assumption that the British effort is restricted on the lines of paragraphs 14 and 15 above, an infantry brigade group at light scales is the minimum land force which should be introduced. A lesser force would be a hostage to fortune. Indeed it would be advisable to hold a second infantry brigade group and divisional troops at readiness for further reinforcement if required, although our LRT resources would not permit the movement of this until the initial deployment had been completed. It would also be desirable to provide an armoured car squadron or at least some Ferrets. Should a second infantry brigade be deployed it might also be necessary to despatch a Major General with a small staff to co-ordinate the British effort.

18. In addition we should be prepared to send appropriate military tradesmen and specialists to help in the maintenance of essential services (e.g. operating or repairing the broadcasting station, electricity plant, telephone services, etc.). The precise requirement can only be stated at the time.

19. It would not be necessary to provide offensive support aircraft, but there could well be a requirement for MRT and SRT aircraft to supplement the RRAF transport squadrons.

Provision of forces

[20. By abandoning current rules as to how long units have been in England since their last emergency tour, it would be possible to find a Brigade Group for this task from the Strategic Reserve. Individual reinforcements and minor units would have to be drawn from BAOR together with any additional follow-up units. It is not considered that a BAOR Brigade Group would be suitable for initial intervention. Should this force be committed it will be necessary in view of the depletion of the Strategic Reserve to withdraw one Brigade Group from assignment to NATO and hold it in Germany as available to the Strategic Reserve for IS or a limited war worldwide.]

21. The majority of the LRT resources of Transport Command would be required to provide the necessary lift for one brigade. MRT and SRT aircraft for use in Southern Rhodesia should be provided by Middle East Command, though the use of the MRT aircraft in this way would affect our ability to fulfil our Kuwait commitment.

Entry into Southern Rhodesia

22. The operation would be mounted from the United Kingdom and Germany, and probably through Aden or Nairobi. Our ability to introduce British forces into Southern Rhodesia would be entirely dependent on the availability of a secure LRT airhead with adequate fuel stocks. Because we would plan to use British forces primarily in the Salisbury area, we would require the Rhodesian forces to guarantee the unrestricted use of Salisbury airfield.

Air routes

LRT aircraft

23. The force would be flown from the United Kingdom in LRT aircraft to Salisbury at light scales on one of the following routes:—

- a. UK—Libya—Nairobi—Salisbury (overflying Sudan, Tanganyika and Northern Rhodesia).
- b. UK—Libya—Aden—Salisbury (overflying Sudan, Ethiopia, Kenya, Tanganyika, and Northern Rhodesia).
- c. UK—Cyprus—Bahrein—Aden—Salisbury (overflying Turkey, Iran, Ethiopia, Kenya, Tanganyika, and Northern Rhodesia).
- d. UK—Aden (by either routes b. or c. above)—Mauritius—Salisbury (overflying either Mozambique or South Africa).

24. If it were permissible to overfly East African Territories the direct route from Aden or Nairobi to Salisbury would be used. If none of these routes were usable LRT aircraft might have to be routed via Ascension or, less likely, via Kano.

MRT and SRT aircraft

25. MRT aircraft from Middle East Command could supplement the airlift from Aden, lift Ferrets from Kenya or Aden, and assist in subsequent maintenance, provided they could stage in Nairobi. Otherwise MRT aircraft would have to proceed empty from Aden via Gan and Mauritius for use in operations in Southern Rhodesia. SRT aircraft would best be provided from Kenya and would require staging facilities in Tanganyika and Northern Rhodesia.

Timings

26. It would normally require a minimum of four days to alert and organise the land forces, assemble the necessary LRT aircraft and preposition the slipcrews. Provided this degree of warning could be given and we were able to use the Libya route, the spearhead company could arrive in Salisbury on G+2 days. The whole brigade could be complete by G+10 days. If the direct route to Salisbury could not be used and LRT aircraft had to stage through Mauritius, leading troops could arrive on G+3 days and the whole force by G+13 days.

27. If no warning were received the use of the spearhead company and battalion of the Strategic Reserve could enable leading troops to arrive in Salisbury by G+3 days and the first battalion by G+5 days. However, the subsequent build-up of the force would be delayed, and would not be completed before G+15 days.

28. If the route over Turkey had to be used instead of the Libya route, 24–48 hours would have to be added to the above timings.

Logistics

29. Unless both the use of the direct route over East Africa and staging in Nairobi could be guaranteed, the maintenance of the force would be dependent on resupply by LRT aircraft from Aden. However, it would be reasonable to assume that, as the bulk of the Southern Rhodesian forces would be loyal, British forces would be able to depend largely on Southern Rhodesian facilities for maintenance and supply. We would be dependent on Southern Rhodesian supplies of aviation fuel at Salisbury, and on Southern Rhodesia for heavy transport vehicles.

Effect on other commitments

30. Operations on the scale envisaged in Southern Rhodesia would pose a force requirement which would involve the withdrawal of some of our forces from Germany. The use of the entire LRT forces of Transport Command for the movement of the forces, and possibly for subsequent reinforcement, maintenance, and supply, would severely prejudice our capability for other operations while the airlift for this one was going on.

31. If after intervention in Southern Rhodesia circumstances subsequently changed from those which we have assumed, we could find ourselves involved in a protracted and increasing commitment comparable with that of the French in Algeria. If this were to happen the burden upon our military resources would be unacceptable quite apart from the political implications.

Political implications

32. We have consistently maintained the line in United Nations that we are in no position to intervene in the internal affairs of Southern Rhodesia. Although a unilateral declaration of independence would create a new situation, the introduction of British forces into the country in the circumstances under examination would be a *volte face*, capable of misrepresentation and would arouse severe criticism despite the constitutional legality of our action. Although we would be helping to prevent the achievement of independence by a faction of white Southern Rhodesians and would thereby be acting in accordance with African political thought, the communists would not find it difficult to sow seeds of suspicion among Africans as to our motives, especially if our troops became involved in dealing with inter-racial strife.

Detailed planning

33. Should Ministers decide that there is a requirement for a detailed plan to be prepared for operations on the lines outlined in this study, Commanders-in-Chief Committee (West of Suez) should be charged with the responsibility for the detailed planning to mount the operation in conjunction with the Commanders-in-Chief BAOR and Middle East. Should the plan have to be implemented, responsibility

should be handed over to C in C Middle East who would have to maintain very close liaison with the Governor and the Southern Rhodesian Chiefs of Staff.

Conclusions

34. In the circumstances envisaged in para 7 above and the assumption in para 5, and only on this basis, we conclude that:—

- a. The main task of British forces introduced into Southern Rhodesia at the request of the Governor would be to help loyal Southern Rhodesian forces to preserve law and order and uphold the Governor's authority. To achieve this British forces would best be employed initially in the Salisbury area.
- b. Intervention under conditions less favourable than those delineated is not only militarily impracticable but would give rise to an almost intolerable strain on the loyalties and morale of British troops involved.
- c. The operation would be impracticable unless the majority of the Rhodesian forces remained loyal and could ensure the unrestricted use of Salisbury airfield.
- d. An infantry brigade group at light scales is the minimum force which should be employed for this purpose. It would be advisable to hold a further brigade group and a Major General with a small Headquarters at readiness for reinforcement if required.
- e. The majority of the LRT resources of Transport Command would be required for the operation. MRT and SRT aircraft from the Middle East might be required to supplement the RRAF transport squadrons.
- f. We should be prepared to send appropriate military tradesmen and specialists to help maintain essential services. The precise requirement can only be stated at the time.
- g. The operation would be mounted from the United Kingdom and Germany, probably through Aden or Nairobi.
- h. In the best case, when warning of at least four days had been received, leading troops could arrive in Salisbury on G+2 days and the whole brigade by G+10 days. If no warning were received, leading troops could arrive on G+3 days and the first battalion by G+5 days, but the subsequent build-up to brigade strength would not be complete before G+15 days.
- i. British forces should be placed under command of the Southern Rhodesian Chiefs of Staff, subject to covering approval for their operations by the British High Commissioner.

35. We further conclude that any intervention in Southern Rhodesia:—

- a. Would be likely to lead to operations in which British forces were engaged against some of the white population. Operations which might have to be undertaken against the coloured population could have wide repercussions in other African and Asian countries.
- b. Could be a considerable extra burden on our already stretched military resources, which if prolonged would be likely to increase in scale and become unacceptable.
- c. Would be a volte face from recent policy statements and could lead to severe international criticism despite the constitutional legality of our action.

385 PREM 11/5049

29 July 1964

[Southern Rhodesia]: inward telegram no 991 from J B Johnston to Sir A Snelling on the issue of independence

[One of the arguments behind the Rhodesian Front government's demand for independence was the claim that Sir Edgar Whitehead had negotiated the 1961 constitution on the basis of an understanding that, should the Federation break up, Southern Rhodesia would be granted complete independence (PREM 11/5049, Smith to Douglas-Home, 6 May 1964).]

Your telegram No. 1331.

I saw Whitehead this morning. He asks strongly that no reference be made to his conversation with Commonwealth Secretary in correspondence with Smith and that it be left to him to make his position clear at this end as necessary. He would see no objection to Prime Minister suggesting to Smith that if there is any doubt in the matter Smith himself should consult Whitehead.

2. Whitehead's reasons for this attitude seemed two-fold:—

(i) He said there was no agreed record of his conversation with Commonwealth Secretary and that a wrong turn of phrase in adverting to it could put him in great difficulties here.

(ii) While he agrees there was no commitment to independence if the federation broke, up he believes it would have been the British Government's intention to grant independence in those circumstances but for this fact that the growth of world pressure against Southern Rhodesia from 1962 onwards made this impossible for them. He said he had asked Lord Home in 1960 whether Southern Rhodesia would not be given independence if the Federation broke up and Lord Home had said he supposed that British Government would have to grant it.¹ This was a casual remark in a private conversation which was certainly not a commitment but which Whitehead regarded as indicative of British intentions at that time. He had adverted to this remark at Chequers during preparatory discussions with Mr. Macmillan about review of Southern Rhodesian constitution. Welensky had said Lord Home could not possibly have made this remark but Lord Home had admitted to it. Whitehead also said he thought it possible that someone might dredge up remarks made by him during referendum campaign on 1961 constitution not in any set speech but perhaps in reply to questions at a meeting to the effect that he assumed that if the federation dissolved Southern Rhodesia would get independence. His general line at that time had been that independence would come to the federation so that thereafter Southern Rhodesia's position would be like that of Victoria or New South Wales vis-à-vis Australian Government.

3. He is clearly anxious to be extremely careful what he says and what is attributed to him though he did not demur from the propositions that dissolution had not been discussed in 1961 and that the British Government gave him no

¹ Douglas-Home commented here, 'I can't remember this but if he was talking in terms of a break up of the Federation I might have said it'.

explicit undertaking about independence. Against background in paragraph 2(ii) above, he was less certain whether he could commit himself to the absence of any implicit undertaking: he repeatedly argued that if the federation had broken up earlier and before the international pressures on Southern Rhodesia began to mount it would have been the British Government's intention to grant independence and that they would have been able to do it.

386 DO 183/459, no 1

30 July 1964

[Northern Rhodesia—readiness for independence]: letter from J A Molyneux¹ to N D Watson

Conscious of the Foreign Office practice to send a preliminary assessment about one's post within three months of arrival, I should like likewise to try and describe the general situation here as I see it, and to make some outline suggestions for fields worthy of consideration. I write demi-officially in case I should be inadvertently commenting on any personal reports by the Governor: I also recognise we must write from different standpoints. But I also feel such an assessment may be timely in connection with your discussions with the Treasury over Northern Rhodesia's application for Financial Assistance against the next round in September.

2. My outstanding impression is of the enormous gulf between the indigenious population (of about 3½ million) and the European elements (totalling some 70,000) in terms of their education and association in time, background and interests. The Asian element is too small to be significant. Unlike other parts of Africa it is barely a hundred years ago since the Africans had their first contacts with the Christian world of the European, while contact with the Islamic world of the Arabs was confined to the incursions of the slave raiders, and these had only reached the northern and eastern fringes; there had been virtually no trading contact with either world. Secondly, these tribes were themselves the weaker brethren of their more virile neighbours to the north and south and had fled from them into what was virtually a political vacuum. Comparatively speaking, therefore, the main tribes (Bemba, Ngoni, Luo,² Lozi) are of inferior material out of which to build a nation, but they may be the more malleable and responsive to leadership.

3. On the European side there are three main groups each of whose main purpose and interest varies with the other. The Government with high paternalistic purpose has successfully achieved a high degree of Administration law and order but broadly this is superimposed over the existing African village society it found. The missionaries saw their duty to promote their code of ethics without too much heed for the economic consequences. The settlers and traders (including the big copper companies) have looked to Government to insulate them from local pressure and have cut themselves off from the local inhabitants except in so far as they provided a source of cheap labour. We are now reaping the fruits of the settler insularity of outlook. Fortunately commerce has in the main been more progressive. Even so, bearing in mind the historical development of the territory from the south and its

¹ Special adviser to the governor of NR, 1964; deputy high commissioner, Zambia, 1964–1966.

² Apparently a confusion with the Lunda.

facilities for holidays, education and as a source for wives, it is hardly surprising that over half the total European population should continue to have strong ties of sentiment and kinship south of the Zambesi, even though there is some attempt to camouflage it.

4. In Northern Rhodesia, therefore, there is virtually no middle class of indigenous artisans and traders as in West Africa or similar class of Asians as in East Africa who constitute a potential elite. The main contact with the outside world came at the heyday of imperialist expansion and history has provided virtually no bridge between the two races. Moreover, development lay in a series of farms along the line of rail leading to the artificially highly industrialised copper mining complex in one small area. The rest of the country on either side was barely touched and its economic cleavage reflects the racial cleavage.

5. It is with these human assets that Zambia faces the future. It has been independently assessed that she needs: 4,000 administrative and technical personnel, 15,000 middle level personnel (for Government, Commerce and Industry) a broad total of 19,000 of 'O' level standard or above. How many Africans are there to meet this demand? On 1st January next there will be a hundred African graduates, 1,500 with 'O' level certificates and 6,000 of Form II level (say Public School scholarship standard). Below this tiny pyramid the base broadens dramatically with 36,000 of Standard VI (say the equivalent of our Eleven Plus). Even these dismal figures are misleading. A recent selection board among 'O' level Certificate holders for pilots and ground crews for the Northern Rhodesian Air Force failed to produce a single African with sufficient potential aptitude to make the grade. Educationalists say that a poor command of English and a lack of facility with basic mathematics are the two main obstacles preventing even this elite from benefitting from further education. With Government, Industry—for obvious political reasons—and Commerce all competing in this tiny market it is hard to see how sufficient numbers can be kept back to train up into the teachers Zambia needs for the morrow if this picture is ever to improve. One leading educationalist here estimates that even with crash programmes aimed at surmounting these obstacles there can be no significant change before 1970. Is it an over-statement to say that no British Colony has previously been given its Independence with such a deficit of local trained manpower?³

6. I am conscious that some effort has been made by the D.T.C. to meet this challenge. I also appreciate the claims on them from other Commonwealth countries. But how far are we prisoners of our own policies? Out of 672 resignations in the Public Service to date, over 530 are from officers on O.S.A.S. terms out of a total of 1,450—as against 101 non-designated officers out of a total of 560 and only 37 'Ex Federals' out of a total of 800. Have we made too attractive the chance to take the 'bird in the hand'? In our pursuit of equity of principle have we sufficiently adapted those principles to the particular requirements of a particular territory? This is not the occasion for me to argue about the merits of O.S.A.S. It is, however, a fact that the non-designated officers, bitter about their inferior lot, not only threaten to cause the Government machine to come to a halt—a mass resignation of accountants in the Ministry of Finance is threatened—but even more seriously are

³ Watson commented, 'I think it is an over-statement—I doubt if NR is much worse off than any of the E African territories.' His colleagues added 'or Northern Nigeria' and 'or Malawi'.

compromising the whole relationship between the expatriate civil servant and his African Minister, no matter how justified are the criticisms levelled against the latter for the way they have handled these issues.

7. Further strains will be thrown on the Government machine by its plans for dismantling the Colonial type administration and replacing it with one more consonant with African dignity. On the credit side it is hoped to avoid the pitfalls experienced in other parts of Africa. It is inevitable, however, that with so few trained people to call on, coupled with the pressure of the ruling party for jobs, it will take the Government all its time to keep the administration going let alone undertake the tremendous development programmes for the countryside which are now being drawn up in detail. The Government are very conscious of the need to retain all their ex-patriate officers they possibly can. Already they have offered more inducements than any other Commonwealth country, and are considering going still further, in the way of offering attractive contracts. It behoves us to recognise this effort by going out of our way to help all we can. How long Zambia will continue to look to us is at present within our control. But it is not a position we can afford to take for granted. To preserve its unaligned position the Government is going slow over offers of American help lest it be forced into accepting counter balancing numbers of Communist experts. This places a special responsibility on Britain and the smaller countries of the Western world, but particularly on us. For we alone have permitted the incredible speed of constitutional development, which has brought on these responsibilities without having ensured that there were enough trained people to bear them.⁴ We must not therefore let our policies prevent us recruiting the executive staff Zambia so desperately needs.

8. The economic side in purely financial terms is much brighter. Few Finance Ministers in Commonwealth countries in Africa can have gone into Independence with an estimated budget surplus of £10M. At the same time, we should not be deluded by this Aladdin's Cave of apparent wealth. Before the war this was a backward area and most of it still is. Some development has been made possible by the post war boom in metal prices, but it is precariously based. At present, minerals produce about 96% of this country's export earnings but their extraction is dependent on coal from Wankie, power from Kariba and on a railway which transits two non-African territories apart, of course, from the European management. Of these the first is the most important for there is no real alternative source of coal. If the mines were ever to close because of an interruption of supply they would never re-open—Sir Ronald Prain has, I am told, said so flatly to Dr. Kaunda—the producers of aluminium would see to that. Nor would the construction of a third railway route through Tanganyika—politically attractive though this is to Africans for normal import/export traffic—break the stranglehold for Southern Rhodesia. Its construction would merely mean two uneconomic railway systems instead of one. Even so, we should recognise that this issue of railways threatens to become Zambia's 'Aswan Dam'. If we are to keep this country from being overtaken by Communists and reduced to an economic shambles we must treat this as a political issue. The days are probably past when we might have turned this pressure by

⁴ Watson commented, 'Those who demand independence at their pace rather than ours cannot necessarily expect the best of both worlds.'

concerted effort by the Western world to develop 'a line of road' to the North East rather than a 'line of rail'; the Government regard themselves as committed in principle, and to the people. Dr. Kaunda himself sees this link with East Africa not in terms of this decade or as an alternative to the Beira route—he believes the Portuguese and S. Rhodesia regimes will change into African majority regimes by the time it could be built; rather he sees it as another arterial line of development essential both for Zambia, and Southern Tanganyika, and for Pan African communications in the decades ahead. He will not be put off by the economic arguments of today. If the West fail him, he will turn, with reluctance, to the East. On this issue, if on this alone, we should recognise the visionary aspect of the Prime Minister. We should not therefore set our faces against the proposal but rather try to dovetail it into the wider problem of Zambia's overall transport need.⁵ This is I understand the I.B.R.D.'s approach but I have no details.

9. Linked with this desire for a 'safe' route to the sea is the desire, all too familiar in Africa, to diversify the economy by industrialisation. The field at present for such expansion is, as every business man knows, and the Ministry of Commerce recognises, extremely limited. With one or two exceptions, such as cheap clothing, hollow ware, bicycles, sweet making, the local market is too small. To go ahead in most other fields behind a barrier of protective tariffs is merely to produce a series of white elephants and a dramatic increase in the cost of living.

10. Since the copper companies have absorbed all the manpower they can and if there is then so limited a field for industrial expansion, the only sector left for development, if the country's purchasing power is to be increased, is agriculture. The European settlers have shown what can be achieved by improved farming methods. But if this Country's agriculture is to be raised from its broadly subsistence level, it is essential for development to be concentrated only in those areas where there is real promise. There are plenty of lessons to be learned from elsewhere in Africa. The development in the Eastern Province, however, has shown what can be done. My own feeling is that if we could make a major effort in one area of promise by getting together a team of all the necessary experts—perhaps with some drawn from the Commonwealth, and in the spirit of the last Prime Ministers Conference—we could make a demonstration of support and interest in this country of far greater value and significance than by the dissipation of our resources into a wide variety of fields.⁶ Such a venture would need to be backed with adequate capital resources for the basic infrastructure and will, I know, have little attraction to our own commercial interests. But now is the time to start thinking seriously about such issues—before the expatriates have left and the Government machine begins to creak, and perhaps even more important, while there is the initial flush of enthusiasm among the local people, generated by Independence.

11. So far I have dwelt on the internal scene and even then only selectively. Many of Zambia's other problems such as the drift to the towns with all its implications for unemployed youth and its opportunities for political exploitation, the migration of labour to other countries, the bewilderment of the African at contact with European culture and civilisation will be familiar to you and are to some extent implicit in what

⁵ Watson commented, 'Yes—if that is the way of discouraging an unviable proposition!'

⁶ Watson commented, 'There is a thought here—of concentrating any development aid we may give in this sector.'

I have said. But to balance this internal picture there are some points I should like to mention on the external side.

12. Zambia's prime need at the moment is for peace and time to tackle her internal problems. She is beset, however, by trouble-some neighbours. To the North, for all Tshombe's manoeuvring, chaos threatens in the Congo with the implication for Zambia of having to absorb some 60,000 co-tribalists from Katanga. On Southern Rhodesia to the South the Governor has written to you separately. Equally in the Portuguese territories to the East and West there is no prospect, I understand, of an African majority regime in sight. Zambia is already under pressure from both Ghana, East Africa and others to embark on suicidal policies in the name of Pan-Africanism. It is an open question which will ultimately triumph in this country, emotion or reason. Again, the rival Blocs each anxious to have the country in their respective Cold War camp have started jockeying for positions. The common factor in each case is that the policies of all these countries directly affect Zambia. But race riots in Harlem, incidents in Salisbury or South Africa or the Fascist attack on Kenyatta coupled with stories of hooliganism in British sea-side resorts all in varying degrees tarnish the Western image and enhance the prospects of racialism developing here. Such is the fare of those who read the papers whether they be Europeans or Africans and the cumulative effect must be deplorable in both audiences. In either case they play into the hands of the extremists.

13. In all this H.M.G.'s reputation is none too good. As you know, the African case for financial aid is that this is 'justice money', sought in return for the £70M we are held to be partly responsible for Zambia paying for the doubtful privilege of membership of the Federation. This is the view not just of African politicians but of all the top economic experts and they point, perhaps with some justice, to the lack of progress in this territory during the last decade over the building of schools just as much as in the siting of new industries. I touch on these familiar topics because whatever may have been the attitude towards Britain of other Commonwealth countries on the eve of their Independence, the fact is that we are here at the moment on trial. And our response will be regarded as a measure of how far we are prepared to make amends for all the other slights which rightly or wrongly are thought to have been administered to this territory for one reason or another. The argument that there is no need to do much 'because she is rich' is fraught with danger. Experience elsewhere tends to invalidate the proposition that it is possible to buy political goodwill. My own view is that this country's case could be the exception to this rule. The amount of financial aid which can be absorbed is strictly governed by the paucity of sufficient trained people. I hope, therefore, we can not only afford to be generous but show a willingness in principle to provide more when it can be absorbed. In short the presentation of our answer will be almost as important as its substance. It will be better received if we can avoid a direct rebuttal of the premises of the N. Rhodesian case.⁷

14. I have consciously left to the last what could be the most troublesome problem of all, namely the B.S.A. Company; and this for two reasons: firstly because it is not yet officially an issue between our two Governments and secondly because it is not covered in Zambia's financial application. You are better able than I to judge

⁷ Watson commented, 'Yes—but we cannot base our aid policy on NR's 'requitual' premise—even though we have to take into account the political climate to which it gives rise.'

the position what are the prospects for an out-of-court settlement but perhaps you share my view that if we are niggardly over the 'golden handshake' we shall *a fortiori* merely encourage Zambia to be less generous towards recompensing the Company.⁸ Certainly we shall be in a weaker position to exercise any influence over Ministers here on this delicate issue.

15. And this brings me to the final question which must hang over every issue and that is the personal position of Dr. Kaunda. Next month he should get the formal endorsement of his Party as its Leader and as the future President of this country. And this should help him in his problem of asserting his primacy over his Cabinet colleagues. They will, however, be no easy team to handle. Almost every one of them is a sturdy individualist, a proven fighter and some have already formed undesirable associations. On the other hand most have shown a surprising capacity to measure up to the responsibilities of office. Zambia is fortunate in having a leader of Dr. Kaunda's calibre; but the responsibilities will tax him to the full. It is in our strongest interests to help see that he is not over-taxed and this will call for considerable tactical skill on our part to be forthcoming when we should, and equally not to appear to be running after this country, when we should be better advised to trust it to make the running.

16. To sum up, my main impressions are as follows:—

(a) There is an enormous gulf between Africans and Europeans, for which the latter are largely to blame.

(b) It will be many years before enough Africans can be trained to carry the responsibilities of an Independent Government. We cannot and should not shirk from our duty to do everything necessary to bridge the gap. This is the cult [?crux] of all her problems and it is urgent.

(c) Zambia's present prosperity is insecurely based and vulnerable. Her capacity to absorb capital is limited by shortage of trained personnel and the small purchasing power of the bulk of the population.

(d) But her need for development is urgent and the belief that she can finance it all from her own resources is illusory and dangerous. We should respond both in form and substance generously to her application for financial assistance.

(e) The international fight for control of Zambia is now on. We should be wise to recognise the force of the Government's expectations of Britain, even if we do not altogether agree with them.

(f) Whatever the economic or commercial objections there are big political dividends to be reaped by us making a major effort in the agricultural sector and, in concert with our Western Allies, by helping to build the rail link to Tanganyika—Zambia's 'Aswan Dam'—which the Government are now committed to undertake.⁹

(g) If we falter now we will prejudice our future position here. We must back Dr. Kaunda, but be skilful how we do so.

17. I am copying this letter to Fingland in Salisbury and Cole in Zomba.

⁸ Watson commented, 'Au contraire, the 'golden handshake' may have to depend on how NR behaves over Chartered.'

⁹ Watson commented, 'It may be politically difficult to play this, but we certainly cannot jump straight into the deep end of two unprofitable railway systems.'

387 DO 183/293, no 12

12 Aug 1964

[Visit of Mr Smith to London]: letter from J B Johnston to N D Watson

I wonder if I can send you some first and probably not very well digested thoughts about Smith's visit, now that he has accepted.

2. I have had an off-the-record talk with Barney Benoy¹ in which I tried to sound him about what was in Smith's mind, in particular in his reference to the need for 'firm conclusions for submission to our respective cabinets'. I asked if this meant Smith wanted to come back with some document, or what? Benoy quite solemnly assured me that Smith really believes there is a possibility that he and the Prime Minister can, between them, produce some formula which would enable Southern Rhodesia to become independent on terms acceptable to the present Southern Rhodesia Government. Benoy said he told the Prime Minister that he thought there was no chance of this at all, and Smith simply accused him of being a pessimist. Benoy rejoined that he was not a pessimist but a realist.

3. I don't think Benoy was making this up: and I am afraid it illustrates all too clearly the simple-minded and uncomprehending character we have to deal with, and how important it will be, in preparing for the talks with Smith, not to underestimate his political naivety. I do not quite know what is the right adjective to describe his political approach, but I think it may be 'schoolboy'. His appearance is boyish, to start with, and there is a Boys' Own Paper ring about his periodic references to the flag and to singing God Save the Queen. There is a mixture of schoolboy stubbornness, cunning and imperception about his speeches, press and television interviews, (many of which contain flagrant self-contradictions or obvious misreadings of the Constitution). I was very struck with this during the session I had with him over dissolution costs: the arguments he deployed against Southern Rhodesia's paying her share were quite childish and often quite contradictory. (It was a great temptation to point the latter out: I knew however that he was just going through the motions before agreeing to pay, so made my points and left it at that).

4. I think therefore that there will have to be some process of political education carried out with him in London—either as an opening exercise, or in the course of discussion—before anything sensible, and which does not simply represent his own *idéés fixes* in another guise, can possibly emerge. I am afraid you will find that it takes a lot of patient argument with him to get points across which involve any change in his own hermetically sealed ideas. As you know, we are preparing for background purposes an illustrated catalogue of the more flagrant errors and illusions, which I will be sending in the next bag (15th).

5. It seems to me that his reference to firm conclusions for submission to the respective Cabinets probably means finishing up with a piece of paper, so that in a sense we have to address ourselves, as over the Commonwealth Prime Ministers' meeting, to what sort of final document we want to emerge. Even if your feeling is against ending up with some special document, I would like to put in a plea for the production of some *agreed* record of the conversations. Half our troubles in the past have been the result of discussions in London of which there has not been an agreed

¹ Permanent secretary, External Affairs and Defence Dept, Southern Rhodesia.

record, and which both sides have interpreted differently. After Field's visit earlier this year, for example, we produced records for our own use only, and Evan Campbell, who sat in on all the talks, produced a Southern Rhodesian record. Field once showed me a little of Campbell's record in connection with a point we were subsequently discussing and I was horrified at the discrepancy between it and our own records and particularly by the quite unjustified glosses which Campbell had written in to his account of the proceedings. I could not do anything about this because I was not allowed to show our records to Field. But with so much turning on Smith's forthcoming visit I feel most strongly we must avoid another situation like this and finish up either with an agreed summary of the ground covered in the conversation, or agreed records of the conversations, to which both sides can then refer in subsequent dealings. If we do not do this Smith may well come back and attribute all sorts of opinions and views to us in ways that would be most unacceptable, and we would then face having to correct his statements publicly. I think we have also got to face the fact that Smith will not give any guarantee to keep the substance of the talks to himself or to regard them as entirely confidential and not for publication. It would be politically impossible for him to accept such a limitation, and in any case as you know we believe his purpose has been—as evidenced in the recent correspondence—to build up a dossier of some kind for eventual publication if he has 'to put the pros and cons before the electorate'. I think we must accept this, and recognise that our best weapon is not to try and extract promises from Smith which he cannot give and would not keep, but to ensure that the content of any documents emerging is such that publication would do him no good at all politically.

6. As regards the actual conduct of the talks, it seems to be Smith's idea, so far as I can gather from Benoy, that they will be between Smith and the Prime Minister, with Smith operating on his own. As I mentioned in a recent telegram I know privately that he is taking Benoy to Lisbon but is not disposed to bring him on to London, despite Benoy's saying he thought he could be of help to him. His attitude was that he did not need any help in the talks with the Prime Minister. I should be surprised if he even brought Evan Campbell into the talks, because he cannot fail to be aware of how out of sympathy with him politically Campbell is, though I suppose it is possible that Campbell might be able to insist that as High Commissioner he ought to be present. Benoy was very anxious to come on to London with Smith both because he thought he might be able to exercise a little influence, and in order to see Campbell and Peter Snelling, and he has not given up trying. If it turns out that we are able to offer the whole party Government hospitality this might do the trick for him.

7. As regards the general substance of the talks I am wondering whether it is not possible to begin by proposing some kind of review of the whole situation in all its aspects, so as to establish between the two Prime Ministers as it were an agreed set of factors of which account must be taken before going on to discuss the future. It might even be desirable to produce at the outset a list of the aspects of the problem which we felt it necessary to discuss with Mr. Smith. These could include points on which we wanted Mr. Smith to speak, and on our side we could work in points arising from the Commonwealth Prime Ministers' meeting which we are bound to raise with him, release of detainees, constitutional conference, etc., as well as points from our list of errors and illusions. This could be represented as a preliminary ground

clearing exercise, and could include the most severe warnings about unilateral action.

8. The real problem is where do we get to after that. If we are proceeding on what seems to me the realistic assumption that we cannot reach an accommodation with Smith and have simply got to pursue the most advantageous holding policy until (a) after the British General Election and (b) affairs in Southern Rhodesia have brought about Smith's downfall, then our objective must clearly be to avoid these discussions bringing the matter to a final head. That is, we will have to project the problem a bit further in time so that Smith does not return in conditions which will enable his hard core to urge an immediate declaration of independence. Getting to such a point involves firstly putting the wind up Smith in a big way about the consequences of a unilateral declaration, and secondly finding a device or formula to get him off his own hook. I wonder whether our own general election cannot be used in some way to establish that Smith would be wrong to choose a point shortly before the emergence of a new Government in the U.K. as the point of no return. It might be possible if some impact had been made on Smith's thinking to get agreement that the next step after reflection at both ends on what had emerged in these talks was further discussion with the new British Government when it appeared. You are no doubt also considering the point that came up when I was in London about whether it was possible to introduce a new criterion for the grant of independence, e.g. that independence would be granted in response to a request for it backed by all sections of the population in Southern Rhodesia, their support being determined by what was mutually agreed to be a fair test. There have been a few signs that Smith is growing conscious of the need for some kind of African support (cp all fuss that is being made of the Southern Rhodesian chiefs) and it might be possible to float this idea in such a way as to be able to send Smith home to work out proposals for what would constitute a fair test of opinion.

9. As I have said, the above are first thoughts only, but I thought I would throw them into the pool without delay. It would be very helpful to know how minds are moving in the office in regard to the talks with Smith. I will, of course, let you have any further thoughts from here, as well as the promised catalogue of crimes. I take it that in view of the way Smith is proposing to handle the talks you are not likely to want me home at the same time.

388 DO 183/293, no 11A

14 Aug 1964

[Visit of Mr Smith to London]: letter from Sir B Trend to Sir S Garner on Sir A Douglas-Home's strategy

Before leaving for Scotland last night, the Prime Minister talked to me for a short time about Smith's visit during the week beginning 7th September. He asked me to have a word with you about the way in which we should play the hand during that visit and to put in train any preparatory work which we thought necessary.

The Prime Minister's own inclination is to play the thing long and—despite Smith's public desire to 'progress to firm conclusions for submission to our respective Cabinets'—to leave things at the end of the meeting on a basis which will require discussions to be resumed at a later stage. For this purpose he envisages that

he might open the proceedings by firmly drawing Smith's attention to what he already knows, i.e. the view expressed by many of the other Commonwealth Prime Ministers that the political prisoners in Southern Rhodesia should be released and that a fresh constitutional conference should be summoned. Smith will undoubtedly reject both of these proposals; and the Prime Minister thinks that he might then invite him to consider, as an alternative, whether there is any chance that the existing constitution might be made to produce, within a reasonable time, the type of situation which is the only one which would justify us, in the light of all precedent and practice, in conceding independence—i.e. a situation in which we should hand over responsibility to a majority Government. At this point, the Prime Minister feels that he might, with advantage, confront Mr. Smith with a document, or documents (which would require a certain amount of detailed preparation in advance) showing:—

(a) The present position as regards the composition of the legislature, the electoral entitlement of the African population, and so forth.

(b) The extent to which African representation in the legislature and the electoral opportunity of the African population will be enlarged if the present constitution remains unchanged and matters are left to the ordinary forces of economic development and educational advancement so far as these can reasonably be predicted. You will probably have seen the correspondence in the *Spectator* in recent weeks on this subject. One participant in particular purported to calculate that, if we rely on no more than the ordinary working of the economic forces already in train, it will be at least 50 years before a sufficient number of Africans will qualify, in terms of property, educational status and so forth, to enable an African majority Government to be installed. This prediction was challenged in subsequent letters; but it ought to be possible to make some reasonably objective calculation of our own on the point. The Prime Minister would like us to consider, therefore, whether some work could be put in hand during the next fortnight to enable him to confront Smith with our estimate of the probable pace of African advancement if we let things go on exactly as they are at the moment. Smith may well challenge the assumptions (economic, educational, etc.) on which this estimate will have to be based. If he does so and wants to take away our document in order to produce a counter-blast, so much the better. It will all help to keep discussions going and to avoid matters reaching a breaking point.

(c) In addition—and this would be the essence of the discussions from our point of view—the Prime Minister would offer Smith assistance in accelerating African secondary education, instituting a programme of African administrative training and developing the economy in general. This offer, which might have to be published, would have to be as realistic and convincing as possible; and we ought, therefore, to know, in some detail, what it would amount to and what its effect would be in terms of African political advancement. Here again, it would be useful if we could have available a document attempting to forecast how the picture under (b) above would be changed and improved, from the point of view of the Africans, if a definite programme of educational and administrative training were instituted at £X million a year and carried forward over Y years and if, during the same period, we provided a sum of £Z million a year for general development of the economy.

(d) Finally, there would remain the 64,000 dollar question—if Smith showed any disposition to co-operate in a programme as at (c) above, would it be possible for us to undertake, in return, that, subject to the programme's working out as forecast, we would be ready to reconsider the question of granting independence to Southern Rhodesia, after a specified interval. (And how long would the interval have to be?)

There are three weeks between now and the probable date of Smith's arrival; and the Prime Minister would like to feel that, in these weeks, work is being put in hand on the above lines. A good deal of discussion may be needed, particularly with the Treasury; do you think that a Working Party is indicated? I suspect that we ought to aim to get the results to the Prime Minister some days in advance of Smith's arrival in order to give him a chance to consider whether any further material or briefing will be required.

I am sending a copy of this letter to Philip Woodfield;¹ but I am not giving it any wider circulation at the moment, since you may like a word about it before putting any work in hand.

¹ Private secretary to prime minister.

389 PREM 11/5039

17 Aug 1964

[Visit of Mr Smith to London]: letter (reply) from Sir S Garner to Sir B Trend

Thank you for your letter of 14th August about Smith's visit in September.¹

What you say in the second paragraph of your letter about the Prime Minister's inclination to play the thing long is entirely in line with our own thinking.

As regards the preparation of documentation, I will set in hand the preparation of factual notes on the lines of (a), (b), (c) and (d) of your letter, together with some further supplementary briefing.

(a) presents no problems.

The difficulty about (b) is that the exercise in guessing the rate of increase in African representation under present conditions depends on so many factors, but we will do the best we can. The awkwardness, of course, lies in the fact that it will certainly reveal that 'sufficiently representative institutions' will not come about for a large number of years.

As regards (c), there is much to be said on merit in giving help on secondary education and also with further training. But again the difficulty is that the effect in terms of African political advancement is bound to be delayed for a number of years.

But much the most difficult problem is the one set under (d). We have always been careful not to define more precisely what 'representative institutions' means in precise terms. It would be extremely difficult for us to commit ourselves to a definition (short of the Africans having a majority of the seats) and still more to tie ourselves down, at this stage, to the granting of independence after a specified number of years.

¹ See 388.

We will circulate our briefs to Philip Rogers,² to No. 10 and to the Treasury, and hope to have material ready by next week.

As regards the general line to be taken, when Smith comes it will be important that the Commonwealth Secretary and the Prime Minister should have an opportunity of discussing this together.

I am sending a copy of this letter to Philip Woodfield.

² Deputy secretary, Cabinet Office, 1964–1967.

390 FO 371/176508

28 Aug 1964

[Southern Rhodesia and the USA]: letter from J E Killick¹ to G E Millard²

As you can imagine, the State Department, at the moment only at the level of Mr. MacKnight,³ are becoming increasingly concerned at the trend of events in Southern Rhodesia. One of their main worries is that they have so far been unable to discover what sort of contingency plans, if any, have been drawn up by H.M.G. to meet a situation in which a unilateral declaration of independence has been made. Their posts in Lusaka and Salisbury have apparently made local enquiries from the Office of the Governor and our High Commission respectively about, for instance, our attitude towards an African government in exile and other problems which would immediately arise if Southern Rhodesia seized independence, but have received the reply that no consideration, at least to our posts' knowledge, has been given to these problems.

2. So far we in the Embassy have been able to reply to the State Department's enquiries that we, too, are in the dark and have suggested that the Department pursue its enquiries with the C.R.O. in London. I believe that Wagner may have recently approached the C.R.O. to do just this and I hope that we can be kept informed, if necessary by telegram, of what he is told on this and future occasions. We, for our part, are quite relieved at not being informed of whatever contingency plans may exist, since they would probably be such that we could not pass them on to the Americans anyhow, and we can also plead ignorance in reply to the questions of our Southern Rhodesian colleagues.

3. The State Department's more immediate concern has been aroused not only by the events in the last two days in Salisbury but also by the involvement of Southern Rhodesian mercenaries in the Congo, all of which taken together may well result, in their view, in the proposed O.A.U. meeting devoting as much attention to Southern Rhodesia as to the Congo. There is the further point that the O.A.U. meeting may take place either at the same time or shortly after Prime Minister Smith's visit to London. If, as seems possible, Smith gains little joy from his visit and if he finds it necessary to make some public statement thereafter in which he says that he had achieved nothing in London and makes various menacing noises about

¹ Counsellor and head of chancery, British embassy, Washington, 1963–1968.

² West and Central African Dept, FO.

³ Jesse M MacKnight, UN administrator, Bureau of African affairs.

taking independence, what will our attitude be? Would we reply by publicising immediately the terms of the letter which the Commonwealth Secretary sent to Mr. Field last February warning him of the consequences of a unilateral declaration? I realise that it will be very difficult in any circumstances for us to give any very definite answer to these American enquiries but I think there would be advantage in taking the Americans into our confidence as far as possible. One way of doing this might be to inform a senior member of the American Embassy before Smith's visit of the sort of line which H.M.G. intend to take with him and perhaps also give some indication of how we would react if Smith turns sour shortly afterwards. Another would be for our Secretary of State or Mr. Sandys to send a personal message to Mr. Rusk,⁴ knowledge of which could be kept close.

4. I fear that one of the anxieties at the back of the Americans' minds is that we may let things slide over Southern Rhodesia as they feel we did after the revolution in Zanzibar. I think, therefore, that there would be considerable advantage in assuring them that we are as fully prepared as we can be to deal with the worst, even if we cannot go into much detail at this stage.

⁴ US secretary of state.

391 PREM 11/5038

3 Sept 1964

[Cabinet crisis in Malawi]: inward telegram no 170 from D L Cole¹ to Sir A Snelling

[Nyasaland gained its independence as Malawi on 6 July 1964. In what was the culmination of a growing sense of unease with Banda's autocratic style of government and with a number of his specific policies, a group of his senior cabinet colleagues met together on 28 Aug and drafted a series of demands, the so-called 'Kuchawe manifesto'. They insisted that Banda should comply with these demands before Parliament met again on 3 Sept. See document 396 for the repercussions of the dispute.]

After quiet weekend situation has again become difficult.

2. Last Saturday it appeared that Banda had moved some distance towards compromise. He seemed prepared to give up two or three portfolios and to agree to bring major policy issues up for discussion in Cabinet. Unfortunately Ministers, instead of accepting and consolidating this gain, continued to press for further concessions. Meanwhile Banda, encouraged by certain party leaders (especially Aleke Banda) to believe that country was solidly behind him, again became intransigent. He also heard that there were rumours in Blantyre that he had surrendered to his ministers. This infuriated him.

3. Meeting between Banda and Ministers yesterday morning broke up in disorder with Banda ordering them to leave the room and Ministers refusing. Earlier he had shouted that they would never make 'another Nyerere' out of him.

4. Situation has been changing almost hourly. At one stage Banda indicated to Governor-General that he proposed to resign and advise him to send for Chiume as new Prime Minister. Governor-General strongly advised against this. But Banda is

¹ British high commissioner in Malawi.

now reported to be in much better heart, perhaps indeed over optimistic, having been encouraged by his party entourage. His present plan is to call meeting of all congress M.P.'s on Sunday, put issues before them and seek in effect vote of confidence.

5. Outcome of Sunday's meeting, if it takes place, cannot be regarded as at all certain. Governor-General puts odds at 60–40 in Banda's favour: Youens,¹ who is less confident of Banda's hold on party, at 50–50.

6. Most disturbing feature of present situation is part played by Chiume as leader of Ministerial revolt. According to Banda, Chiume has (1) been in close touch with Kambona (2) had discussions with Chinese Ambassador in Dar es Salaam about Chinese aid (3) urged Cabinet to send delegation to Moscow and Peking and to secure aid from both East and West. Chiume is also bitterly opposed to Banda's Portuguese policy. My own contacts with Chiume suggest he is well indoctrinated in more dangerous forms of African Nationalism. Though it is by no means certain that Chiume could personally win enough party support to become Prime Minister, his role is strong and sinister one but with luck he will leave for O.A.U. on Friday (in ignorance of proposed Sunday meeting).

7. Presumably by chance, the other *enfant terrible* Chipembere is away in Ottawa. Chisiza seems to have thrown in his lot fully with Chiume. Chirwa is also playing a leading role in revolt though at times shows signs of cold feet. Other ministers, except perhaps tompo [sic]² appear to be fully supporting revolt.

8. Naturally in course of all this argument much has been said in party circles about need to speed up Africanisation of Civil Service, role of senior expatriates in influencing Banda being regarded by many Ministers as suspect.

9. There is at present no evidence of any immediate threat to law and order and expatriate control of army, police and government machine remains extensive. But situation is very fluid. Moreover in longer terms if Banda loses control general deterioration in political and administrative direction seems inevitable with incalculable consequences in many fields.³

¹ Peter Youens, secretary to prime minister and Cabinet, Nyasaland/Malawi, 1963–1966.

² J Z U Tembo, finance minister, Malawi.

³ Douglas-Home commented: 'If this materialises I would think there would be great advantage in pinning the responsibility on Chinese subversion. Banda was a great hero among Africans and each will feel his seat in danger. Can some of the editors be warned of the situation and invited to write accordingly?' (Wright to Moon (CRO), 7 Sept 1964).

392 PREM 11/5028

4 Sept 1964

'Northern Rhodesia and Chartered': minute by Mr Boyd-Carpenter¹ to Sir A Douglas-Home

You asked the Chancellor of the Exchequer on 26th August about the threatened nationalisation of British firms in Northern Rhodesia. We know of only one such threat which concerns the rather special case of the mineral rights of the British South Africa Company ('Chartered'). The main elements in this complex issue are the following.

¹ Chief secretary to Treasury.

2. In 1890 the company secured from various chiefs, and in 1900 and 1909 from the Paramount Chief of Barotseland, sole mineral rights in perpetuity over large tracts of what is now Northern Rhodesia. These rights were confirmed at various times by the British Government including the Devonshire Agreement of 1923 just before Northern Rhodesia was established as a British Protectorate. In 1950 Northern Rhodesia, Chartered, and the British Government signed an agreement under which:—

- (i) The Company was confirmed in the enjoyment of its rights till 1986;
- (ii) The British Government bound itself to secure that the agreement would be carried out so long as it was responsible for the government of Northern Rhodesia;
- (iii) If it relinquished that responsibility it would 'so far as it is possible to do so' secure that the successor government would be bound to observe the Agreement (but the British Government would not be under any other obligation in this respect);
- (iv) Northern Rhodesia was assigned 20 per cent of the annual revenue from the rights;
- (v) Other provisions included undertakings against discriminatory taxation.

3. Chartered lease the rights to the mining companies in return for payments based on the amounts of copper mined. The present revenue is about £13 million a year of which Northern Rhodesia gets about half from its 20 per cent portion and from Company tax on the remainder, leaving about £6.5 millions a year as Chartered's net profit on the rights.

4. The present Government of Northern Rhodesia is not prepared to preserve these rights for 22 years after independence and last year negotiations were begun for an orderly transfer to the territory. Chartered have estimated the capital value of the rights in the light of changing circumstances at £44 million. The likely attitude of the independent Northern Rhodesia Government will be that they deny the legal basis of Chartered's enjoyment of the rights, but that they may be willing to make a final once-for-all *ex gratia* payment of up to £5 millions. The Northern Rhodesia Government have suspended negotiations over recent months, and have commissioned a London firm of Economic Consultants (Maxwell Stamp Associates) to prepare a report on the history of the rights. Their report (which has come to us privately) in contentious terms challenges the validity of the rights, questions the actions and good faith of successive British Governments over the years, and implies that Northern Rhodesia could repudiate the 1950 Agreement, concluding that, it is for H.M. Government to assume the task of discharging any claim for compensation by Chartered. Northern Rhodesia's Finance Minister announced in the Legislative Assembly on the 21st August that the legal validity of Chartered's ownership of the rights was doubtful; that any validity they had derived from the acts of the British Government; and that he felt it essential to address the British Government on the question urgently and was willing to go to London as soon as possible to discuss it with British Ministers. The Northern Rhodesia Government has now formally requested talks in London on the subject in week beginning 13th September.

5. We have legal advice from Treasury Counsel that there is no foundation for any claim by Northern Rhodesia against the British Government in respect of its past actions vis-à-vis Chartered, but Northern Rhodesia have obtained a contrary opinion from their Counsel, which they have said is being sent to the Commonwealth

Relations Office at once. As regards the 1950 Agreement the Commonwealth Secretary did not succeed in securing at the Northern Rhodesia Independence Conference any specific constitutional entrenchment of the rights in the independence constitution. Legal advice again is that Chartered could not sustain an action against H.M. Government on this since 'so far as possible' is to be construed as referring to political factors among others. The Bill of Rights in the present self-government constitution is to be carried forward into the independence constitution. This provides that there shall be no expropriation without 'prompt payment of adequate compensation'. This constitutional provision can only be changed by a two-thirds majority in the legislature (which Dr. Kaunda has) and after a referendum of the whole electorate.

6. The Northern Rhodesian tactics may be to try to place on the British Government the onus of securing a settlement with Chartered, and hence of paying the difference between the token sum contemplated by Northern Rhodesia and reasonable compensation. On their side Chartered show no signs of wanting serious negotiations with Northern Rhodesia; they appear to be resting confidently on the Bill of Rights, and to assume that their ownership of the rights is not open to legal challenge. They may also feel that they can lose nothing by waiting to see if H.M. Government will intervene. The Commonwealth Secretary's objective, with which I agree, has been that Northern Rhodesia and Chartered should work out a settlement between them; but the chance of a satisfactorily negotiated settlement which overseas investors would regard as an honourable discharge of Northern Rhodesia's obligations in the circumstances seems to be receding, although in my view there is ample room for such a settlement within the extra £6 million or £7 million a year which Northern Rhodesia would get from the transferred rights.

7. There would be great difficulty in H.M. Government's assuming obligations to help a particular company, especially one which draws unearned income from the exploitation of Northern Rhodesia's minerals by third parties. I believe incidentally that the majority shareholding in Chartered is held by Mr. Harry Oppenheimer. Our officials are considering how best to make Chartered aware that H.M. Government is disinclined to intervene.

8. There seems to me to be a connection between this and Dr. Kaunda's request for Defence 'aid' on which you recently minuted the Commonwealth Secretary.

9. I am copying this minute to the Commonwealth Secretary.

393 PREM 11/5039

4 Sept 1964

'Mr Smith's visit': minute by Mr Sandys to Sir A Douglas-Home on tactics

I have been considering how we should handle the talks with Smith. These are my thoughts.

2. At the start, we should endeavour to agree with Smith that the talks will be regarded as confidential but that at the end we will issue a communiqué in which each Government would set out its own position in its own words.

3. I assume that after settling any points of procedure, you will invite Smith to open the discussion by stating his case for independence. Subject to any

interruptions we may wish to make in order to elucidate particular points, it would be well to leave Smith to deploy all his arguments before we state our position.

4. I suggest that you should then reply on the general lines of the draft statement I sent to you with my minute of 3rd September.

5. It is fairly clear that Smith is coming here, not with any hope of reaching agreement, but with the object of proving to the European electors of Southern Rhodesia that he has exhausted the possibilities of achieving independence by negotiation and that therefore the only way of securing it is by unilateral action. He obviously has his eye on the two bye-elections on 1st October. Since success for Smith at these critical elections might well embolden him to declare independence, our aim must clearly be:—

- (a) to avoid giving him any ammunition which he might use against us; and
- (b) to strengthen the hands of Welensky and the Opposition Party.

6. Most of the European electors are not yet prepared to accept the necessity for increased African representation; and those that are would resent having it pressed upon them from London. It would therefore be playing into Smith's hands, if we were to put forward any precise proposals for constitutional change.

7. It would be equally unwise to suggest to Smith that the problem could be solved by accelerating African education. Our calculations indicate that no amount of increased expenditure could produce an African majority in less than ten years. The Europeans would react badly to the idea that the British Government contemplated keeping Southern Rhodesia as a colony for another decade; while Africans, inside and outside Southern Rhodesia, would for different reasons regard such a timetable as equally unacceptable.

8. This does not mean to say that we should not refer to our willingness to consider financial assistance to help Southern Rhodesia meet her debt commitments and development needs. In particular, there would be advantage in recalling our earlier offer of aid for African education and training. We must, however, be careful to make it clear that we are not offering money in exchange for a renunciation by Southern Rhodesia of her request for independence. Unless the two questions are kept completely separate, Smith will go home and say that we tried to buy him off.

9. We should avoid giving any indication of the amount of aid which we would be prepared to provide. Since Smith has formally told us through his High Commissioner that he does not wish to discuss finance or any question other than independence, he cannot reasonably expect us to be ready with precise proposals.

394 DO 154/94

5 Sept 1964

'African nationalism in Southern Rhodesia': despatch no 7 from J B Johnston to Mr Sandys

I have the honour to enclose a study of the history and policy of the African nationalist movement in Southern Rhodesia, for the preparation of which I am indebted to Mr. C. J. Sackur, until lately a Second Secretary on my staff. Attached as an appendix to the paper is a set of biographical notes on a number of African

nationalist leaders.¹ I regret that a certain preoccupation with more immediate issues has delayed the transmission of these valuable documents.

2. As Mr. Sackur points out in his introduction there is at present no published work properly covering this ground, and it is possible that no authoritative account may ever see the light of day. It is therefore particularly valuable to have this detailed study, in which Mr. Sackur has been able to draw on material not generally available (including some from our own official sources). I should perhaps add that it represents a personal assessment, and that, while much will command general agreement, Mr. Sackur's conclusions are intended to reflect a personal rather than an official British view.

3. The African nationalist movement goes back, as Mr. Sackur shows, not merely to the mid-1950s—when the movement as we know it today really started taking shape—but, in some degree, to the early 1930s, when, under the influence of ideas coming up from South Africa, African political and trade union organisation began to get under way. Indeed, on a more limited scale, the beginning of political activity can be traced right back to 1898, in the aftermath of the Matabele and Mashona rebellions. Throughout this long period certain dominant threads appear, and Mr. Sackur has, I think rightly, drawn particular attention to two of these: one is the Africans' fundamental preoccupation with the question of land, and the other is their continuing insistence upon looking to Britain and the British Government as their protector and the ultimate arbiter of their fate. This latter characteristic has, of course, shown itself particularly strongly in recent years, to the irritation of the Southern Rhodesian Government and to our embarrassment.

4. An interesting theme in the enclosed paper is the inter-action of African politics and European politics (see chapter 2). There can, I think, be no doubt that this has been a major factor, especially in recent years. The African nationalist movement has had, as Mr. Sackur shows, its radical elements and its reformist elements—the latter being those who have had faith in European good intentions, have eschewed an extreme approach and been content to look for gradual African political and social improvement. Mr. Sackur's study shows that just as any real signs of increasing power or influence on the African side have been followed by a shift to the right in European politics, so in face of hardening European attitudes, the reformists have lost ground to the radicals. Indeed most of the earlier reformists, disillusioned at the failure of moderate policies, have themselves become radicals. Not so many years ago, for instance, Mr. Leopold Takawira was an energetic supporter of the Capricorn Africa Society, and, later, a member of Mr. Garfield Todd's multi-racial Central Africa Party. Today, as vice-president of the recently-banned Zimbabwe African National Union, he is amongst the most extreme and uncompromising of African nationalist leaders.

5. The faults have not, of course, all been on one side; but, as the Africans have found too much lip-service and insufficient sincerity in European protestations of willingness to give the African a proper place in the sun, so in their frustration they have begun to look for ways forward outside the Constitution and the law. The Europeans in turn have resorted to Draconian legislation like the Law and Order (Maintenance) Act, and a determination to make no 'concessions' to African

¹ Enclosure and appendix not printed.

nationalism. Southern Rhodesia thus finds itself in a situation today where the African politician takes his public stand on nothing short of 'one man, one vote, now', while Mr. Smith barely disguises his view that the Africans' fifteen seats in Parliament are fifteen more seats than they deserve. Neither side admits the possibility, or desirability, of compromise; any European who suggests it is branded by the Rhodesian Front as an advocate of appeasement, and any African who suggests it is condemned by the nationalists as a traitor to the African people. These deepening antagonisms and the widening gulf between the political objectives of the white and black communities are the direct product of Southern Rhodesian 'self government', that is, of a situation in which no active mitigating and objective influence has been exercisable by H.M.G. in London. Elsewhere the British Government have retained a power of intervention in the internal affairs of Colonies which has been applied in support of compromise and political evolution. It is, retrospectively, the tragedy of Southern Rhodesia that no such dispassionate constitutional power to hold the ring has existed to prevent the self-concern and the ambitions of the two communities reaching their present state of uncompromising mutual hostility.

6. On the African side, the advocate of moderation who escapes merely with abuse can count himself fortunate. Mr. Sackur has devoted his fifth chapter to what he describes as 'the cult of unity'—the obsession of the African nationalist politicians with what they see as the vital need to present a united front. This is a phenomenon common in independent African states—the intolerance of opposition that leads directly to the establishment of one-party systems. As often elsewhere, its manifestation here is extremely unpleasant. The African nationalist movement in Southern Rhodesia has for the last year been dominated by the split between Mr. Nkomo's People's Caretaker Council and the Rev. Sithole's Zimbabwe African National Union. The bitter rivalry between these two organisations has led both into the crudest forms of violence towards each other and towards those whose support they have each sought, or whose indifference they have each sought to punish. Life in some of the African townships in Salisbury and Bulawayo has become quite intolerable, where intimidation and brutality, towards men, women and children, are the order of the day and, more particularly, of the night. The Government have now been forced to take emergency powers to control this situation in the Highfield township of Salisbury. Quite apart from its results in terms of human misery, this internecine warfare does little to convince the European man-in-the-street of the Africans' readiness for a greater share in responsible government. We have endeavoured to bring this home in our necessarily limited contacts with African nationalists; and I know that the point has been made equally strongly in the occasional conversations it has been possible to have with African nationalist leaders who visit London. It may well be desirable to consider whether at an appropriate time the British Government should not make clear publicly that the principle of progress towards majority rule to which they adhere carries with it an implication that the majority themselves must demonstrate an equally responsible approach to the problems of politics and government.

7. There is no doubt that the African nationalist cause in Southern Rhodesia has gravely damaged itself in European eyes here by the adamant refusal of nationalist leaders to serve any kind of political apprenticeship. Their decision to boycott the 1961 Constitution, in whose framing they had a hand, and which was specifically

designed to bring them in increasing numbers into the political life of the country, brought disappointment to the moderate European elements working for a rapprochement with the Africans, and confirmed the right-wing in all their prejudices about African irresponsibility and the radical nature of African demands. Chapter six of the enclosed study brings out the anxieties that underlay and contributed to the decision to reject the offer of fifteen 'B' Roll seats and to boycott the Constitution. Against the background of the United Federal Party's propaganda line (now being exploited by Mr. Smith) that the new Constitution would give Southern Rhodesia 'independence' from Britain, it was natural for the Africans to view the proposals with some suspicion on the grounds that such independence without even a 'blocking third' would cut them off from their protecting power and open the way, if the Europeans so decided, to a fate similar to that of their African brethren in South Africa. This judgement depends on a calculation of whether or not a European Government could or would have attempted to reverse the direction of the Constitution, and evade the entrenchments it contained. The South African precedent is not encouraging. But there is another side to the coin. If the Africans had decided to give the new Constitution a chance, and the Zimbabwe African People's Union had contested the elections, there is no doubt whatsoever that they would have taken all fifteen 'B' Roll seats; and the presence in the Legislative Assembly of the Nkomos, Sitholes and Mugabes² of this world would have given the African nationalist movement an unchallengeable platform, and a stronger and more legitimate voice in Southern Rhodesian political life—and in the world—than it has ever enjoyed. It is quite feasible that the Opposition benches might have been more or less evenly divided between Z.A.P.U. and Sir Edgar Whitehead's U.F.P., which would have given scope for a most interesting Opposition alliance, and might possibly have laid a foundation for a new European/African approach to national affairs. Certainly in the nearest comparable African situation, in Kenya, the nationalists worked their passage to power through the country's institutions, and not by boycotting them. The Southern Rhodesian nationalists were perhaps too aware of South African history to be ready to take any risks. One may regret their decision, but only the historian will be able to put it in proper perspective.

8. All this lies in the past; but it remains a significant part of the Southern Rhodesian political impasse. Mr. Nkomo's performance in 1961 enables Mr. Smith and his supporters to argue today—and not altogether unreasonably—that they do not see what purpose would be served by convening another constitutional conference when certain participants are liable to agree to the conference's recommendations and subsequently, under outside pressure, to renege on their undertaking. The task of achieving some form of compromise solution is thus all the harder. Attitudes on both sides have hardened during the last three years, and, while Mr. Smith finds a ready response on the right-wing to his suggestion that there are already fifteen 'African' seats too many, there is no doubt at all that what would have been genuinely accepted by the nationalists in 1961 (presumably a 'blocking third' of seats in the House) would not satisfy them today—at least if this were part of a package deal for independence. It is probably true to say that in such circumstances nothing short of a majority, or at least parity, would satisfy them, inasmuch as, in their assessment, nothing less would provide a guarantee against a white majority

² Robert Mugabe, co-founder with Sithole of ZANU.

subsequently putting the clock back. The need for a guarantee of this sort is fundamental to their attitude; and in their eyes built-in safeguards in the Constitution do not provide such an assurance.

9. Their apprehensions have been in no way dispelled by recent actions of the Government which have demonstrated their determination to crush the forces of African nationalism. The banning of both African nationalist parties, the restriction or detention of their known leaders, and the suppression of the one daily newspaper supporting their cause, have been elsewhere reported. These are not surprising moves from a Government whose purpose and mandate is to maintain white supremacy and who equate African nationalism with international Communism. The history of nationalism in Asia and Africa over the last 30 years, including the Algerian demonstration of the futility of imagining that any long-term solution can be achieved by force, are of no more significance to the present Southern Rhodesia Government than they are to Dr. Verwoerd, at whose apparent success many Southern Rhodesians cast envious eyes.

10. Meanwhile the African nationalist movement in Southern Rhodesia remains divided, frustrated, proscribed and without a single national leader of real stature. It is inevitable that it should look outside for help, and to violence as its only remaining weapon. Communist influences are increasing, although they do not yet appear to be substantial. Paragraphs 64–65 and 85 of the enclosed study show some of the contacts with Communist countries there have been over the past five years. In January of this year leading figures of Z.A.N.U. (Mr. Sithole himself) and the People's Caretaker Council (Mr. Chikerema) were both, independently, in Peking; and there is evidence of material support both from China and from the Soviet bloc (the P.C.C. have for example been making frequent, though ineffective, use of Russian-made hand grenades). Unless the political situation here shows some improvement for the African, such influences are bound to increase, and indiscriminate violence to spread. If there should be a unilateral declaration of independence the nationalist leaders have already indicated (though few are now at liberty to implement this plan) that they will set up a government-in-exile outside Southern Rhodesia. This would undoubtedly become a focus for increased Bloc attentions in advice and supplies, and an organising centre for acts of violence and sabotage within Southern Rhodesia.

11. It is indeed surprising that the nationalist movement in Southern Rhodesia has not presented the Government with more serious problems before now. By comparison with the rest of Africa, the African nationalist leadership seems to have been remarkably ineffectual, and the rank and file of the African population politically apathetic. Little has been achieved by African nationalism over the years: it has a history of division and rivalry and has not yet produced a leader capable—like Nkrumah in Ghana, or Nyerere in Tanganyika—of uniting all factions behind a concerted plan to make its influence felt. And it is faced with a more ruthless government, constrained by no external considerations, than any nationalist party in any other British colony. Nevertheless, disunited and ineffective as it may be, it would be a serious mistake, and out of keeping with the whole history and the whole metaphysic of 20th century nationalism, not to recognise it as a force to be reckoned with now and in the future.

12. There is no prospect of any accommodation with African nationalism while the Rhodesian Front Government remain in power. If they should fall, and be replaced by a government of Sir Roy Welensky's Rhodesia Party, there may be

slightly more room for manoeuvre. Sir Roy, for all the intransigence towards African political aspirations with which he has been rightly credited in the past, is aware of the dangers of the present situation and of the need to re-establish some political bridge between African and European. We are aware that earlier this year he had some earnest secret discussions with the Rev. Ndabaningi Sithole: and that he and others opposed to the Government have been considering the possibility of some new and unorthodox constitutional arrangements which would give the African population a genuine participation in government and which would at the same time hold a balance of power between the races. But this is all a long way off.

13. I am sending copies of this despatch, with enclosure, to the High Commissioners in Accra, Lagos, Dar-es-Salaam, Kampala, Nairobi and Zomba; to Her Majesty's Ambassadors in Pretoria, Addis Ababa and Washington, and the British Permanent Representative at New York; and to Mr. Molyneux in Lusaka.

395 PREM 11/5049

7 Sept 1964

[Southern Rhodesia]: Cabinet Office record of a discussion at 10 Downing Street between Mr Smith and Sir A Douglas-Home

The Prime Minister said that he hoped that Mr. Smith would agree that the discussions should remain confidential throughout, since this would enable both parties to speak with complete frankness. If agreement was reached, a single communiqué should suffice at the conclusion of the talks; otherwise, both Governments should be free to issue their own statements.

Mr. Smith confirmed that these procedural suggestions would be acceptable to him.

The Prime Minister then invited Mr. Smith to describe the means by which he believed that Southern Rhodesia should achieve independence—on the basis that opinion in the United Kingdom could be assumed to be unanimous in desiring Southern Rhodesia's independence, provided that it was achieved in a manner acceptable to the population of the Territory as a whole.

Mr. Smith replied that the people of Southern Rhodesia regarded themselves as having made, in effect, an implied contract with the United Kingdom in 1961, whereby they would be entitled to receive their independence without more ado in return for accepting the 1961 constitution. Admittedly, no United Kingdom Minister had explicitly confirmed this bargain; but all those who had taken part in the discussion of the 1961 constitution must have realised that the Federation of Rhodesia and Nyasaland was approaching its end and that the general assumption that Southern Rhodesia would thereafter achieve independence would be one of the chief arguments whereby the electorate in Southern Rhodesia would be persuaded to endorse the constitution. It should surely be possible for the United Kingdom, having made this implied contract with Southern Rhodesia, to defend to the rest of

¹ Also present: Sandys, Trend, Campbell and D J Mitchell (principal private secretary to the British prime minister, 1964–1966).]

the Commonwealth and to world opinion the immediate and unconditional grant of independence to the Territory.

The Prime Minister said that, while we could agree that we had hoped that, when the Federation came to an end, all its three constituent Territories would proceed to independence, this final step had to depend in each case on the consent of the peoples concerned. This fundamental condition could not be overridden or set aside by any prior contract, whether implied or otherwise. In fact, there had been no such contract in 1961; and Sir Edgar Whitehead, who had been the Prime Minister of Southern Rhodesia at the time, had explicitly confirmed this in a recent public speech.

The Commonwealth Secretary said that, as the United Kingdom Minister chiefly responsible for the 1961 constitution, he too could confirm that he had given no such pledge during the 1961 discussions. Indeed, it would have been folly to do so, since the fact would rapidly have become known to Sir Roy Welensky (who was still the Prime Minister of the Federation) and would have provoked an immediate political explosion.

Mr. Smith said that he accepted the statements of the Prime Minister and the Commonwealth Secretary without reservation. But it must then be assumed that Sir Roy Welensky and Sir Edgar Whitehead had connived to deceive the electorate in Southern Rhodesia, since they had repeatedly created the impression during political meetings that, if the Federation were dissolved, Southern Rhodesia would achieve her independence and that it would be worth Southern Rhodesia's while, in order to secure this great prize, to acquiesce in a constitution which, in many respects, was unsatisfactory.

The Prime Minister said that he could not comment on what Sir Roy Welensky and Sir Edgar Whitehead might or might not have said during political meetings in Southern Rhodesia. But there had been no pledge on the part of the United Kingdom Government to give Southern Rhodesia independence in return for the Territory's acceptance of the 1961 constitution. Provided that this was clear, it would now be right to turn to the main question, namely, whether the Government of Southern Rhodesia, who already possessed most of the substance of independence, could claim to be given complete and formal independence on a basis acceptable to the population of the Territory as a whole. How did Mr. Smith propose to satisfy us that he had the assent of the population for this purpose?

Mr. Smith replied that Southern Rhodesia had got to have her independence; otherwise, the Territory would continue to run downhill economically and the European Southern Rhodesians would end by writing it off completely. If confidence in Southern Rhodesia's future was to be restored, the question of her independence must be finally settled. One way of achieving it would be by means of a unilateral declaration. The Government of Southern Rhodesia had given this matter considerable thought. They realised that some estimates of the probable consequences were very gloomy. But alternative estimates were less pessimistic; and he and his colleagues had found that they had more friends in the world than they had hitherto believed. On the other hand they realised that the Territory's independence should command the acceptance of the African population; and they believed that it would. World opinion was not sufficiently aware of the political inexperience of the average African, particularly in the rural areas, or of the extent to which the majority of Africans were intimidated by the African political parties when

it came to expressing an opinion on complicated issues and procedures which they did not understand. In fact, however, the great majority of the African population in Southern Rhodesia supported the Government in wishing to achieve independence on the basis of the present constitution.

The Prime Minister said that, if this was so, the Government of Southern Rhodesia must establish it and must convince public opinion, both in the United Kingdom and in the world at large, that the nationalist political Parties represented no more than a small fraction of the African population of the Territory.

Mr. Smith replied that African opinion was best ascertained through the established tribal system, whereby some 200 tribal Chiefs and 500 tribal Headmen could claim to represent directly about 3 million of the 3½ million African population of Southern Rhodesia. The system did not require the views of individual Africans to be ascertained; the expression of a tribe's view was a matter for its Chief and its members were content to leave the decision to him. Indeed, any suggestion that they themselves should be consulted individually would be misunderstood as a challenge to the authority of the Chiefs. It should be possible, therefore, to ascertain the wishes of the African population by consulting the Chiefs and Headmen. There was probably no precedent for calling all 700 of them together to a meeting; and it would be a considerable administrative undertaking. Nevertheless, he would be prepared to put his hand to it, if it would satisfy the United Kingdom Government.

The Commonwealth Secretary said that a somewhat similar procedure had been adopted in order to give effect to the new constitution which had recently been instituted in Swaziland. In that case, however, the Paramount Chief had subsequently been persuaded, albeit with some reluctance, to form a political party of his own; and in the elections he had obtained an overwhelming victory against the nationalist Parties. As a result, it could reasonably be claimed that the constitution had been endorsed by a form of democratic procedure. Could not something of the same sort be done in Southern Rhodesia, perhaps leading on to some form of conference in the Territory, at which the United Kingdom Government would be asked by the population as a whole to confer independence on the territory?

Mr. Smith dismissed the idea of a conference. On the other hand it should be possible to obtain a clear expression of popular opinion by two separate means—from the (predominantly European) electorate by means of the vote on the basis of the existing franchise and from the Africans by means of the meeting of Chiefs and Headmen which he had proposed. He agreed that, if these two procedures did not disclose virtually unanimous support for his claim to independence on the basis of the present constitution, he would have failed to make his case and his political career in the Territory would be at an end.

The Prime Minister said that there still remained the problem of convincing world opinion that a meeting of Chiefs and Headmen would be genuinely representative of African opinion. Could the meeting call the Africans together and ask for their support in claiming independence and in working the present constitution? Or could the Chiefs and Headmen conduct some sort of referendum among the Africans?

Mr. Smith said that after independence, it would probably be desirable to enlarge the 'B' roll very considerably by enfranchising some 750,000 rural Africans. It would also be useful to increase African representation in the Legislature by providing three or four seats for selected Chiefs. But these changes, which he would favour, must follow, not precede, independence. On the issue of independence itself a referendum

would be impracticable. The rural Africans would simply not understand the questions which they were invited to answer; and the devices which had been adopted in other African countries for enabling illiterate Africans to express their preference were wholly unsatisfactory. By contrast, the Chiefs and Headmen were in daily touch with their peoples and were entitled to say that they could represent their views without taking any further special steps for this purpose. The Government of Southern Rhodesia had been trying to restore the authority of the Chiefs which had been shaken by the tactics of intimidation practised by the nationalist political Parties; and it would be damaging to adopt any course which, by implying that the Chiefs were not adequate spokesmen of their tribes, would undermine their standing still further. It was true that public opinion generally tended to regard them as little more than Government officials and, therefore, insufficiently representative of their peoples. But public opinion was wrong and would change if the United Kingdom Government were seen, by endorsing his proposal, to confirm the authority of the Chiefs. They were admittedly officials and were paid for doing a job. But that did not make them un-representative or call in question their ability to express the real views of their peoples, the vast majority of whom wished for no more than to live in peace and to co-operate in working the existing constitution.

The Commonwealth Secretary said that there would be considerable advantage if the process of ascertaining African opinion could be arranged, by some means or other, within the framework, and in the spirit, of the present Constitution. A referendum would be the most satisfactory of all methods.

Mr. Smith again dismissed a referendum as impracticable. The Constitution envisaged that any major change might be effected not merely by a referendum but, alternatively, by a decision of the Legislature (by a two-thirds majority) to seek the approval of the United Kingdom Government, who would be free to approve the change if they saw fit to do so. He would have no difficulty in securing a two-thirds majority of the Legislature for a proposal to seek the approval of the United Kingdom Government to the grant of independence on the basis which he had described; and the United Kingdom Government should then be satisfied to assent to independence if he could demonstrate to them, as a result of consultation with the Chiefs and Headmen, that the great majority of the African population supported him.

The Commonwealth Secretary said that it would be necessary to provide some opportunity for the nationalist Parties to express their views.

Mr. Smith replied that the urban Africans, who alone supported the Nationalist leaders, had deliberately sacrificed the opportunity to register as electors; and there was therefore no reason for the Government to pander to them—particularly when an alternative method of ascertaining genuine African opinion was available on the basis which he had described. He would be prepared to go even further and to ask the Chiefs and Headmen to canvass opinion in their tribes and villages before attending the proposed meeting; but there should be no question of trying to turn this process into any kind of referendum. Coupled with the use of the voters' roll for the European and urban Africans, it should enable the views of all sections of the population to be reliably ascertained.

The Commonwealth Secretary asked *Mr. Smith* why, if he was prepared to extend the 'B' roll franchise for ordinary electoral purposes after independence, he was not prepared to give the rural Africans the same opportunity to express their views on the issue of independence itself.

Mr. Smith replied that the two things were quite different, the normal electoral decision—a choice between two candidates—was a relatively simple operation and was within the mental capacity of the average rural African. But the issues comprised in the concept of independence were vastly more complex and sophisticated; and it would be unrealistic to expect the African to be able to express any rational view about them by means of the vote.

The Commonwealth Secretary suggested that, if this was so, the Africans might at least be allowed to choose by the electoral process men who would be their representatives at some form of conference on the issue of independence.

Mr. Smith replied that, in so far as this would imply that the Chiefs were not sufficiently representative of their peoples for this purpose, it would undermine their authority still further. He understood the view of the United Kingdom Government that a referendum among the Africans would carry more conviction, in terms of world opinion, than the procedure which he had proposed; but he could not recommend a step which, he was confident, would erode still further the position of the Chiefs and would undermine the tribal system as a whole. Moreover, it was out of the question that there should be yet another conference before Southern Rhodesia was granted independence. Local opinion would simply not stand it.

The Prime Minister said that, nevertheless, we had been bound to put the suggestion to *Mr. Smith* since it was one to which the Commonwealth Prime Ministers at their recent Meeting had attached considerable importance.

Mr. Smith said that he understood this point. But he was no less bound to press for independence on the basis of his own proposal, which he believed to be the right way of verifying his claim that he had the support of the great majority of the population.

The discussion was adjourned until the afternoon.

396 FO 371/176510

8–18 Sept 1964

[Cabinet crisis in Malawi]: FO minutes by R J M Wilson and J B Ure¹ on the issue of Chinese subversion

[In response to Douglas-Home's comment (see document 391, note 3), the CRO promised that if the opportunity arose to use the situation in Malawi to demonstrate the dangers of Chinese subversion, they would take it (PREM 11/5038, Minogue (CRO) to Wright, 8 Sept 1964). The Foreign Office also took up Douglas-Home's suggestion.]

I should be grateful for the urgent views of I.R.D.² and P.U.S.D.³ on the Prime Minister's suggestion. There might well, as he says, be advantage in pinning the responsibility of Banda's fall (if he does eventually fall) on the Chinese, but I wonder

¹ Wilson, first secretary, FO; Ure, Information Research Dept, FO.

² Information Research Department. Special section of the Foreign Office with close links to the intelligence community, established in 1948 to undertake covert, anti-Communist propaganda (see Paul Lashmar and James Oliver, *Britain's secret propaganda war, 1948–1977* (Stroud, 1998)).

³ Permanent Under-Secretary's Dept, established in 1949 to co-ordinate the secret intelligence functions of the Foreign Office.

whether in fact there is any evidence that the Chinese are responsible and whether this is not in fact a movement of red-hot nationalist Africans against a moderate, such as we may expect to happen also in Zambia in due course.

J.W.
8.9.64

With some prompting from I.R.D., through News Department and the C.R.O., the British press have in fact acted today exactly as suggested by the Prime Minister. There are leading articles pinning the blame for Banda's troubles on the Chinese Communists in the *Guardian*, the *Daily Mail*, the *Daily Mirror*, the *Daily Telegraph* and elsewhere. I.R.D.'s background material on Chinese activity in Africa has been fairly widely used. This part of the operation seems therefore, to be going all right.

2. As regards the realities behind Banda's accusations, I.R.D. have no evidence of the specific allegations which he makes. The activities which Banda ascribes to the Chinese are however completely in character with their proven behaviour elsewhere. We have arranged a special emergency meeting of the working group of the Counter Subversion Committee (East Africa) for September 14, at which we will discuss with the C.R.O. and other interested departments (including your own) the extent of our intelligence about Chinese activity in Malawi.

3. I suggest that after this meeting the C.R.O. may like to write to the Prime Minister's Office giving a comprehensive answer to his minute.

J.B.U.
9.9.64

We have now seen the High Commissioner's considered assessment of the recent crisis in Malawi, which is contained in his telegram No. 220. It confirms the view we had held all along in this Department, that the crisis was not engineered by the Chinese, though it suited Dr. Banda's convenience to say that it was.

2. I have agreed with I.R.D. that it would be useful for a further minute to go to the Prime Minister about this. This is being prepared in the C.R.O. and I hope that we and I.R.D. will see it in draft.

3. The Ugandan view, expressed in Kampala telegram No. 933 and pointing out that there is a danger of our crying wolf too often about the Chinese threat, is, I think, important.

J.W.
18.9.64

397 PREM 11/5028

15 Sept 1964

'British South Africa Company ('Chartered') Northern Rhodesia':
minute by Sir B Trend to Sir A Douglas-Home

The Colonial Secretary makes no proposal in this memorandum¹ but confines himself to asking for the views of his colleagues on a very difficult problem.

¹ This is a reference to Sandy's paper DO (64)74.

Briefly, the Chartered Company's mineral rights in Northern Rhodesia were obtained by a number of concessions at the end of the 19th Century. The validity of these has been periodically challenged; and, for one reason or another, we have never taken any of the steps open to us to bring this question to the proof. To some extent, therefore, the Government of Northern Rhodesia are on speciously sound ground in saying that it would be dishonourable on our part to leave them, after independence, to incur the odium of amending their constitution in order to expropriate the rights, as they are determined to do. They claim, therefore, that we ourselves should extinguish the rights, on the basis that they *might* be prepared to contribute some part of the money required for this purpose *but* would also reserve the right to reclaim the royalties paid to the Company in the past. The present value of the royalties is £13 million a year; and the Company have indicated that they would be willing to be bought out for £27 million, net of all taxes.

The concept of expropriation without compensation is, of course, something which—whatever the legal rights and wrongs in an individual case—we could not afford to concede in principle. Moreover, the amount at issue (say £27 million) is relatively small; and one cannot help wondering whether the Government of Northern Rhodesia have their eyes on a much larger prize, which they would hope to secure once they had established a precedent for refusing to pay compensation. You may remember, in this connection, my conversation with Ronald Prain last month, of which I sent you a record on 14th August. Do the Government of Northern Rhodesia intend, having expropriated the Chartered Company as the hors-d'oeuvre, to move on to the copper companies themselves as the main dish? This possibility—and the risk that they might employ for this purpose the methods which Prain foreshadowed—is made more realistic in the light of the latest intelligence reports, which reveal something in the nature of a plot to overthrow Kaunda and to replace him by Sipalo and other extremists who lean towards the Sino/Soviet bloc.

In these circumstances, we should clearly proceed with great caution and as slowly as possible. We might perhaps play for time by reviving our earlier offer to test the validity of the Chartered Company's rights by an appeal to the Judicial Committee of the Privy Council. But, even though our case would be strengthened if the Judicial Committee found in our favour (and, in the light of the earlier history, this cannot be assumed to be certain), it is doubtful whether we should be much better placed as a result, since it is fairly clear that the Government of Northern Rhodesia are determined to try both to expropriate the Company and to pay no compensation. We presumably ought to make it clear at the outset, therefore, that we cannot in any circumstances concede the principle of expropriation without compensation. But we might thereafter have to be prepared to contemplate some arrangement whereby we would lend the Government of Northern Rhodesia the money with which to pay proper compensation, provided that they gave us some form of security for the repayment of our loan. In that case, however, we should have to recognise that, if and when the Northern Rhodesia Government subsequently proceeded against the copper companies, we might be expected to adopt the same technique—i.e. to do, in effect, what Prain foresaw that the Russians or Chinese might be willing to do. But, if something of this sort is to be done, it is surely better that we should do it than that our enemies should.

398 PREM 11/5038

16 Sept 1964

[Malawi Cabinet crisis]: inward savingram no 13 from Sir G Jones to Mr Sandys on Dr Banda's new Cabinet**The Cabinet crisis**

Following a series of Cabinet meetings and rumours of a major disagreement between the Prime Minister and his Ministers, it was announced on 7th September that three Ministerial posts and one Parliamentary Secretary post had been declared vacant. The Ministers dismissed were Mr. M. W. K. Chiume (External Affairs), Mr. O. E. C. Chirwa, Q. C. (Justice and Attorney-General), Mr. A. W. Bwanausi (Development and Housing, and Works) and Mrs. Chibambo (Parliamentary Secretary, Natural Resources). Shortly after this announcement came the news that Mr. Y. K. Chisiza (Home Affairs), Mr. W. Chokani (Labour) and Mr. J. D. Msonthi (Transport and Communications) had resigned, although Mr. Msonthi withdrew his resignation the following morning. Mr. B. H. M. Chipembere (Education), who had been in Ottawa attending the Commonwealth Education Conference, announced his resignation on 9th September on his arrival back in Zomba.

2. In the light of these events Parliament was hurriedly reassembled on 8th September to debate a vote of confidence in the Malawi Congress Party, the Prime Minister, and his internal and external policies.

The debate in parliament

3. In his opening speech of one and a half hours the Prime Minister gave his account of his dealings with the Cabinet, building up a picture, not of Cabinet disagreement, but of a conspiracy. He avoided the main issue of Ministerial and Cabinet responsibility, but listed the matters on which the Ministers had attacked him. He dealt with the Skinner Report,¹ hospital fees, Africanisation, and policies towards Portugal, Southern Rhodesia and Communist China, and argued that there was no popular feeling on these issues but that his Ministers had in fact conspired to create it.

4. The Prime Minister said that when these disagreements in Cabinet had first arisen he had been prepared to resign and leave the country, but as soon as he realised that the Ministers were not motivated by a sense of duty, but by ambition and avarice, and that they were also accusing him of nepotism, he decided to stay and fight it out. The Prime Minister said that there were, however, even more sinister motives underlying the attempt to depose him, and recounted a story of intrigue by the Chinese Communists. The intermediary for this purpose was the Chinese Ambassador in Dar-es-Salaam who had made an offer of aid for Malawi to Mr. Chiume of £18 million in return for recognition of the Peking Government. The Ambassador had visited Malawi twice and had recently seen the Prime Minister in Dar-es-Salaam but had then only offered him (the Prime Minister) £6 million and it was clear that the £18 million offered to Chiume was to encourage Cabinet disloyalty. At this stage the Prime Minister admitted it might be necessary eventually to

¹ The Skinner Report dealt with the pay and conditions of African civil servants.

recognise Peking but he would not be rushed into it and he recapitulated the main points from a speech he made earlier this year on the perils of Communist allurements. The Prime Minister also defended his relations with Portugal. At the conclusion of his speech he received a tumultuous ovation from M. Ps.

5. In the course of the afternoon and the following day all M.Ps. were given the opportunity to prove their loyalty. Speaker after speaker talked in adulatory terms of the Prime Minister and referred to the ex-Ministers as conspirators and traitors. It became quite clear at an early stage what the outcome of the debate would be. M.Ps. claimed that there were no signs of dissatisfaction in their constituencies. There were several threatening allusions to the appropriate fate to be bestowed on the dissident Ministers. Two of the speakers implied that the situation emphasised the need for the Prime Minister to become President as soon as soon as possible with full powers.

6. In turn the ex-Ministers stated their case, for the most part effectively, in spite of interruption from the back benchers. Chipembere in particular made an impressive speech and was obviously seeking a reconciliation; he had on the second morning made a dramatic entry into the House on his return from London and joined his ex-Cabinet colleagues on the back benches. The general theme which ran throughout their speeches was that they were still loyal to the Prime Minister but would have been failing in their duty if they had not drawn his attention to these various matters about which they and the people of Malawi felt so strongly. They refuted the Prime Minister's suggestion that they wished to dispose of him for reasons of ambition and personal gain and reaffirmed their desire for him to continue as Prime Minister.

7. It was apparent, however, that the Prime Minister had overwhelming support, and the vote of confidence was duly passed by acclamation.

The new ministers

8. Shortly after the close of the debate, the Prime Minister announced the appointment of new Ministers. These are Mr. A. M. Nyasulu (previously the Speaker), Minister of Natural Resources, Mr. A. A. Muwalo (Administrative Secretary of the Party), Minister of Information, Mr. R. B. Chidzanja (previously Central Regional Minister), Minister of Trade and Industry, Mr. M. Q. Y. Chibambo (previously Northern Regional Minister), Minister of Development and Housing, and Works, Mr. J. D. Msonthi, Minister of Transport and Communications, Mr. G. C. Chakuamba, Minister of Community and Social Development, and Mr. B. C. Roberts, Q. C. (an expatriate official), Attorney-General (without a Cabinet seat). The Prime Minister himself became Minister of External Affairs and retained the Ministry of Health. The Ministries of Education, Labour and Home Affairs are still vacant, and the Prime Minister has intimated that he deliberately left these for three of the Ministers who had resigned, and whom he might wish to take back.

The prime minister's press conference

9. On the 11th September the Prime Minister, accompanied by Messrs. Tembo, Msonthi, Muwalo and Aleke Banda, gave a Press conference. In the main he reiterated the points he made in his speech in Parliament, but again strongly emphasised that he would not respond to the threats or bribery of Peking China. He said that the second scramble for Africa was now taking place, and whereas in the

1890s it was the European Powers scrambling for the body of Africa, now it was the scramble for the soul of Africa by 'other Powers'. He went on to say that he intended to establish a clean, strong and stable Government with an honest, efficient and dedicated Civil Service, and concluded by saying that he knew that he had the support of all the people of the country in this task.

Appeal to the country

10. On Sunday, 13th September, the Prime Minister addressed a public meeting at Palombe. He then continued with the theme that the mass of the people supported him and that it was only the civil servants of Zomba and Blantyre who were conspiring with Ministers to remove him. Meanwhile, the ex-Ministers were holding public meetings in their constituencies, and Mr. Chipembere made a strong attack on the Prime Minister at Fort Johnston. The Prime Minister intends to address further public meetings in the Central and Northern Regions on the next two Sundays.

399 DO 183/205, no 236

29 Sept 1964

[BSAC mineral rights]: minute by G W Jamieson on financial aid to Zambia

I fear we must now assume that the Chartered talks will break down, and that Zambia will proceed to nationalise the mineral rights without compensation.

2. I have always hoped, perhaps rather too optimistically, that the inevitable Chartered row could be kept, so to speak, self-contained, and that the rest of our relationship with Zambia could proceed on normal lines, more or less undisturbed.

3. Developments over the last ten days make this facile assumption highly questionable. In particular, it is now becoming clear that it will be extremely difficult for British Ministers to defend any additional measures of financial aid to Zambia, or even the continuation of existing measures of aid (e.g. technical assistance, subventions under the Overseas Services Aid scheme, and the arrangements for subsidising the cost of seconded service personnel).

4. The consequences of the withdrawal of British financial assistance cannot be accurately predicted. Nevertheless, as we know from our current studies in the J.I.C., it is going to be far from easy for Dr. Kaunda to maintain his present mild pro-Western orientation. He has to push his policies through a Cabinet, most of whose members are a good deal further left than himself. He has still to work against the grain of the residue of bitterness and hostility to Britain and Europeans generally caused by the ten year Federal experiment. He has to walk a most delicate tight-rope between appearing convincingly pan-African and yet continuing to keep, as he must, some kind of working relationship with Southern Rhodesia, and Portugal. It will be impossible for him to maintain his declared policy of strict non-alignment if, at the moment of independence, British financial support is publicly and deliberately withdrawn because of what in Zambian eyes is the righting of an historic wrong. There can be no doubt that Zambia will be a priority Bloc target; the wealth of her

copper mines makes her a prize who (unlike Cuba and Zanzibar) will be not only self-supporting, but will provide additional local resources for Communist infiltration. Zambia is, moreover, strategically so placed that if a Communist regime were installed it would be in an excellent position to move in (as in Eastern Europe in 1945) and take over in the chaos of what they at least regard as the inevitable or revolutions in the countries still under white control.

5. There is, moreover, nobody ready at the moment to step into the vacuum that would be caused by our financial and therefore political, withdrawal. The Americans have not so far shown any readiness to do very much in Central Africa, which they regard as our responsibility to keep on the rails. The West Germans are beginning to show an interest, but the fact that Dr. Kaunda rejected a DM. 10 m. offer last month (because it was foolishly linked with non-recognition of Eastern Germany) will make it difficult for them to take a further early initiative. We are, incidentally, in fairly close touch with the West Germans and we have I think repaired any possible damage caused by the recent incident. The French have begun to display more interest in Northern Rhodesia; they treated Dr. Kaunda very well in Paris in the summer. There is, however, no sign of any more substantial support. Even the Israelis have not yet begun to move in except in a most marginal way. As will be seen, therefore, the Western presence in Zambia—certainly as regards financial support—is almost entirely on our shoulders. Equally, if we discard the burden abruptly the only other shoulders are likely to be Russian or Chinese ones. In view of all these considerations I feel we must put this problem squarely at some stage to Ministers. If they are going to decide to stop aid to Zambia they ought to know the consequences which I think may be very grave.

6. If despite all this the decision is taken to cut off financial aid we ought to be considering now what other measures are available to us to mitigate or delay the consequential damage. The following come to mind:—

(a) If the recent formula for nationalisation with provision for compensation to those who can prove their title is accepted, this may give us sometime in which we might be able to negotiate and announce measures of aid which could hardly be subsequently cancelled. If this were possible I suggest defence aid is by far the most important, so that we can maximise British influence (and so minimise Bloc influence) on the levers of power in the state.

(b) Although capital aid may have to stop we may be able to continue technical assistance, etc. We could get the D.T.C. to abandon their present chosen role of passivity, and take more positive steps to appear active and helpful in this field; e.g. instead of waiting for indents, D.T.C. officials could go out to Northern Rhodesia and peddle their services.

(c) A much greater effort could be made in the field of cultural relations and visits (both ways). Thus, we could repeat, several times if possible, the C.O.I. tour we gave to four Zambia parliamentary secretaries earlier this year. We could put more effort into the question of 'linking' Lusaka with some British city. We could even, perhaps, think again about Mr. Molyneux's desire to present a clock tower to Lusaka. We could also put up more money for British Council activities.

7. I am sending copies of this minute to Mr. Neale and Mr. Scanlon.

400 PREM 13/85

6 Oct 1964

‘Southern Rhodesia: a new phase’: letter from J B Johnston to Mr Sandys

Rhodesian affairs have taken an unexpected turn in the last few weeks. Until recently it seemed inevitable that the issue of independence would reach crisis point in October. But the outcome of Mr. Smith's visit to London has been a postponement of the crisis, though it may also have served to intensify the crisis when it is reached.

2. I recorded in my despatch No. 6 of 26th August the circumstances of Sir Roy Welensky's reluctant return to politics, and his own disclosure that the deciding factor had been his conviction that if the London talks then impending proved abortive, the Southern Rhodesia Government would declare independence unilaterally.

3. His opinion was widely shared—by the whole of the official Opposition, by almost all political observers, and by myself. As the date for Mr. Smith's London visit came closer, tension was wound up by statements from Ministers and other spokesmen of the Rhodesian Front, all of which pointed ominously to the probability that the Southern Rhodesian Government were determined on a showdown. ‘This is it’ said Mr. Smith in his last television interview before leaving for London. There seemed little room for manoeuvre on either side and little that could take place in London other than a short and sharp confrontation, with Mr. Smith demanding independence at an early date without offering any significant concession in return, and the British Government standing firm on its declared policy. Mr. Smith was expected to return empty-handed, and the two key by-elections impending on 1st October were seen as a test of public opinion on the issue of rebellion. If the Rhodesian Front were to emerge victorious from the by-elections it seemed impossible that the Government could much longer withstand the pressures for a unilateral declaration from the hard core of extremists who are determined on independence at all costs.

4. It was in this atmosphere that the Rhodesia Party, with Sir Roy at its head, was born. Sir Roy set out to rally the flaccid and devitalised opposition to the Government with one overriding aim, to prevent the ultimate folly of a unilateral declaration.

5. Thus, when Mr. Smith took off for London to chants of ‘independence now’ it seemed that all that stood between Southern Rhodesia and an act of rebellion was the Rhodesia Party, with its precarious organisation, its leader outside Parliament, and its prospects of retaining the two seats in the by-elections far from certain. But the cleavage was fundamental: The Rhodesian Front appeared to be hell-bent for independence at any price; the Rhodesia Party, although strongly supporting the demand for independence, was utterly opposed to seizing it illegally.

The outcome of the London talks

6. When the joint communiqué on the London talks was released on 11th September, it came as a complete surprise to the Rhodesian Press and public. The Opposition immediately cancelled their planned newspaper advertisements and postponed the mass meeting at which they had planned to launch their by-election campaign. Mr. Smith's offer to consult African opinion, and his statements that

unilateral action was not now an issue deprived Sir Roy Welensky at one blow of the whole basis on which his party were fighting the forthcoming by-elections. The removal of the main, and almost the only plank on which the Opposition's platform rested, plunged the party into confusion. If there was now a possibility that independence on the 1961 Constitution was negotiable, the Rhodesia Party (however realistic their private appreciation of the true prospects) could not afford to seem to drag their feet. They could only claim that they would be a better party to conduct the negotiations. Mr. Smith was swift to capitalise on his tactical success with renewed appeals for national unity and for placing the independence issue above party politics. In the House Sir Edgar Whitehead pledged the co-operation of the Opposition in devising a fair means of testing the opinion of the African population on independence under the present constitution and franchise and a joint committee of Government and Opposition was set up.

7. Sir Roy, in a Press statement, welcomed the Prime Minister's assurances that unilateral action had been abandoned—which his party earnestly hoped was for all time—and announced their strong support for obtaining independence by 'general consent'. His party's only misgiving was that the decision to seek majority consent moved 'sharply away from the qualitative franchise which is the tradition upon which Rhodesian government has been built'.

The by-election issues

8. With the two parties co-operating in the all important task of finding some way of demonstrating general consent to independence, most of the heat was taken out of the by-election campaigns. Until the last two weeks, the campaigns were conducted quietly, mainly through full page newspaper advertisements and door-to-door canvassing. In its advertisements the Rhodesian Front made a direct and unobvious appeal to the emotions of the white electorate by contrasting their present happy and privileged lot with that of their kin elsewhere in Africa where power had been surrendered too soon to immature hands. Mr. Smith was built up as a strong man and the Government as a strong Government. And the party reiterated the *canard* that the electorate had been betrayed by the fore-runners of the Rhodesia Party who, it was claimed, had led the electorate to believe, at the time of the 1961 Referendum, that adoption of the constitution would lead to sovereign independence in the event of the dissolution of the Federation.

9. The Rhodesian Front even questioned, with bland disingenuousness, the need for the Rhodesia Party's existence. They suggested that differences in policy were now negligible and that the two Rhodesia Party candidates should withdraw in the interests of national unity. But the Rhodesian Front's main attack was concentrated on Sir Roy Welensky himself, who was represented as a liability to the national cause since he was anathema to the African population and Southern Rhodesia's neighbours to the north. An attempt was made to drive a wedge between Sir Roy and Sir Edgar Whitehead by suggesting that, while the latter was co-operating fully in the consultation exercise, Sir Roy was not sincere, and by voicing doubts and criticism of the Government's actions was undermining the unity which was so essential to success. This was, however, promptly rebutted by Sir Edgar Whitehead.

10. The Opposition, after a period of fumbling, took the line that, while they accepted that the views of the African masses on the independence issue could be

obtained by using existing machinery, both by tribal customary methods and by facilitating increased enrolment on the 'B' roll outside the tribal areas, they were determined to ensure that the expression of African support must be obtained, and be seen to be obtained, by patently fair and just methods which would be acceptable to the British Government. Sir Roy Welensky said that the Government should apply pressure on the British Government to secure advance assurances that the form of testing public opinion adopted would be acceptable to Britain. His party feared that if the process of consultation proved unacceptable then the 'ugly prospect of a unilateral declaration of independence would re-appear as an immediate, dangerous and pressing reality'. The Rhodesia Party would not support a unilateral declaration even in these circumstances because of the grave political and economic consequences that would flow from such action. The Rhodesia Party refused to give the Government a blank cheque on this issue, and it was therefore essential to have a strong Opposition to check extremism. Sir Roy Welensky also claimed credit for having halted the earlier trend to unilateral action.

11. The closing stages of the campaign were marked by ugly scenes at public meetings. At one addressed by Sir Roy Welensky, he was castigated in such terms as 'traitor', 'bloody Jew', 'Communist', and 'coward'. Such scenes have not been a feature of Rhodesian political life in the past, although there have been signs of growing political thuggery in recent months, and were the subject of acrimonious exchanges and counter-accusations by both sides. There is no doubt, however, that the persons mainly responsible were extremist elements among the Rhodesian Front supporters, whose activities have been giving rise to alarm on the part of the more moderate supporters of both parties.

The by-election results

12. Voting in the two constituencies of Arundel and Avondale took place quietly on 1st October. The constituencies, which are European residential suburbs to the north of Salisbury, had been won in the 1962 general election by the Rhodesia National Party (now incorporated in the Rhodesia Party) with majorities of 317 (Arundel) and 183 (Avondale). The results which were announced the same night to vociferous crowds at the returning centres were:—

Arundel (2242 registered 'A' roll voters; 14 'B' roll)

C. W. Dupont (R.F.)	...	...	...	...	1079 votes
Sir Roy Welensky (R.P.)	...	...	...	...	633 votes
R.F. majority	...	...	...	...	466 votes
Percentage poll	...	...	...	...	75.9

Avondale (2080 registered 'A' roll voters; 12 'B' roll)

J. W. Pithey (R.F.)	...	...	...	...	1042 votes
S. S. Sawyer (R.P.)	...	...	...	...	416 votes
R.F. majority	...	...	...	...	626 votes
Percentage poll	...	...	...	...	70.7

13. Mr. Smith described the results as a fantastic victory for the Rhodesian Front. In a statement issued to the Press, he said that he had felt in December 1962 that the country had moved away from the old régime that had advocated appeasement and a phased handover; and that the voters of Arundel and Avondale had further endorsed this decision by returning, with overwhelming majorities, the two Government

candidates to seats previously held by the Opposition. All Rhodesians, irrespective of race and colour, would stand together and derive courage and confidence in their joint effort to obtain full nationhood for Southern Rhodesia. Sir Roy Welensky said that he was not despondent at the results but that he was now going to reorganise his party as soon as possible: this was just a beginning—one skirmish in a battle which was taking place.

14. Although even the most sanguine of the Rhodesia Party's supporters did not rate their chances of success in the by-elections as better than even, the actual results came as a brutal shock. The enormous swing, compared with the 1962 general election results, in what were previously regarded as safe Opposition constituencies (in each there was an actual increase of over 400 in the votes registered for the Rhodesian Front, with a broadly corresponding reduction in Opposition votes) admits of no doubt that there has been an obvious and significant move of opinion generally towards the Government. The Opposition must be painfully aware that if this trend were to be reflected throughout the country in a general election it is possible that they would not win a single 'A' roll constituency. Analysis of the 1962 election results shows that of the 15 constituencies (as opposed to electoral districts in which the 'B' roll vote preponderates) won by the Opposition, the majorities were in the following ranges:

Under 100	...	...	...	...	4 seats
100–200	...	...	...	...	5 seats
200–300	...	...	...	...	3 seats
Over 300	...	...	...	...	3 seats

(The maximum majority was 616)

Many seats are therefore truly marginal, and set against the by-election results they all are.

The immediate future

15. The Rhodesia Party have thus suffered a crushing defeat. Their leader remains outside Parliament, and he as well as all those inside the House must now be acutely conscious of the precariousness of their position. Even before the by-elections the Opposition, despite Sir Roy Welensky's efforts, failed to achieve any real dynamism, and unlike the Rhodesian Front had presented an image of amateurishness, ineffectiveness and lack of cohesion. An attempt is now being made to reorganise the party, and a steering committee appointed for this purpose has already started meeting. It remains to be seen whether Sir Roy Welensky can now infuse some fight into his new party, some of whom seem to have conceived a reluctant but genuine admiration for Mr. Smith's performance, and to be susceptible to his continual calls for national unity.

16. The Rhodesian Front themselves are cock-a-hoop. Mr. Smith's personal prestige, already greatly enhanced by the outcome of the London talks, has now reached a peak, both within his own party and in the country generally and his supporters have a new and arrogant confidence. Whatever Mr. Smith's underlying reasons may have been for producing his unexpected way out of the *impasse* in London, he can now be seen to have played his cards very skilfully, at least so far as the internal political situation is concerned. It had become clear that the major impediment to his party's drive for independence at all costs had been the substantial

and effective opposition that had emerged in Southern Rhodesia in recent months to a unilateral declaration of independence. Much of the opposition to unilateral action came from the business community and industrialists who foresaw, and feared, its grave economic consequences. But a broader, and politically more significant, opposition had grown in a large sector of the European population who, for more emotional and personal reasons, were gravely perturbed at the possibility of an illegal and unconstitutional act of disloyalty to the Crown unless justified by some gross intervention in internal affairs by the British Government, in violation of the established convention. Mr. Smith is now seen to be making a major, and perhaps ultimate, effort to negotiate independence, on a basis which accords with the opinions which most ordinary white Rhodesians hold as to the state of development and capabilities of the African people of their country, and which therefore salves many consciences. Moreover, the by-election results have shown in a constitutional way that there is increasing support for Mr. Smith's general policies; this in itself will influence others. There is also a general belief, which is completely unjustified by the terms of the communiqué but which the Rhodesian Front are assiduously if obliquely fostering, that Mr. Smith has in some way secured the implicit agreement of the British Government to the grant of independence on the basis of the present Constitution and franchise provided that he can successfully demonstrate that he has the support of the majority of the population for this course. The stage is thus set to represent, in due course, that the British Government—if African consent is demonstrated, and independence refused—have broken their side of a bargain; and thus to furnish the hesitant with a justification for unilateral action of an emotional validity equal to that of a breach of the constitutional convention.

17. Mr. Smith has now to decide on the method of consulting public opinion on the independence issue, and then to put it into effect. On this much remains obscure. The Opposition party are co-operating, in a joint committee with the Government party, in working out arrangements for consultation, but they have already made it clear that these arrangements must represent a just and acceptable test of opinion. After his electoral defeat, it seems likely that Sir Roy Welensky will attach all the more importance to this qualification, since he no doubt judges that some of the more extreme elements of the Rhodesian Front are reluctant to run the risks of any real test of African opinion, and will insist on nothing more than a referendum of the present electorate and some form of consultation of Chiefs and Headmen in respect of rural African opinion. There is, therefore, a chance that the Opposition might gain advantage by trying to divide the more moderate members of the Rhodesian Front from the extremists. It is also possible that the Opposition and the Government may not be able to reach agreement on the questions to be asked or on the method and extent of consultation among the Africans. Should this happen, the decisions which will face a new British Government on the independence issue within the next two or three months may be less climactic, since the local consequences of a refusal by Britain to recognise the validity of consultations on which there had already been a failure to reach internal agreement would be less stark.

18. On the other hand, both parties reject any method of consultation based on one man, one vote; and in the light of the trend of public opinion as shown at the by-elections, the Government may well be able to carry the Opposition with it (possibly by threatening, if necessary, to refer the issue directly to the electorate in a general election) in devising a form of consultation which would be acceptable to the

Government and to the electorate generally. It is quite impossible, particularly before knowing what question is going to be put to them, to define the views of the rural Africans, or how the Chiefs will speak for them. Conceivably, some of them might prove less tractable than expected; but Mr. Smith is sufficiently confident of the Chiefs' fears of the African nationalists to believe they will support him. If, in the tribal and rural areas the matter is left to the Chiefs and Headmen, exercising on behalf of their people a sort of card vote, like delegates to a Trades Union Congress, Mr. Smith may be able to show support, in terms of sheer numbers, which would render irrelevant how African nationalist opinion or urban African opinion outside the franchise might have voted. This would carry great weight with the European electorate as a whole, and make them unreceptive to the inevitable criticism from outside Southern Rhodesia, where it seems impossible that any substantial international opinion could be brought to accept the result of a consultation in which the Africans had been refused an individual vote, during which some 1,000 of the politically minded Africans had been kept in restriction, and during which—as seems likely—no one opposed to independence had been allowed effectively to canvass the opposite point of view. By the time the consultation has taken place, therefore, the wheel will have turned full circle, and we shall be back in the crisis atmosphere which preceded Mr. Smith's visit to London, with Mr. Smith in a position of very much greater strength internally.

19. It is difficult to look further ahead. Mr. Smith has now established a remarkable personal ascendancy in his party and in the country. Much therefore turns on what his real intentions are. There are two possible explanations of his handling of affairs to date. The first is that he is determined on independence at all costs. He has no real hope of independence by negotiation, but realises that a successful unilateral declaration is dependent on getting the majority of the European electorate behind him, and dealing with those who have shown that they would—passively or actively—oppose it. He has therefore set himself the task of building up his own position and that of his party, of neutralising his most dangerous opponent, Sir Roy Welensky, and of creating a situation in which he can show that the British Government have forfeited any claim to authority over Southern Rhodesia. His first move towards this last objective was his attempt in personal correspondence to draw the British Prime Minister into statements about Britain's terms for independence which he would then publish as evidence that Britain wished to abandon the Europeans in Southern Rhodesia to African rule. Unfortunately for Mr. Smith we declined to give him the ammunition he sought. He has therefore been forced to adopt new tactics, designed both to secure Sir Roy Welensky's defeat at the polls, and—in a different way—again to manoeuvre Britain into the dock before the Rhodesian jury. If this analysis were correct, I would expect him, if he secured an expression of African support and were then refused independence, to hold a general election, and to ask the electorate for a blank cheque for such action as the Government deemed necessary. If he then swept the country he could proceed confidently to a unilateral declaration of independence. There would still be many opposed to it: but since any who might want to oppose a *coup* by force could only thereafter justify their action by calling for a general election, the ground would have been cut from beneath their feet.

20. The second explanation is that Mr. Smith has some apprehension of the political and economic consequences of a unilateral declaration of independence, and

for this reason, and because of his personal emotions towards the Crown, is anxious to avoid a unilateral declaration if there is any other way out. He has therefore built up his command of his party and the country, has so far held them back from precipitate action despite a series of crises, and has strengthened his own position in the process. He is now hoping desperately, if ingenuously, that he may be able to find some basis for a negotiated independence. If he fails in this it is possible that he may still be reluctant to proceed to a unilateral declaration. He would at that stage face serious trouble with his party if he seemed to waver. But he might nevertheless cast about for some way of projecting the point of no return a little further into the future.

21. Either of these hypotheses could explain his actions. I fear that the first may be nearer the truth than the second. We shall know very soon.

22. I am sending copies of this despatch to the British High Commissioners in Accra, Lagos, Dar-es-Salaam, Kampala, Nairobi and Zomba; to the Governor of Northern Rhodesia on a secret and personal basis; to Her Majesty's Ambassadors in Washington, Pretoria and Lisbon, the British Permanent Representative at the United Nations and the Consul-General at Lourenço Marques; the Political Adviser to the Commander-in-Chief, Middle East Command, and to Mr. Molyneux in Lusaka.

401 DO 183/459, no 4

15 Oct 1964

[Northern Rhodesia—readiness for independence]: letter (reply) from G W Jamieson to J A Molyneux

I am sorry we have been so long in giving you any reply or acknowledgement to your 'state of the country' letter of 30th July.¹ I can, however, assure you that it was widely read and that we were extremely grateful for it.

2. The final sentence of paragraph 5 of your letter caused us to reflect as to just how badly off Northern Rhodesia was in regard to education, Africanisation, etc. compared with the East African territories. Monson commented as follows in a letter to Duncan Watson:—

'Molyneux had asked whether it was an overstatement to say that no British Colony had previously been given its independence with such a deficit of locally trained manpower. You had commented in the margin that you thought this was an overstatement and doubted whether Northern Rhodesia was much worse off than any of the East African territories. I can perhaps speak with some greater authority on this comment than on Molyneux's letter as a whole and, while I might find some difficulty in agreeing in absolute terms with Molyneux's statement, remembering British Somaliland, I do think with respect that your marginal comment does ignore two factors which existed in East Africa as I knew it and do not exist in the Northern Rhodesia which I remember.

The first of these is the absence in Northern Rhodesia of the middle class of artisans, traders and clerks of Asian origin which existed in East Africa. In East Africa they are available to carry the business machine and the

¹ See 386.

Government machine in a state of comparative efficiency though the poor creatures themselves have no prospect of honourable advancement or promotion—they have, however, no alternative place to go. In Northern Rhodesia as I see it their place has been taken by Europeans who have been paid inflated salaries to attract them so far north but who are temperamentally not so fitted to accept the dictates of fate and changing politics as the Asians in East Africa have had to school themselves to do. Secondly, certainly so far as Uganda and Kenya were concerned, the local government structure, particularly in the rural districts, was far more efficient than anything we managed to build up in Northern Rhodesia. (In Uganda this was due to the fact that the units were comparatively large and in Kenya to a high degree of close administration which followed on the emergency.) This again has meant, as I understand it from people returning from Uganda and Kenya, that the day-to-day administration of the country has carried on in a way which has confounded many pessimists.

By and large, therefore, I myself would not have thought that there was a fair comparison to draw between East Africa and Northern Rhodesia.’

3. We have already written to you about the Tanganyika Railway. We held a meeting in the office just before Wina² came to London for the Chartered talks. The object of this was to consider what advice we could give ministers as to how to respond should Wina ask what our attitude was. The following is the text of what we suggested our ministers might say, though in fact they were not tackled on the point:—

(i) It is not for us to comment on the relative priority which the African governments concerned give the project in relation to other demands on available financial means. While we agree this railway could no doubt provide a stimulus to both economic development and economic integration in the region as a whole, we only make the point that it will be expensive, and we think the effect of diverting such resources from other development should be carefully examined.

(ii) Frankly speaking we have doubts as to whether the railway would pay its way for a number of years. Equally we think it would be unfortunate if it resulted in depriving the existing railway systems of traffic, thus affecting their financial position. We have a direct interest in this as a guarantor of the I.B.R.D. loans to Rhodesia Railways.

(iii) We are not clear what degree of study has so far been given to the project, and also to the availability of finance. We know that the I.B.R.D. are helping to provide a general transport survey. We assume no final decisions should be taken before this has been completed and studied.

(iv) Presumably this project would have to proceed in stages. Indeed work is now proceeding in Tanganyika on a railway extension which would presumably form part of the link. (Ekikumi–Kidatu; 20 miles. This is being built by West Germany.)

(v) It may be that work could begin in the near future, in advance of any final decision on the complete link, on a further extension in Tanganyika onwards from Kidatu. Such an extension would be justifiable in its own right, and would contribute to the final link between Tanganyika and Zambia.

² A N L Wina, Minister of finance, Zambia.

(vi) (Only if pressed) H.M.G. have not yet considered the question of possible participation in the project and we can offer no commitment of a capital nature. We will, however, be ready to consider the provision of Technical Assistance with the preliminary studies likely to be necessary, within available financial limitations'.

4. The whole question of the independence financial settlement has now got thoroughly entangled with the Chartered question. I had always hoped, perhaps rather too optimistically, that the inevitable Chartered row could be kept more or less self-contained, and that the rest of our relationship with Zambia could proceed more or less undisturbed.

5. I think this was a facile assumption. Our fear now is that it will be extremely difficult for British ministers to justify any additional measures of financial aid to Zambia, if they proceed with their intention to confiscate the mineral rights. We realised that this raises an ugly dilemma. Kaunda will find it very much more difficult to keep his present mildly pro-Western orientation if he cannot display any tangible tokens of Western support. If we opt out of the aid picture in Zambia there is no other Western country yet ready to take our place, unless the Americans were to decide to do so.

6. We have already therefore begun to think of ways in which we could continue to show an active interest in Zambia if direct financial assistance becomes impossible for a time. It would be possible for the D.T.C. to take more active steps in pressing their services on Zambia; in this connection King's³ forthcoming visit might assume considerably greater importance. A much greater effort could be made in the fields of cultural relations and visits. I am sure we ought to do more on the lines of the tour of the four Parliamentary Secretaries which took place earlier this year. It might also be possible to get more done through the British Council and the B.I.S.

7. I am sorry if this appears a slightly depressing letter to send you on the eve of Independence. Obviously a great deal now hinges on the possibility of obtaining an agreed settlement of the Chartered question. If this can be achieved the way should again be open to some modest British aid. But if it is not we will all have to start thinking what can take the place of aid.

8. I am sending copies of this letter to Fingland in Salisbury, and Cole in Zomba.

³ R B M King, under-secretary, Dept of Technical Co-operation/Ministry of Overseas Development.

402 CAB 128/39/1, CC 1(64)3 [Southern Rhodesia]: Cabinet conclusions

19 Oct 1964

[The Labour Party won the British general election on 16 Oct with an overall majority of four. At this, the first meeting of his new Cabinet, Labour prime minister Harold Wilson was immediately confronted with the issue of Southern Rhodesia.]

The Prime Minister informed the Cabinet that they might soon be required to confront major decisions of policy in relation to Southern Rhodesia. He had himself discussed the issues involved with the Prime Minister of Southern Rhodesia, Mr. Ian Smith, during the latter's recent visit to London for negotiations with the

Conservative Government; but he had refrained from giving any commitment about the attitude of the Labour Party, if they came into power.

The Commonwealth Secretary said that, on the conclusion of the discussions with the United Kingdom Government to which the Prime Minister had referred, an agreed communiqué had been issued stating, among other things, that independence for Southern Rhodesia must be based on the general consent of the population of the Territory and that the United Kingdom Government were entitled to be consulted about the means by which this consent was to be obtained. On the day of the General Election Mr. Smith had informed the Conservative Government that he had arranged to convene a meeting with the African Chiefs in the very near future in order to ascertain whether independence on the basis of the present Constitution would be acceptable to African opinion. He had invited the United Kingdom Government to send observers to that meeting. The Conservative Government had replied that this procedure was not in accordance with the understanding which they had reached with Mr. Smith and was not acceptable to them. He had now informed Mr. Smith that the new Government took the same view as their predecessors on this issue. Since he proposed to visit Northern Rhodesia in the following week in order to represent the United Kingdom Government at the independence celebrations, it might be appropriate that he should thereafter proceed to Southern Rhodesia in order to make wholly clear to the local Government not only the conditions on which Her Majesty's new Ministers considered that Southern Rhodesia might obtain her independence but also the probable reactions of the United Kingdom Government to a unilateral declaration of independence. But he could only express a willingness to meet Mr. Smith for this purpose provided that it was agreed that he should also discuss the situation with the leaders of the main political Parties, Mr. Nkomo and the Reverend Sithole, who were at present in political detention.

The Prime Minister suggested that the Defence and Overseas Policy Committee might give further consideration to the issues involved before the Commonwealth Secretary's departure for Zambia.

The Cabinet:—

- (1) Took note of the statement by the Commonwealth Secretary about Southern Rhodesia.
- (2) Took note that the Prime Minister would arrange for the issues involved to be further considered by the Ministers concerned.

403 PREM 13/86

21 Oct 1964

'South African/Southern Rhodesian relations': despatch no 61 from Sir H Stephenson¹ to Mr Gordon Walker²

In his despatch No. 8 of the 11th of September the High Commissioner in Salisbury examined the relationship between Southern Rhodesia and South Africa. On the

¹ Sir Hugh Stephenson, British ambassador in South Africa, 1963–1966.

² Patrick Gordon Walker was appointed secretary of state for foreign affairs in Oct 1964 despite having lost his seat in that month's general election. He was forced to resign in Jan 1965 after losing the Leyton by-election.

question of a unilateral declaration of independence he concluded that the Southern Rhodesian Government might have some justification for believing that South Africa, though perhaps unwilling or unable to give them any assurances in advance, would be bound to recognise and help them after they had decided to go it alone. I agree with Mr. Johnston's conclusion.

2. Both Mr. Smith and his predecessor, Mr. Field, have visited the Republic this year while in office and spoken with Dr. Verwoerd and other Ministers. Mr. Field came for 12 days in February for a 'holiday' in the Cape (he stayed with friends at Somerset West). If there were political reasons for his visit they were well concealed. He told the Press on arrival that it would be difficult for Rhodesia and South Africa to establish closer links than those already existing and that a defence alignment was not contemplated. He said that Southern Rhodesia was virtually independent already but quite determined to sever the final links at some stage or another in a manner acceptable to Rhodesia.

3. One of the United Party's economic experts, Dr. Cronje, who was present when Mr. Field had lunch with the leader of the Opposition, Sir de Villiers Graaff, told me subsequently that Mr. Field had said he intended to sit tight and do nothing. If Britain unilaterally changed the Constitution Southern Rhodesia would declare independence, but he had no intention of proceeding in that direction otherwise. Dr. Cronje said that Mr. Field emphasised that although people would not believe him, he had come to South Africa purely for a holiday.

4. Dr. Cronje's impression that Mr. Field had come without any idea of making a deal with Dr. Verwoerd was shared by the Press. The political correspondent of the *Cape Argus* summed up the general belief when he said that the indications were that Mr. Field had received little more than tea and sympathy, and that comments from Government sources reaffirmed the attitude that while South Africa would do what she could to help a neighbour in trouble, political ties between the countries were out of the question for the time being because of the differences in policy. The editor of *Die Landstem*, an independent Afrikaans paper, told us that he believed that Mr. Field and Dr. Verwoerd had exchanged views, but that Mr. Field had not asked for any assistance, even financial, and that if he had, Dr. Verwoerd would not have been disposed to give it.

5. Mr. Smith's three-day visit at the beginning of July was, unlike Mr. Field's, official, and discussions with the South African Government were not played down. Unlike Mr. Field, he was seriously considering a unilateral declaration of independence at the time and the Press assumed that he had come to sound out Dr. Verwoerd's reaction. They deduced that he would seek promises of economic aid at least.

6. It was announced at the end of the visit that there would be talks between Southern Rhodesian and South African officials with a view to amending the existing trade agreement between the two countries. The Southern Rhodesians no doubt hope that the result will be a bigger stake for Southern Rhodesia in the South African markets. But, as Mr. Johnston has pointed out, reviews of the trade agreement take place at roughly annual intervals, and it is, by the nature of their two economies, hard to see how negotiations between the two countries could give Southern Rhodesia a larger share of the South African markets.

7. For the rest, it was no easier to find out what had passed at this meeting than at the previous one. Even the Rhodesian Diplomatic Representative in South Africa,

Mr. Wetmore, admitted to us privately that he had been left very largely in the dark. At a Press conference at the airport before he left Mr. Smith denied that he had asked Dr. Verwoerd his opinion on a unilateral declaration of independence, or that they had discussed defence. He declined to go into any detail about the negotiations for a new trade agreement. The general opinion of the Press was that Mr. Smith had had nothing from Dr. Verwoerd in the way of political assurances, if indeed he asked for any, and that the only positive result of the talks would probably emerge in the new trade agreement.

8. My predecessor's estimate of the degree of help likely to be offered by the South African Government to the Southern Rhodesians in a bid for independence was that, however much sympathy they might profess, the South Africans were unlikely to give any serious practical help unless Southern Rhodesia's racial policy developed clearly in a Verwoerdian direction. I would not dissent from this assessment. Dr. Verwoerd is unlikely to take steps to help Southern Rhodesia unless it is clearly in his interest to do so. Even as regards the trade agreement, while he may welcome any mutual development of trade he can be expected to be very cautious about anything in the nature of economic assistance. Although Mr. Smith's attitude to racial issues is probably not far removed from Dr. Verwoerd's, his party is tied to a multi-racial policy which is a far cry from apartheid. The United Party are the Rhodesian Front's spiritual brothers in South Africa—they share a common English-speaking heritage and served together in the war—and the Nationalists probably look on Mr. Smith and his friends with some of the reserve with which they regard the United Party at home. I do not consider it likely that Dr. Verwoerd will give Mr. Smith any encouragement to go it alone. Nevertheless, if a unilateral declaration of independence left Mr. Smith's Government in desperate straits, I believe that Dr. Verwoerd would probably consider it in his interest to permit some measure of help, short of military involvement, to be given for the sake of preserving a White Government on his northern border.

9. I am copying this despatch to the British High Commissioners in Salisbury, Accra, Lagos, Dar-es-Salaam, Kampala, Nairobi, Zomba and Lusaka, to Her Majesty's Representatives in Washington, New York and Addis Ababa, to Consular posts in South Africa and to the Commander-in-Chief, South Atlantic and South America.

404 PREM 13/85

23 Oct 1964

[Southern Rhodesia]: inward telegram no 1397 from J B Johnston to Sir S Garner or Sir A Snelling on a unilateral declaration of independence

I learned tonight in strictest secrecy from very senior civil servant (whose confidence must be protected) that Government have decided to get rid of General Anderson¹ because of his known opposition to U.D.I. Opinion obtained from

¹ Commander of the Rhodesian army.

Attorney-General this afternoon has disclosed loophole in defence regulations which will enable them to dismiss him without notice, and this might happen very soon. If so, it will be clear indication of preparation for early U.D.I. My informant who is bitterly opposed to Government and U.D.I. put danger period as next seven to ten days. He had seen Welensky and Welensky had advised him to pass on to me information above together with urgent appeal that British Government should make public statement in unequivocal and detailed terms of consequences of U.D.I. with least delay.

2. I also saw Governor this afternoon. He is gravely concerned and asked me to ascertain whether present British Government would back him as last had undertaken to do in any action he felt able to take to defeat U.D.I.² He again begged for early public statement from Her Majesty's Government of consequences of U.D.I. He said he thought Government might soon try to force his resignation, which he would resist, but he was clear that whether he could take action against U.D.I. must depend on likelihood of its being successful. He would not risk possible bloodshed between Europeans if mass emotion or dismissal of those on whose support he would have to rely (of whom I believe chief to be General Anderson) precluded possibility of success. In those circumstances he would aim at resigning before attempt at U.D.I. was made, making public his reasons for resignation.

3. I do not know whether any statement of policy is being prepared in reply to enquiry from Smith about authenticity and implications of pre-election letter from Mr. Wilson to Rev. Mutasa (my telegram No. 1373). If so there would be every advantage in its containing strongest possible warning of consequences of U.D.I. (including clear statement about loss of British nationality which is one of most important factors here). Smith could also be told that statement would be released publicly at a certain time.³

4. I have had no reply from Smith regarding conditions for Secretary of State's visit, but my informant in paragraph 1 above told me that Cabinet had decided Secretary of State could not see Nkomo and Sithole. I shall seek confirmation from Smith in the morning. Informant also emphasised that Smith was completely under the control of his Cabinet, and that his ambition and that of his wife to remain in present office had robbed him of all judgement.

² See 381 & 383.

³ In a statement issued on 28 Oct 1964 the Labour government warned that an illegal declaration of independence would be 'an open act of defiance and rebellion', and it would be 'treasonable to take steps to give effect to it'. No Commonwealth government would recognise a unilateral declaration and there would be no prospect of Southern Rhodesia becoming a member of the Commonwealth. The British government would be bound to sever relations, with the result that Southern Rhodesians would cease to be British subjects. With one or two exceptions, foreign governments would likewise refuse to recognise Southern Rhodesia's independence. Economically, all financial and trade relations between Britain and Southern Rhodesia would be jeopardised. UK aid or access to the London money market would be out of the question, and 'most serious consequences' would be involved for anyone in the UK affording aid, financial or otherwise, to the illegal government. An illegal declaration would inflict upon Southern Rhodesia 'disastrous economic damage', and leave the country 'isolated and virtually friendless in a largely hostile continent'. Elaine Windrich, *The Rhodesian problem: a documentary record 1923-1973* (London, 1975) pp 208-209.

405 FO 371/176527

27 Oct 1964

[Southern Rhodesia, South Africa and Portugal]: minute by C M Le Quesne¹

Our High Commissioner in Salisbury has suggested that it might be useful in deterring Mr. Smith from declaring unilateral independence if we approached the Governments of South Africa and Portugal.

2. He points out, and I am sure he is right, that the Rhodesian Government's determination to declare independence is based on an assumption of South African and Portuguese support and the belief that these two Governments will help them in every way possible. The Rhodesian Government 'have a comfortable picture of a solid South African bloc' (i.e. South Africa, Rhodesia and the Portuguese territories) which would give them an assured outlet to the sea.

3. We have received several indications that in fact the South African Government have no intention of giving Mr. Smith as much support as this. We have no information about Portuguese views, which may be less realistic than those of South Africa.

4. In the present state of our relations with South Africa and Portugal over African questions such an approach is clearly a difficult and delicate one to make. Nonetheless, since it is the object of our policy to deter Mr. Smith from declaring independence unilaterally, we ought not perhaps to rule out any course of action which might contribute to the achievement of this end, though I think that we should have to allow H.M. Representatives in Lisbon and Pretoria final discretion as to whether or not they thought such an approach would be helpful.

5. There are two possible lines which we might take:—

(a) that suggested by Mr. Johnston, namely that we should try to put the wind up the South African and Portuguese Governments by making some veiled reference to the necessity of reviewing our relations with countries which supported Southern Rhodesia in an act of rebellion against the Crown;

(b) we could point out to the South African and Portuguese Governments that while there are clear differences between their policy and ours in Africa it seems to us that there can be no difference between us that a unilateral declaration of independence in Rhodesia with all the consequences which would flow from it can only create conditions of instability which would be contrary to their interests as neighbouring countries as much as to ours, and which would be only too likely to offer a promising field for meddling and subversion.

I cannot believe that the first of these lines of approach would produce anything but a contrary result to that which we wanted.

6. I submit a draft telegram which has been agreed with Central Department.²

¹ Head of West and Central Africa Dept, FO, 1964–1968;

² The tel was despatched on 28 Oct.

406 PREM 13/111

30 Oct 1964

'Zambia: The British South Africa Company': despatch by W B L Monson¹ to Mr Bottomley. *Annex*

As you know, Sir, the recent negotiations in London over the compensation to be paid to the British South Africa Company for its mineral rights under the 1950 Agreement led to complete deadlock; and caused the Government of Zambia to seek immediate Parliamentary approval for the unilateral expropriation of these mineral rights. In a speech to the Zambian Institute of National Affairs on 8th October, Mr. Wina sought publicly to put the blame for this situation on the British Government for its refusal to accept its 'inescapable responsibility to clear up this relic of colonial exploitation'. He also blamed the British South Africa Company for its obduracy. He concluded that Zambia had no other alternative but to expropriate. It was no idle threat. Mr. Wina left the door for a negotiated settlement open, but on Zambia's terms and only for the few remaining days until independence.

2. This then was the situation which faced you, Sir, on your assumption of office as Commonwealth Secretary. It was clearly a matter of touch and go whether this cloud over the new relations which we hoped to form with the new Republic of Zambia, could be dispelled in time. Moreover if it could not, there was the prospect that President Kaunda might feel himself obliged to make some hostile reference, in his speech of reply to Her Royal Highness The Princess Royal when receiving the Constitutional Instruments, to the fact that Article 17 of the Constitution and Section 18 of the Bill of Rights were phrased in terms unacceptable to Zambia; and that his Government would therefore seek the earliest opportunity to secure their revision. Such a public repudiation on so momentous an occasion would obviously have been of the greatest embarrassment not only to you, Sir, as the leader of the British delegation, but also to Her Royal Highness.

3. No one knows better than you, Sir, of the intensive and protracted struggle that took place behind the scenes at State House and later at this office between the British and Zambian delegations in the first place, then with the British South Africa Company on the two days that preceded independence. Fortunately and with only a matter of hours to spare, the broad lines of an agreement were hammered out and I attach the text of the Note which was finally initialled on 25th October by you, Sir, by Mr. Wina on behalf of the Government of Zambia, and by the President of the British South Africa Company, Mr. Emrys Evans.

4. A full report on these negotiations is being prepared separately by the officials who accompanied you from London so it would be inappropriate for me to rehearse the details. I feel sure, however, that no agreement would have been possible had not you, Sir, managed to strike a personal *rapport* with Mr. Wina which outweighed the partisan, not to say malicious advice he had received from his expatriate advisers. Your task was made the harder by the necessarily limited amount of time at your disposal to devote to these difficult negotiations during the formal ceremonies attaching to independence. I therefore venture to suggest, Sir, that you can rightly

¹ British high commissioner in Zambia, 1964–1966.

take some personal pleasure and pride for having brought this matter to a successful conclusion.

5. In looking back over the crowded events of the past few days I am also conscious of the fortuitous circumstances which led to not only you and Mr. Wina, but also Mr. Emrys Evans and Sir Frederick Crawford, the company's resident director in Salisbury, all being together at the same official function. For it is doubtful if Mr. Emrys Evans could have been brought so swiftly to accept the £4 million compensation offered to the Company had it not been for the realistic and timely advice given by Sir Frederick Crawford. Even now I recognise that the Company intend to challenge their liability to tax on the British Government's *ex gratia* contribution of £2 million.

6. This despatch would be incomplete without making some mention of the role played by President Kaunda. In the main he had been content to let his Finance Minister have an entirely free hand over how to handle the matter. Had Dr. Kaunda's personal position in the Cabinet been stronger he would have been personally prepared to offer a larger Zambian contribution. I am, however, reliably informed that the Minister of Finance and his brother were only prepared to support such a move in a Cabinet (whose mood was generally one that the company deserved no compensation at all), if the portfolio of information was given to Mr. Sikota Wina instead of Mr. Peter Matoka.² This was too high a price for Dr. Kaunda and in the event, therefore, he let Mr. Arthur Wina pursue the negotiations direct. You told me, however that at the eleventh hour during your negotiations at State House he reasserted his authority over Mr. Arthur Wina and by this opened the way to the settlement eventually reached.

7. The outcome must be a source of profound relief for all concerned, not least for the many British subjects resident in this country who were only too well aware of the risk that the suggested referendum would be turned into an anti-European demonstration. I believe this is also true of many in the company itself, particularly those who are here responsible for running the company's other investments in this country—I am told they total some £20 million. Mr. Wina himself was none too happy about the effect on Zambia's creditworthiness abroad of an act of expropriation, no matter how convinced he was, and is, of its justification in the case of the chartered company. I know he is therefore all the more gratified at the removal of this obstacle to the kind of Anglo-Zambian relations which he personally would like to see develop and which I think we can reasonably count on him for his part to be ready to promote.

8. I am copying this despatch to the British High Commissioners in Salisbury and Zomba.

Annex to 406: Mineral rights in Zambia

1. This Note sets out the points of agreement reached in the discussions on the mineral rights which have taken place in Lusaka on 22nd and 23rd October between

² P Matoka, minister of information and postal services, Zambia.

representatives of the British Government, the Government of the Republic of Zambia, and the British South Africa Company.

2. The substance of this Note is to be given effect to by formal arrangements to be settled between the parties. The Government of Zambia undertakes to introduce any legislation that may be necessary for this purpose.

3. The British South Africa Company agrees to relinquish all its claims to mineral rights in Zambia, and agrees that all such rights as from 24th October shall vest in the President of the Republic of Zambia.

4. Such mineral rights shall be understood to mean rights:—

(i) of ownership in, of searching and mining for, and of disposing of minerals, mineral oils or natural gases in Zambia and 'mineral' has its most general, extensive and comprehensive meaning;

(ii) to receive or be paid royalties on minerals in Zambia;

(iii) to receive or be paid rent on any other monies whatsoever payable in respect of any prospecting licence, mining location or special grant.

5. The British South Africa Company agrees to assign to the President of Zambia the company's benefits under all prospecting licences and mining grants issued by the company. On behalf of the Republic of Zambia the President will accept those benefits and will assume the obligations of the company under all such licences and grants.

6. The British South Africa Company further agrees to hand over to the Government of Zambia as soon as reasonably practicable all relevant agreements, contracts, licences, grants, charts or maps, geological surveys, prospecting and mining reports and other information (except such documents held by the company as a shareholder or as a partner) relating to the search for or mining of minerals in Zambia.

7. The Government of Zambia will pay to the British South Africa Company in sterling in London such sum as after the deduction of all taxes due or to become due in respect thereof to the Government of Zambia will leave a net sum of £2 million in the hands of the company. It is understood that such a payment would not involve any admission by the Government of Zambia as to the validity of the company's title to mineral rights and the company accepts that position.

8. Her Majesty's Government agrees to pay to the British South Africa Company in London the sum of £2 million as an *ex gratia* payment involving no admission of liability or responsibility in relation to the 1950 Agreement or otherwise, and the company accepts that position.

9. All parties agree that the arrangements agreed between them shall bring the 1950 Agreement to an end and shall be in full and final settlement of all claims arising out of the 1950 Agreement or otherwise in relation to mineral rights previously enjoyed by the British South Africa Company in Zambia.

10. As a result of the settlement the Republic of Zambia will not now proceed with the constitutional amendments which had been intended.

407 PREM 13/87

13 Nov 1964

[Southern Rhodesia and the Congo]: note for the record by D J Mitchell of a meeting in 10 Downing Street between Mr Wilson and Dr Kaunda

After the lunch for Dr. Kaunda today there was a private talk at 10, Downing Street in which the Prime Minister, the Commonwealth Secretary, Dr. Kaunda and Mr. Wina took part. Mr. Mitchell was also present.

(1) Southern Rhodesia.

In reply to a question from the Prime Minister about Zambian reactions to a unilateral declaration of independence by Southern Rhodesia, *Dr. Kaunda* said that there would be strong political pressure for some kind of demonstration by the Zambian Government. The difficulty was that there might be considerable economic consequences. The supply of coal for the Zambian copper mines might be stopped and, conversely, the market in Southern Rhodesia for Zambian copper might be lost. *Dr. Kaunda* proposed that his Minister for Foreign Affairs should call on Mr. Rusk in Washington and he hoped that the British Prime Minister would take the opportunity of his visit to Washington to concert policy with the United States Government. The essential point for Zambia was that the copper mines should be kept going and he hoped that the British Government would consider the possibility of stock-piling coal in the United Kingdom for shipment via Dar-es-Salaam to Zambia.

The *Prime Minister* invited the Commonwealth Secretary to consider whether we could help in this matter.

Dr. Kaunda continued that there might be difficulty in relation to the Kariba Dam. It was being financed jointly by money channelled through Southern Rhodesia and Zambia. It would be helpful if some method of Commonwealth control of the project could be devised which would over-ride any Southern Rhodesian action to frustrate it. In reply to a question from the Prime Minister, *Dr. Kaunda* agreed that this might well amount to the provision of troops to guard the dam. The *Prime Minister* pointed out that Mr. Smith was not Commonwealth-minded and that it would be very difficult to make any such arrangement in agreement with him. He went on to explain that the whole purpose of the recent statement by Her Majesty's Government had been to warn Mr. Smith of the grave consequences of a unilateral declaration. It had to be recognised, however, that if such a declaration coincided with the effects on the United Kingdom economy of a suspension of arms exports to South Africa, we should be in real difficulty.

The *Prime Minister* said that we were nevertheless doing all we could to remain on friendly terms with Southern Rhodesia (as witness the recent offer of a quota under the Commonwealth Sugar Agreement). The present situation could not last indefinitely since sooner or later Her Majesty's Government would be bound to apply pressure on Southern Rhodesia to move towards majority rule.

(2) The situation in the Congo

The *Prime Minister* said that there were signs that Mr. Tshombe was moving in and a difficult situation arose from the fact that the 'rebels' had corralled a number of Europeans including some British subjects whose lives were therefore at risk. He asked what was *Dr. Kaunda's* attitude towards Mr. Tshombe and *Dr. Kaunda* replied

that Zambia's policy was to suspend judgment until the outcome of next year's elections in the Congo were known. The *Prime Minister* said that he hoped that if Her Majesty's Government were forced to take action in defence of British subjects in Stanleyville it would be understood that this did not imply that we were making common cause with Mr. Tshombe. *Dr. Kaunda* indicated that he accepted this.

408 FO 371/176527, J 1056/34 20 Nov 1964
[Southern Rhodesia and Zambia]: minute by Lord Walston¹

I lunched yesterday, November 19, with Sir Ronald Prain, Chairman of the Rhodesian Selection Trust, President Kaunda and Sir John Maud.² They all agreed:—

- (a) that it was essential for Zambia and indeed for the whole of southern Africa that there should be no unilateral declaration of independence in Southern Rhodesia if this could be by any means avoided;
- (b) that Ian Smith was anxious to make the unilateral declaration of independence partly because he believed this to be the only successful outcome for his country; and also because, if he failed to make it, others more extreme would take over from him and do so;
- (c) Ian Smith was looking for a reason for making such a declaration which would carry with him enough of the waverers in Southern Rhodesia to make it possible;
- (d) that he expected such an excuse might arise from Lord Caradon's³ forthcoming speech at the United Nations.

2. President Kaunda, Sir John Maud and Sir Ronald Prain were all emphatic in hoping that Lord Caradon would say nothing in his speech which could give Ian Smith an opportunity for such action.

3. I hope that due attention will be given to these views, especially those of President Kaunda. If we get past this crucial period we must then lose no time in preparing future action for Southern Rhodesia and the whole of southern Africa. This presumably will be one of the steps discussed at the meeting proposed by Mr. Thomson⁴ now to take place on November 25.

¹ Parliamentary under-secretary of state, FO.

² Sir John Maud, British high commissioner/ambassador to South Africa, 1959–63.

³ Lord Caradon (formerly Hugh Foot), governor of Jamaica, 1951–1957; governor of Cyprus, 1957–1960; ambassador and advisor to UK mission to UN, 1961–1962 (resigned over government's policy towards Rhodesia); minister of state at FO and ambassador to UN, 1964–1970.

⁴ George Thomson, minister of state, FO.

409 PREM 13/87 24 Nov 1964
'Southern Rhodesia—policy and tactics': minute by Sir B Trend to Mr Wilson

The Commonwealth Secretary¹ has set out a range of possible courses between the two extremes of:—

¹ This minute refers to Bottomley's paper MISC 4/5.

- (a) handing the problem over to the United Nations;
- (b) agreeing to grant immediate independence unconditionally on the basis of the present constitution and franchise.

As he recognizes, the solution must be sought in some sort of compromise acceptable both to Europeans and Africans and to world and Commonwealth opinion; and this probably means a compromise designed to bring about a peaceful transition to African majority rule, but without stipulating how and when this should be achieved. He proposes, therefore, that further negotiations should be directed to a package deal, consisting of:—

- (a) persuading the Rhodesian Front to abandon the unilateralist threat and their demand for immediate independence and to accept that the 1961 constitution, *but not the franchise*, should continue unchanged for a period;
- (b) persuading the African nationalists to abandon their boycott of the 1961 constitution, to encourage registration of African voters either on the existing or on an improved franchise and to take part in a general election;
- (c) securing the agreement of all parties in Southern Rhodesia to:—
 - (i) an election as soon as possible after an opportunity for African registration has been provided;
 - (ii) further consultation thereafter, together and with us, on the way in which negotiations might then proceed to establish a basis for independence.

2. It is critical to decide whether the election should take place on the existing franchise or only after the franchise has been enlarged. But, this point apart, the immediate problem remains—how to get negotiations started again. You have told Mr. Smith that the Commonwealth Secretary cannot go to Salisbury under present conditions; but he has not yet responded to your further invitation that he should come to London and, meanwhile, he has arranged for the Salisbury Legislature to be recalled on 1st December. Premature recall of Parliament in Rhodesia is not uncommon; and on this occasion it may not be particularly significant or ominous. But it could be the first step in a process leading, via a General Election, to a unilateral declaration of independence. We must anticipate this risk, if we can; and we must therefore decide whether, if he refuses your invitation to come to London, the Commonwealth Secretary's proposition should be sent to him in writing. He has said that he wishes to keep the correspondence on the present confidential basis but that at some stage he might wish to publish the various exchanges. For our part, if we are to secure any political advantage from proposing a sensible compromise to both sides, our views will have to be made public at some point. When should this be done? Moreover, when, and how, should African opinion in Southern Rhodesia be sounded? And to what extent should the rest of the Commonwealth be kept informed of any proposals we might now put forward? Is there any hope that we could mobilise a substantial body of Commonwealth opinion in support of the Commonwealth Secretary's proposals?

3. The Commonwealth Secretary suggests that, if we make any progress in negotiations with Mr. Smith, we should say that we are ready to offer considerable financial and technical assistance and perhaps to send an economic mission to Rhodesia, as proposed by the Minister of Overseas Development. But he adds that such an offer should not be made before there has been some progress in the political

talks, since otherwise Mr. Smith will use it against us by saying that we are trying to bribe his Government to abandon their objectives. This would seem to be right. (There is a separate memorandum (MISC. 4/8) on the question of immediate financial talks with Southern Rhodesian officials).

4. In addition, Mr. Smith has renewed his request to be given a copy of the record of his September discussions with the Conservative Government. I believe that this request should be refused, on the grounds that:—

(a) There was no understanding at the outset that an agreed record would be kept. If this had been thought necessary, the record would have had to be agreed at the time. It is not possible to agree it now, nearly three months later; but, if it cannot be agreed, it is valueless. (Mr. Smith was accompanied by his High Commissioner, who made notes throughout the discussions; but we do not want to suggest a swap of the United Kingdom record for the Rhodesian record—Heaven knows what the latter would say, by the time it reached us!)

(b) In any event, the September discussions are constitutionally irrelevant insofar as the present Government are in no way bound by what their predecessors may have said, or not said, to Mr. Smith. He must deal with them on the basis of the policy which they have publicly declared since the General Election.

(c) If we gave Mr. Smith the record, he might well try to blackmail us with it.

Of these reasons we can only use the first two; but they should suffice.

410 PREM 13/87

24 Nov 1964

‘Southern Rhodesia: action in the event of a unilateral declaration of independence by Southern Rhodesia’: minute by Sir B Trend to Mr Wilson¹

The Commonwealth Secretary brings together a number of questions about the various steps which might be taken in the event of a unilateral declaration of independence by Southern Rhodesia.

2. His memorandum assumes that a rebellion in Southern Rhodesia might pass through three phases:—

Phase 1—The Governor is trying to restore the position; action by the United Kingdom would be limited to constitutional steps designed to support his efforts but final decisions on this could be taken only in the circumstances at the time.

Phase 2—The Governor has failed to restore the situation and we are putting on pressure to bring about the downfall of the rebel Government; a number of points about possible action in this phase on which Ministerial guidance is needed are discussed in paragraph 3.

¹ This minute refers to Bottomley's paper MISC 4/7.

Phase 3—We have to recognize the *fait accompli* and decide to exclude Southern Rhodesia from Her Majesty's Dominions; no decision on action at this stage need be taken now.

3. The Commonwealth Secretary summarises in paragraph 8 of his paper the various possible steps in Phase 2 on which there is general agreement. He does not consider, however, that these go far enough and advocates in paragraph 12 certain other steps, not all of which commend themselves to other Ministers whose interests are involved. The following are the main points:—

(a) *Trade* (see also MISC. 4/6)

(i) *Ottawa Agreement*

There is general agreement that we should suspend the Ottawa Agreement. This would not in itself alter our treatment of Southern Rhodesian goods but might influence Southern Rhodesian opinion and have some presentational value.

(ii) *Preferences*

The removal of preferences would have a limited effect on Southern Rhodesia's export trade but probably some impact on Southern Rhodesian opinion; our own preferences, which are valuable, would be put at risk and the papers do not recommend the removal of preferences as one of the steps to be taken.

(iii) *Trade embargo*

There is general agreement that there should not be a comprehensive embargo on trade with Southern Rhodesia. The Board of Trade point out that it would mean the certain loss of valuable trade for us, would represent a dangerous precedent for our commercial policy and would lead to increased pressure on us to boycott South Africa.

(iv) *Tobacco*

The Commonwealth Secretary recommends that we should tell Mr. Smith, when and if we have talks with him, that we shall cease buying Southern Rhodesian tobacco in the event of a unilateral declaration of independence and that we should have to make this intention public. The Board of Trade acknowledge that an embargo on tobacco would be a severe blow to the Southern Rhodesian economy and to Mr. Smith's supporters in particular but argue that it would put our economic interests in Southern Rhodesia at serious risk and would run counter to our policy on trade embargoes. They do not think we should use the possibility of such an embargo as a threat in negotiations. (See also MISC, 4/3).

(b) *Exchange Control*

The Financial Secretary, Treasury, has circulated a memorandum on the use of exchange control powers (MISC. 4/4). He argues that:—

(i) Exchange control should not be used to initiate policy but should follow other action, notably a trade embargo. If it were decided to operate a full trade embargo and to sever completely financial and commercial relations with Southern Rhodesia, stringent exchange control measures could be used and the risk to confidence in sterling accepted. Full exchange control would, until next Summer, create difficulties for Zambia and Malawi.

(ii) In any other circumstances, including a partial trade embargo, the use of exchange control measures would not be justified.

(iii) Damaging retaliatory action by Southern Rhodesia could include the repudiation of debt held by United Kingdom stockholders (some £75 million) and expropriation of United Kingdom investments in Southern Rhodesia.

The Commonwealth Secretary nevertheless recommends that the Treasury should consider further whether there are any steps which could be taken which, while falling short of full exchange control or of anything which could seriously affect the position of sterling, would nevertheless have presentational value and enable us to demonstrate that the City of London will not be allowed to sustain those who support the illegal Government.

(c) *Position of high commissioner*

Ministers have agreed that, in the event of a unilateral declaration, we should withdraw our High Commissioner from Salisbury and require the Southern Rhodesian High Commissioner to leave London. The Foreign Office view at official level is that, because of the large number of United Kingdom citizens in Southern Rhodesia and our substantial economic interests there, an appropriate number of the staff of the High Commission should be left in Salisbury to perform consular work only. The Minister of State, Foreign Office, will be circulating his recommendations on this shortly. The Commonwealth Secretary's view is that we may have to withdraw all our staff unless we can be seen to be taking other substantial measures against the rebel Government.

(d) *Arms*

The export of arms to Southern Rhodesia is at present running at about £720,000 a year. The Commonwealth Secretary recommends that in the event of a unilateral declaration the export of arms to Southern Rhodesia should cease immediately in spite of possible retaliatory action by Southern Rhodesia. Meanwhile orders for arms are being met although arrangements have been made for any exceptional order to be reported to Ministers. (There was a reference in the week-end Press to apparent delays in meeting arms orders from Southern Rhodesia).

(e) *Citizenship*

The Home Secretary has circulated a memorandum (MISC 4/9) on citizenship referring to that part of the statement issued at the end of October which said that the ultimate result of a declaration of independence would inevitably be that Southern Rhodesians would cease to be British subjects. He recommends that this should be understood to mean that legislation would be introduced to remove from Southern Rhodesian citizens the status of British subject but that such legislation should not provide for the removal of citizenship of the United Kingdom and Colonies from other persons connected with Southern Rhodesia who hold such citizenship, whether or not they are also Southern Rhodesian citizens. The Commonwealth Secretary suggests that consideration of citizenship problems could be deferred until a later stage. But enquiries from those who are United Kingdom citizens are already being received. Should some agreed form of reply be worked out?

(f) *Aid*

Ministers have decided that aid should be stopped immediately on a declaration of independence; but they asked that the possibility of making funds already promised

to the University in Salisbury available to them in some other way than through the Southern Rhodesian Government should be examined. It would be possible to make such alternative arrangements; but the Commonwealth Secretary recommends that it should not be done on the grounds that it would create a bad impression if Britain seemed to be finding a way round its own declaration that all aid should cease.

(g) *Zambia and Malawi*

Consultations with Zambia Ministers are continuing and it is proposed to discuss the position of Malawi with Dr. Banda when he visits London shortly.

(h) *Bechuanaland and other dependent territories*

The Colonial Secretary has circulated a note (MISC 4/10) on the implications for Bechuanaland in particular and other dependent territories in general of a unilateral declaration of independence. His conclusions are that, apart from an arms embargo, if we imposed one ourselves, we should not introduce, in Bechuanaland any other form of economic sanction against Southern Rhodesia; nor should we compel any other dependency to introduce sanctions against Southern Rhodesia, although they might be invited to do so if they wished.

(i) *South Africa*

The possible reaction of South Africa to a unilateral declaration of independence is still under examination by officials.

(j) *The position of 'loyal' Southern Rhodesians*

Our High Commissioner in Salisbury has asked for urgent guidance on the attitude which he should adopt, in the event of a unilateral declaration of independence, towards those Southern Rhodesians who remain loyal—or purport to remain loyal—to the constitution. In particular, is he to promise any kind of protection or recompense to those who thereby risk victimisation in relation to their jobs, pensions, property and other assets? One sympathises with the instinct which has prompted this enquiry; but it is very difficult to imagine any form of undertaking which would not either be so general and vague as to be virtually worthless or involve us in a potentially gigantic commitment.

411 PREM 13/534

24 Dec 1964

[Future of Southern Rhodesia]: letter from Sir S Garner to Sir M Adeane¹ on the dismissal of the government

I understand that the Prime Minister has mentioned to the Queen the matter of the dismissal of Mr. Smith and the other Ministers of the Southern Rhodesia Government, if they should declare independence illegally. Perhaps it would be helpful to you if I set out more fully what we have in mind.

¹ Sir Michael Adeane, private secretary to the Queen, 1953–1972.

2. Under section 45 of the Southern Rhodesia Constitution 1961, the Governor appoints the Prime Minister and other Ministers, and it is provided that the persons so appointed 'shall hold office during Her Majesty's pleasure'. Legal advice is that it is not clear from this provision of the Constitution whether the Governor, of his own authority, is entitled to dismiss the Ministers if the occasion arises, or whether the approval of the Queen Herself ought to be obtained, in which case it would be for the Secretary of State to advise the Queen.

3. Our High Commissioner in Salisbury has had many talks with the Governor (Sir Humphrey Gibbs) on this matter over the past few months. Gibbs is apparently quite firm in his intention to dismiss Smith and the other Ministers himself, in the discharge of his general responsibility to maintain the situation. In this he is supported by the Chief Justice.

4. Nevertheless we have considered whether British Ministers should tender any advice to Her Majesty. Of course, the British Government are doing their utmost to avoid the eventuality of a Unilateral Declaration of Independence. The problem would only arise if our efforts failed (and it is quite possible that they will) and it is not easy to foresee exactly what the chain of events would be in these hypothetical circumstances. (For example, the Smith Government might either declare independence as a 'bolt from the blue' or might first proceed to a general election, possibly followed by a debate in Parliament; in either case as he knows that he cannot count on the Governor's support, he might seek to arrest the Governor.)

5. In any case, it seems clear that if he is free to do so, the Governor will in fact, on his own initiative, dismiss the Ministers if they seek to take unconstitutional action. But they may not accept the position and seek by force to retain office in defiance of the Governor's dismissal. Alternatively, if the Governor is not free (and the legal successors to his office are perhaps also detained), there might be no means of dismissing the Ministers other than by the indication of Her Majesty's pleasure, which would be conveyed through the Commonwealth Secretary.

6. In either case, however (and in the first alternative because of the doubts that might be cast on the validity of the Governor's action), Ministers have felt that the best course would be for the Queen's authority to be sought, on the recommendation of the Commonwealth Secretary, for the dismissal of Southern Rhodesia Ministers in the event of their declaring an unconstitutional declaration of independence.

7. Moreover it is clear that, in the event of such a declaration, very quick action will be necessary and it is conceivable that there may not be time to refer the matter to the Queen for her authority. Accordingly Ministers feel that the best course would be to make a submission seeking the Queen's authority for such action in advance.

8. I should explain that there is no intention of communicating this authority (if Her Majesty is prepared to give it) to the Governor in advance. The document would remain in secret custody in the Commonwealth Relations Office. Moreover we shall of course do our best to keep you in close touch with developments and to let you know as soon as there appears any possibility of the need arising to act on the Queen's authority.

9. The purpose of the authority would be (for the reasons explained above) either to make clear, if the need arises, that the Governor's dismissal of his Ministers was done with the Queen's authority, or to enable the Commonwealth Secretary to convey the Queen's dismissal, if for any reason the Governor were unable to act.

10. I enclose the draft² of a formal submission which the Commonwealth Secretary has in mind to make to the Queen. But before he does so, I should be glad to know whether you see any difficulty about this.

11. The situation is of course one without precedent and presents some difficult questions. I am very ready to discuss the matter further with you if you would like to.

² Not printed.

412 PREM 13/534

13 Jan 1965

[Future of Southern Rhodesia]: letter from E R Campbell to Mr Wilson, forwarding a message from Mr Smith

My Prime Minister has asked me to let you have the following message which I received last night:

'From I.D. Smith, M. P., Prime Minister of Rhodesia to the Rt. Hon. Harold Wilson, M. P., Prime Minister of Great Britain. Dated 12th January, 1965.

(1) I have received your message of the 21st December. First of all let me say I regret that once again you have failed to reply to my direct question concerning your Government's attitude to the statements of fundamental importance made in your letter to Dr. Mutasa.¹

(2) I still contend that there was a threat contained in your statement of the 27th October 1964² and the fact that you call it a warning does not get away from the object of your action, namely, to interfere with the internal affairs of this country and to endeavour to prevent us from carrying out the undertaking as set out in the joint communiqué.

(3) To me it is now clear that my Government has the overwhelming support of the electorate and the three million Africans in the tribal trust areas to guide the development of our country along orderly paths for the benefit of everyone, economically, educationally and socially. Yet your Government, under pressure, will accept nothing less than a hand-over of the reins of Government to a small section of the country, openly advocating intimidation and violence. The results of such action would inevitably lead to a repetition of the events taking place in the countries to the north of us.

(4) I find it difficult to interpret your phrase "the principle of acceptability of the people of the country as a whole" and "the people of the country as a whole wish for independence on that basis". My contention is that the methods we employed *have already* demonstrated the wishes of the country as a whole.

(5) (The ?) refusal on the part of your Government to accept the indaba as a recognized way of sounding the opinion of the three million (Africans ?) in conformity with their own customs, has left the great majority of both Europeans and Africans of this country suspicious of Britain's intentions. I do not think you can point to a single example where pseudo-democracies of the newly independent

¹ The letter, written by Wilson to Dr E C Mutasa a fortnight before the British general election, pledged that the Labour party was opposed to granting independence to Southern Rhodesia so long as it remained 'under the control of the white minority'.

² See 404, note 3.

countries have produced any semblance of peaceful or orderly progress. I am satisfied that the somewhat burlesque polling methods, with the use of pictorial symbols, together with the physical intimidation of law-abiding citizens, would not come fractionally as near reflecting the true will of the people as the methods which my Government have adopted.

(6) I note that you are averse to illegal and unconstitutional action from any quarter and I hope that this means that your Government will do its duty and condemn, publicly, training of saboteurs and guerilla forces for use against this country, which we know is going on in certain Commonwealth territories north of the Zambesi. However, your views are hardly in accordance with those of your Commonwealth Secretary expressed in his statement at London airport on the 27th October 1964. You will recall that Mr. Bottomley said that "like all people who are struggling to get their rights if you are not allowed to do it by lawful means sometimes other methods have to be employed". Here I wish to point out that in Rhodesia everyone may obtain their (legal ?) rights by lawful means. The fact that a small section will not act constitutionally does not allow them to resort to violence your Commonwealth Secretary appears to condone and, in fact, encourage the employment of illegal methods including violence and training of saboteurs to secure a rapid hand-over to the nationalists.

(7) I note that it has been the aim of successive British Governments to avoid the development of a situation analogous to those in the Congo and Algeria. This aim is best calculated to prevent communism striking root in Africa. But I would ask you if you think the aim has come anywhere near the mark. It is common knowledge that throughout Africa to the north communism is steadily entrenching itself.

(8) I believe that in Rhodesia we need no quiet "transition towards a stable future". We are already more stable than any country to which Britain has recently granted independence and it is our policy that, as you put it "the whole population, European and African alike" will continue to share in a stable future, as they have done in the past.

(9) What you are asking us to accept is not this but that the Government of the country shall be put in the hands of a small section of the people who are incapable of (a) maintaining that stable future, (b) resisting the blandishments of communism, or (c) of showing any inclination to share the future with anyone with a white skin. This we are not prepared to do.

(10) I welcome and reciprocate your desire to find a way forward. However, we both have before us the experience of what has happened, (and ?) what is about to happen elsewhere in Africa as a result of the policies which have been followed. It is unthinkable that I should accept such inevitable and chaotic results as being best for either the African or European sections of the Rhodesian population or for the population as a whole and I feel that you, too, must surely know this.

(11) Regarding your proposal of sending a small but high level all-party mission of senior and experienced members of the British Parliament to visit Rhodesia to acquaint themselves with the situation at first hand, I would point out that as approximately one hundred British Members of Parliament of all Parties have visited Rhodesia over the past eight years, no useful purpose would be served by the suggested visit. Moreover, your High Commissioner here is well informed of the situation and should be able to advise you accordingly. Further, I have in writing the undertaking from the British Government that any consultations concerning our

independence will be at Government level only. As the Secretary of State for Commonwealth Relations has refused to proceed to Rhodesia to consult at Government level, I can see no purpose in a mission being sent out by you.

(12) In the circumstances therefore I consider that until I receive more explicit replies to the questions I have asked in the previous correspondence it will be a waste of time for me to visit London.'

This message has been received in a very garbled form and those words in brackets followed by a question mark must be confirmed with the original which will arrive by bag later this week.

413 PREM 13/534

20 Jan 1965

[Future of Southern Rhodesia]: minute by Sir B Trend to Mr Wilson on re-establishing contact with Mr Smith

We start with a position in which the temperature seems, once again, to be slowly rising. Thus:—

(a) Our High Commissioner's latest telegrams suggest—although it can be only surmise—that Smith is again thinking seriously of a U.D.I., either before, or immediately after, a General Election.

(b) The Rhodesian Government's White Paper sounds pretty intransigent in its tone and might well be a prelude to some kind of unilateral action. (I doubt if the text is yet available in London; but the attached extract from to-day's Times¹ gives us sufficient indication of its nature.)

(c) We have had a private warning from Prain, the Chairman of R.S.T., that Smith's attitude is undoubtedly hardening and that he now realises that, in an economic war with Zambia, his Government would hold a good many strong cards—particularly in so far as they could probably bring the Zambian copper mines to a standstill without too much harm to themselves. Prain was anxious that the U. K. Government should realise the potential damage to British industry if exports of Zambian copper were curtailed or brought to a complete halt and we found ourselves dependent on South American supplies. He is not, of course, a disinterested party; nevertheless, we have found him in the past to be a reliable and objective commentator on Rhodesian affairs.

(d) The next U. N. debate on Rhodesia (assuming that the Assembly succeeds in meeting at all) cannot be too long deferred; and, however moderately our spokesman deals with the subject, it may be very difficult for him to avoid saying something which Smith could claim as a pretext for a U. D. I.

(e) The next Meeting of Commonwealth Prime Ministers is now only five months away. It is very difficult to foresee a successful outcome for it unless the Rhodesian issue is settled, one way or the other, in advance.

2. In these circumstances, with the temperature rising and the time scale shortening, it is increasingly urgent to re-establish some sort of direct contact with Smith. Sir Winston Churchill's funeral would provide an occasion which would be

¹ Not printed.

both appropriate and convenient; and it might be well worthwhile for you to send Smith, in addition to the formal invitation, a private message underlining the importance of his coming to London if he can. If he does come, we shall presumably begin by trying to overcome his objections to the Parliamentary Commission. If he remains adamant in rejecting it, we must try to devise some other basis of re-establishing a continuing dialogue for the future; and you will wish to ask the Commonwealth Secretary what he has in mind for this purpose. In addition, we should take the opportunity of the presence of other Commonwealth Prime Ministers in London to try to bring their influence, in appropriate cases, to bear on Smith.

3. But Smith may not come to London at all. In that case it is difficult to see how we re-establish contact with him unless we are prepared to send some representative to Salisbury for this purpose. The Commonwealth Secretary is reluctant—very understandably—even to contemplate this. But is he prepared—and this seems to be the only alternative—to let the situation drift on indefinitely in a state of more or less permanent deadlock?

4. Meanwhile, are our preparations for a possible U.D.I. complete? Or is there some further anticipatory action which we might take—e.g. in relation to the possible disruption of the Zambian copper mines?

414 PREM 13/534

28 Jan 1965

‘Southern Rhodesia’: memorandum by Sir B Trend for Mr Wilson on the implications for Zambia of a unilateral declaration of independence and a proposal that Mr Bottomley might visit Rhodesia¹

The discussion might usefully start with O.P.D. (65) 23.² This illustrates that if the Zambian copper mines are put out of action, the consequences are liable to be very serious, both for Zambia and for the United Kingdom. It also makes it clear that there is little that we could do to avert those consequences in either case—i.e. if power, coal and transport are denied to Zambia by Rhodesia, there appear to be no means by which the Government of Zambia could continue to produce and export copper or, indeed, could prevent the physical collapse of the mines; similarly, there is relatively little scope for the substitution of other materials for copper in U.K. manufacture in the short-term, and there seems small prospect of dealing with the problem by stock-piling or by obtaining adequate supplies from other sources.

This assumes, of course, that Mr. Smith is prepared to go to extreme lengths. And he may well think better of it when it comes to the point—not only because of the economic damage which an interruption in copper supplies would do both to Rhodesia and to South Africa, but also because of the risk of the violent and uncontrolled retaliation by Zambia, which he might provoke. If he does act therefore, he may do so by means of e.g. an export charge on Rhodesian coal (designed to inflate the price of Zambian copper to an embarrassing level) rather than by means of

¹ This memorandum relates to a series of papers submitted to the Cabinet's Defence and Oversea Policy Committee.

² ‘Zambian copper’, CRO note on implications for Zambia and UK of action by Rhodesia to halt Zambian copper production, 27 Jan 1965, reproduced in S R Ashton & Wm R Louis, eds, *East of Suez and the Commonwealth 1964–1971* (BDEEP: London, 2004) part II, 194.

an outright economic blockade of the mines. On the other hand we cannot be certain on this point; and the lessons of the memorandum appear to be that:—

- (a) We should realise that Mr. Smith has a potentially strong card in his hands.
- (b) We should use all our influence with the Government of Zambia to restrain them from any precipitate action or declaration in relation to Rhodesian affairs.
- (c) We should adopt the recommendation in the memorandum that emergency plans should be prepared in case Zambia copper supplies are cut off. (But it is not, in fact, very clear what form these plans could take, or how effective they would be; and the advantage of preparing them must be weighed against the virtual certainty that, if only because of the extent of the discussions which would be necessary, the fact that they were being prepared would be very liable to become known.)

The Committee might then turn to O.P.D. (65) 22 and 27.

The Commonwealth Secretary recommends that he should now offer to visit Rhodesia—on the understanding that he would be free to see anyone not in detention on a criminal charge. The purpose of his visit would be to show that we are prepared to grant independence on any basis which can be demonstrated to be acceptable to the people of the country as a whole; and he would take the chance to explore the possibility of making some small changes in the existing constitutional arrangements, which might encourage the African Nationalists to take advantage of the constitutional rights open to them. Alternatively, he would review possible methods of demonstrating that—as Mr. Smith claims—independence on the basis of the 1961 constitution is really acceptable to the people of the country as a whole.

There is a good deal to be said for this proposal—as a gesture of goodwill. (And, if we make it but Mr. Smith rejects it, we shall presumably give it the maximum publicity). On the other hand, will it, in fact, be likely to advance matters? At present we are in the morally impregnable position that we have said that we will grant independence on any basis acceptable to the Rhodesian people as a whole and that it is up to Mr. Smith to find a means of achieving this end. So long as we rest in this position, we are morally safe—even if physically ineffective! But if we once begin to offer marginal amendments of the 1961 constitution—amendments which either Mr. Smith will refuse to make, or the African Nationalists will refuse to regard as adequate—we once more begin to be open to attack simply because we have indicated that we regard it as our duty (rather than Mr. Smith's) to take the initiative in attempting to solve the problem and are therefore blameable to the extent to which we fail to solve it. The short-term attractions of the Commonwealth Secretary's proposal are very great; but I am afraid that it might end by dragging us back into an ambiguous position from which we could not escape again.

The one possible avenue left would be a referendum—which the Commonwealth Secretary also has in mind. But would anybody accept its results unless it were rigorously policed throughout the country, either by the United Nations (which Mr. Smith would not accept and we should presumably not welcome) or by ourselves? And if the latter, are we prepared and equipped to take on this responsibility?

I am sorry to sound pessimistic; but I suspect that this may be one of those types of deadlock in which it is safer to wait for the other man to move first.

There remains Mr. Smith's request that we should acquiesce in a defence pact between Rhodesia and 'other countries in South Africa' by reason of hostile activities against Rhodesia on the part of Tanzania and Zambia. The holding reply, suggested

by the Commonwealth Secretary in paragraph 3 of O.P.D. (65) 27, is surely right. And, bearing in mind the copper angle to the Rhodesian problem, the Commonwealth Secretary must also be right in recommending that we should try to persuade the Government of Zambia to denounce the use of their country as a base for sabotage and violence in Rhodesia. Even so, some of the wording in paragraph 4 of O.P.D.(65) 27 seems a little odd. May not the proposal to assure the Government of Zambia 'that our reply to Mr. Smith does not mean that we have given him a guarantee of defence against any attack from Zambia' be liable to be misinterpreted? And do we really need to put into the minds of Zambian Ministers the idea that Rhodesia might attack Zambia?³

³ At the meeting of the Defence and Overseas Policy Committee on 29 Jan 1965 (CAB 148/18, OPD 6(65)2), the Board of Trade was invited to prepare emergency plans to deal with the interruption of Zambian copper supplies. It was also decided that the opinions of both Smith and Kaunda (who were both in London for Winston Churchill's funeral) should be informally canvassed before proposing a visit to SR by Bottomley. On the issue of Zambia it was agreed that, while Smith should be denied the right to enter into any defensive pacts with his neighbours, Kaunda should be persuaded to make clear that he was not prepared for his country to be used as a base for violence against SR.

415 PREM 13/534, pp 86–95 30 Jan 1965 **[Future of Southern Rhodesia]: record by D J Mitchell of a meeting at 10 Downing Street between Mr Wilson and Mr Smith¹**

The Prime Minister opened the discussion by asking Mr. Smith how he saw things. *Mr. Smith* replied that he saw nothing bright on the horizon from the point of view of negotiations between the two Governments. The Rhodesian Government saw the problems of H.M.G. but there could be no change in their own position, and he would get short shrift when he got home if he were to agree to any. Equally the status quo did not help because it would not produce a return of confidence in the future of Rhodesia. *The Prime Minister* replied that the situation was the same, in reverse, for H.M.G. Certainly the status quo was unsatisfactory. He stressed that there was no difference between the attitude of the Government and that of the Opposition and asked what Mr. Smith saw as the next step. *Mr. Smith* replied that the issue was one of life or death, so that he was bound to take a tough line. It seemed to him that he might get more reason out of the Opposition than out of the Government. He would wait for an opportunity and then use it. He was quite clear that negotiations would take us no further and that it was a matter simply of waiting for the moment. Meanwhile Rhodesia had virtual independence, and this provided a shield behind which they would consolidate their position. They would seek to operate the two-thirds majority procedure in order to be able to live within the constitution, although not in accordance with its spirit. They would hope in this way to prolong as much as possible the period within which it would be possible to build themselves up without departing from constitutional methods. Studies were being

¹ Trend and Campbell were also present. This document is also reproduced in S R Ashton & Wm R Louis, eds, *East of Suez and the Commonwealth 1964–1971* (BDEEP: London, 2004) part II, 195.

carried on with this in view and it seemed likely that it would be possible on this basis to last for 60 or 70 years, or perhaps even longer.

2. Asked by the *Prime Minister* what he meant by awaiting an opportunity and whether this meant waiting for some provocative act on the part of H.M.G., *Mr. Smith* said that it did. Asked what he meant by living within the constitution but stretching it, *Mr. Smith* said this involved a number of little things and that it would clearly be bad tactics for him to say precisely what.

3. The *Prime Minister* next referred to Mr. Smith's message of January 25 about relations with neighbouring countries and doubted whether Mr Smith's Government had the necessary constitutional powers to enter into defence pacts with other countries in Southern Africa. *Mr. Smith* said that the legal position was not clear cut, but he thought that there would be opinions in support of the view that such pacts would be constitutional. The *Prime Minister* asked what discussions had taken place with President Kaunda about the alleged connivance of the Government of Zambia in subversive operations directed against Rhodesia.² *Mr. Smith* replied that personal contact with President Kaunda was not very acceptable. He indicated that it was in any case unnecessary to discuss what were, so far as his Government was concerned, known facts. Before independence legal training in sabotage activities had been going on in camps in Tanganyika; and now, with the knowledge of President Kaunda, a camp had been set up outside Lusaka. The *Prime Minister* said that it ought to be easy enough to verify these activities by direct confrontation or by arranging for an agreed third party to have a look at what was going on. If the allegations were proved, then they would have to be stopped. If not, the Rhodesian Government should look again at the evidence in their possession. H.M.G. certainly could not look at a proposal for a defence pact unless the facts had been verified; and in any case it would amount to an assertion by Rhodesia of an authority as regards external relations which she did not possess.

4. The *Prime Minister* then asked Mr. Smith which were the other countries in Southern Africa that he had in mind. Were they South Africa and Portugal? And, if Portugal was one of them, was this metropolitan Portugal or the Portuguese territories in Africa? *Mr. Smith* said that South Africa and Portugal were in mind and that, although he had not yet approached either Government, he assumed that any negotiations would take place with the metropolitan government, since the colonial territories were under orders from Portugal. The *Prime Minister* reminded Mr. Smith that Portugal was one of our allies in NATO. He said that H.M.G. would look into all this and get in touch with Mr. Smith through our High Commissioner in Salisbury. We were most anxious to cordon off any provocative action aimed at the Government of Rhodesia.

5. The *Prime Minister* then raised the subject of financial aid for Rhodesia and said that we were prepared to enter into discussions. We were not taking the line that these should be suspended because there had been talk of a unilateral declaration of independence (as was evidenced by our action in relation to the Commonwealth sugar agreement); but, of course, the signing of a cheque must depend on the state of relations between the two Governments at the time.

² Wilson mentioned this allegation to Kaunda in a meeting with the Zambian president later that day. Kaunda emphatically denied that he was 'allowing Zambia to become a springboard for activities directed against Rhodesia' (record of meeting between Wilson and Kaunda, 30 Jan 1965).

6. The *Prime Minister* asked what was the urgency about a unilateral declaration of independence. *Mr. Smith* replied that, the longer the delay, the more the economy suffered; in particular, immigration was being slowed down. The *Prime Minister* said that this brought us back to first base; for how could it be established that the majority of the people of Rhodesia wanted independence within the present constitution? When *Mr. Smith* said that the main difficulty was that the majority were too inarticulate to express a view, the *Prime Minister* said that it was difficult to explain to Parliament that, while other countries in Africa had moved to independence, yet in Rhodesia alone the native population were too inarticulate and too backward to express a view. Did this mean that Africans were more backward in Rhodesia than elsewhere in Africa or that the other independent countries should not have become independent? *Mr. Smith* replied that Rhodesia was in a different category. He was not prepared to see it go the same way as Kenya. The Rhodesian Government were not prepared to lower their standards. The *Prime Minister* asked whether any test of African opinion was possible; and *Mr. Smith* replied that the indaba had been adequate for this purpose. When the *Prime Minister* pointed out that the last General Election in the United Kingdom might have turned out differently if it had been conducted on the basis of an indaba of Lords Lieutenant, *Mr. Smith* replied that Britain had an advanced democracy, whereas the independent African states were all tending towards one-party government and were moving to Communism. The *Prime Minister* then asked whether more African participation would be possible within the existing constitution. *Mr. Smith* replied that none was possible, since this would be regarded as a sign of weakness by the African political leaders. In reply to a question from the Prime Minister, *Mr. Smith* said that Mr. Nkomo was under restriction but not in gaol. He was not a convicted prisoner, whereas Mr. Sithole was. Mr. Sithole was likely to be released in April. Mr. Smith was not sure exactly how many Africans were under restriction, and Mr. Campbell gave the figure of about 1,600.

7. The *Prime Minister* then turned to the proposal that the Commonwealth Secretary should visit Rhodesia and asked whom he would be allowed to see.³ *Mr. Smith* said that he could not see anyone who was in prison; but he would be able to meet Mr. Nkomo, any of Mr. Sithole's supporters not in gaol and any moderate Africans. He doubted, however, whether it would be in the interests of the moderate Africans for the Commonwealth Secretary to see Mr. Nkomo and his supporters. Asked why the moderate Africans did not make more use of possibilities of advance within the constitution, *Mr. Smith* replied that they were intimidated by the African leaders.

8. The *Prime Minister* then said that, before proposing the all-Party mission that had been rejected by Mr. Smith, he had thought in terms of a mission representing Commonwealth countries. He assumed that this would have been even less acceptable to Mr. Smith. *Mr. Smith* agreed. The *Prime Minister* then went on that it had just occurred to him that another possibility would be that the Commonwealth Secretary should be accompanied by another member of the Cabinet, for example the Lord Chancellor. Would a mission of that character be free to meet anyone not in

³ The visit by Bottomley and Lord Gardiner, the lord chancellor, took place from 21 Feb to 3 Mar 1965. See 417.

gaol? *Mr. Smith* replied that there would be no difficulty about this under Rhodesian law; but his Government's attitude would be that it was not in the interests of race harmony or constitutional advance for a mission from H.M.G. to meet people who were in restriction. Such a mission could not lead to progress.

9. The *Prime Minister* asked what would lead to progress, and *Mr. Smith* indicated that independence was the only thing that would. The *Prime Minister* suggested that, given the restrictive attitude of the Rhodesian Government to political activities by Africans, the result was likely to be a one-party state. *Mr. Smith* said that this was not the case, since the 15 B Roll seats were virtually African seats. But he said that the policy of his Government was to encourage a return to the tribal system. He agreed that this implied a three-party system consisting of Government supporters, a European Opposition and tribal leaders.

10. *Sir Burke Trend* asked *Mr. Smith* what he had meant by his references earlier in the meeting to awaiting an opportunity and meanwhile working within the letter, if not the spirit, of the existing constitution. *Mr. Smith* replied that the idea would be to amend the constitution by use of a two-thirds majority and to live within that constitution, as amended progressively, for a further 50 to 60 years, but 'stretching' its interpretation in practice as far as possible. The *Prime Minister* asked whether the policy of educational advancement would go on. *Mr. Smith* replied that it would. The *Prime Minister* asked whether this would nevertheless be on the understanding that no black majority would emerge. *Mr. Smith* replied that his object would be to ensure that European civilization lasted as long as possible. He confirmed that, meanwhile, his Government would be looking for an opportunity or an occasion for independence. The *Prime Minister* reminded him that the legal constitutional and economic consequences of a unilateral declaration of independence had been made clear. *Mr. Smith* replied that Rhodesia, with its balanced economy, could survive and even fight back by retaliatory action in relation to Zambia and British trade and industry. He added that the indications were that statements by other Governments supporting the British indication of the consequences of a unilateral declaration of independence had been made with some reluctance. He went on that this was a matter in which his life and those of his supporters were at stake, one in which they had no option but either to accept some degree of economic hardship or get out.

11. The *Prime Minister* said that it was clear from the discussion that the views of the two Governments were almost irreconcilable. He, for his part, would consider the new idea of a small Governmental mission; meanwhile, if *Mr. Smith* had any other ideas, he hoped that they would be made known to H.M.G. *Mr. Campbell* then suggested to *Mr. Smith* that there was a risk that the Prime Minister might be left under some illusion about the extent to which the Government of Rhodesia would accept such a mission. *Mr. Smith* said that there would be no enthusiasm for it; but a mission composed of two Ministers would be more acceptable than any of those proposed earlier. It had to be recognised, however, that if it returned to London with a view unfavourable to his (*Mr. Smith's*) line, the position would only be worsened. The *Prime Minister* said at this point that he supposed that a referendum was ruled out. *Mr. Smith* said that it was impossible to ask people to express a view on something they did not understand; but he in turn would like to know whether a referendum which produced a 51 per cent vote in favour of the existing constitution would be accepted by H.M.C. The *Prime Minister* replied that this would depend on whether a proper sounding of opinion had taken place. *Mr. Campbell* asked whether

'window-dressing' would be acceptable, in the sense that some of those voting in favour of independence on the basis of the present constitution might not understand what they were voting about. The *Prime Minister* replied that it depended what was in store behind the shop. For example, would the question be directed only to the present constitution; or would the voters be asked whether they favoured independence on the basis of some different constitution? *Mr. Smith* asked whether a result produced by the ordinary 'brain-washing' methods used by politicians would be acceptable. The *Prime Minister* said that 'brain-washing' might be involved in elections; but in those in which he had taken part there had been more than one party engaged in the process. There was then a further brief discussion of the constitution of the proposed mission, in which *Mr. Smith* said that he would prefer a Governmental mission to one which included representatives of other Parliamentary Parties.

12. Finally, the *Prime Minister* said that he appreciated that *Mr. Smith* had wished to enter No. 10 by the back door in order to avoid unnecessary publicity. He would no doubt wish to leave by the same way, but *Mr. Smith* would understand that it would not be possible to conceal from the press that their meeting had taken place. He proposed that it should be said simply that *Mr. Smith* had paid a courtesy call. *Mr. Smith* agreed.

13. The meeting ended at 4.40 pm.

416 PREM 13/534

16 Feb 1965

'Possible economic pressure against Southern Rhodesia': minute by Sir B Trend to Mr Wilson on the implications for Zambia and the UK¹

Leaving aside the basic political issue (i.e. the impact of a decision to mobilise economic pressure against Southern Rhodesia on our declared policy of refusing to use economic measures to achieve political ends) the broad conclusions of this report are:—

- (a) A determined ban by the United Kingdom and Zambia on Southern Rhodesia's exports, coupled with exchange control, would impose a serious strain on her economy, involving a reduction of nearly 50 per cent in her exports. But, even if Southern Rhodesia's other major markets co-operated in a ban on her exports, the pressure 'could not be relied upon to end interference with copper supplies'.
- (b) The interdiction of Southern Rhodesia's imports would be extremely difficult and would demand the co-operation of all industrialised countries; it would ultimately require a full blockade of Southern Africa and would still be ineffective.
- (c) Economic sanctions against Southern Rhodesia would adversely affect the British economy, in the sense that we should lose exports and have to pay more for imports and that the imposition of exchange control (which would be an integral part of the necessary measures) would be liable to damage confidence in sterling.

¹ This minute refers to Defence and Overseas Policy Committee paper OPD (65)40.

No decision need be taken on the report at this stage. But the Committee will wish to note the limitations on our ability to bring pressure on the economy of Southern Rhodesia in the event of a direct clash; and the Lord Chancellor and the Commonwealth Secretary will wish to bear the report in mind during their forthcoming visit to the Colony.

417 FO 371/181877, no 112

12 Mar 1965

[Future of Southern Rhodesia]: despatch no 3 from J B Johnston to Mr Bottomley on visit to Southern Rhodesia by Mr Bottomley and Lord Gardiner¹

[Extract]

I believe that the visit which you and the Lord Chancellor paid to Rhodesia from 21 February to 3 March marks the beginning of a new and crucial phase in our relations with the Rhodesian Government. I have the honour in this despatch to record the arrangements made for the visit and my impressions of its salient features: and to discuss briefly the resulting political situation.

Background to the visit

2. I reported in my despatch No. 1 of 26 January, 1965, that relations between the British and Rhodesian Governments at the beginning of this year had reached a complete impasse. The pretence of negotiation continued in the form of exchanges of letters between the two Prime Ministers; but it seemed clear that, from the Rhodesian Government's point of view, this correspondence was intended only to put on record their own case against the British Government, for internal political use as and when it suited Mr. Smith to publish it. Mr. Smith had rejected all efforts to persuade him to visit London for discussions with the Prime Minister; he had refused a visit by an all-party British Parliamentary Mission; and he continued to harp on your failure to visit Rhodesia since taking office. However, Mr. Smith's attendance at the State funeral of Sir Winston Churchill in January created an unexpected opportunity of getting to grips with him personally. And despite his dour and uncompromising attitude in his informal talk with the Prime Minister, Mr. Smith agreed in principle, but without enthusiasm, to a visit by yourself and Lord Gardiner.

3. On his return to Salisbury Mr. Smith confirmed his agreement, but laid down his conditions. The British Government must accept in advance that any negotiations were exclusively a matter for the two Governments; that the programme should be arranged by the Rhodesian Government, and the visitors should adhere to it; that they should avoid any actions or statements embarrassing to the Rhodesian Government; and that while Ministers might see any persons who were not in jail for criminal offences, the arrangements for seeing any persons in detention or restriction would be made by the responsible Rhodesian Minister. These conditions were, with some necessary glosses on the British side, accepted.

¹ Lord Chancellor.

Purpose of visit

4. The official announcement described the purpose of the visit as 'to have discussions with the Rhodesian Government and to meet a representative cross-section of opinion'. In his talk with the Prime Minister in London, Mr. Smith had spoken bluntly and aggressively of his intention to make a unilateral declaration of independence (u.d.i.) as soon as a suitable opportunity offered, unless he was given independence on his own terms; and he had totally rejected the possibility of compromise on any points. In this intractable political situation it was patent that the visit could have only relatively modest, though very important, objectives. There were four principal aims:—

- (i) To combat the move towards u.d.i.
- (ii) To re-establish some form of dialogue with the Rhodesian Government.
- (iii) To correct false ideas of the purposes and policy of the British Government.
- (iv) To assess the state of Rhodesian opinion as a whole, and the possibilities of compromise when the situation became negotiable.

.....

Chiefs and Headmen

There were more than 600 Chiefs and Headmen at the vast meeting at Domboshawa which took place in the presence of the Minister of Internal Affairs, a number of his officials, and the Press. The proceedings took the form of a seemingly endless series of set speeches in the vernacular by individual Chiefs and Headmen, almost identical in substance and largely repetitive of their speeches at the October Indaba. To a man, the speakers asserted that they were the true leaders of the African people, and complained of the intimidation and assault many of them had suffered at the hands of 'their children'—the upstart African nationalist politicians who were trying to usurp their authority. They declared their resentment that British Ministers should even speak to the nationalists; that the British Government had failed to recognise their position; and that British Ministers had treated their representatives with scant courtesy in London. All the speeches concluded with the demand that the strings with Britain be cut (I personally counted the use of this phrase 17 times) and Rhodesia be given independence. This would, apparently, secure the Chiefs' position and solve all their problems. One Chief asked for independence by 5 p.m. that afternoon.

11. We had hoped that the later meeting with the Council of Chiefs would provide the opportunity for some serious discussion across a table. But when our party arrived for this meeting, it was to find that without any consultation or forewarning, the Rhodesian Government had admitted the whole of the Press, and the Minister and his officials had installed themselves. In front of this formidable gallery, no profitable discussion was possible. The Chiefs resented and evaded any questions touching on their ability to speak for African opinion outside the tribal areas; on the arrangements they had made for assessing the opinion of Africans within the tribal system; or the alternatives put to them by the Government in their discussions on the question of immediate independence.

12. These encounters were carefully manipulated set pieces, and there could be no doubt afterwards that the Chiefs had over a period been equally carefully schooled into the firm conviction that unless 'independence' (whatever this may have meant to them) were granted, the Government could not sustain the Chiefs in their present

position, and an African nationalist Government would take over which would destroy them. It was clear above all that the Chiefs spoke primarily for themselves and in defence of their hereditary position and its present perquisites. All were sadly backward-looking, and one even questioned the wisdom of introducing the education which had led their young men to challenge their elders and betters. None showed any understanding of what was at stake in the independence question, or offered any evidence of having discussed it with his followers. This is not to say that the Chiefs did not believe all they said, or that they would not be largely followed by the tribesmen under their jurisdiction. But the meetings confirmed, if any confirmation were necessary, the grotesque nature of the Rhodesian claim that the Chiefs were the voice of the African people as a whole. The Chiefs were the voice of the Chiefs.

The African nationalists

13. The African nationalist leaders and their supporters represented the other extreme pole of African opinion, and one quite as intractable in its demands. Like the Chiefs they claimed to represent majority African opinion; but like them also they had so far refused to demonstrate this by any constitutional means acceptable to either internal or external opinion. In our discussions with the two groups Mr. Nkomo on behalf of Z.A.P.U./P.C.C. and Mr. Takawira on behalf of Z.A.N.U. opened with long statements of their case (Mr. Nkomo's lasted an hour and a quarter) which revealed how tragically both elements had been caught up in their self-constructed web of constitutional boycott, internecine rivalry, and sheer self-delusion about the political realities of Britain's position. Both presented the familiar demands that Britain should at once call a constitutional conference, to agree upon an independence Constitution on the basis of universal suffrage: and that if the Rhodesian Government refused to attend such a conference Britain should intervene, by armed force if necessary, to impose such a Constitution on the country. Rhodesia was a colony like any other and the British Government had the responsibility to impose in Rhodesia the same pattern that had been followed in the rest of Africa.

14. If some realism and flexibility was to be induced in the position of the African nationalists, shock treatment was necessary. The African nationalists were told, sympathetically but firmly, that Rhodesia was not in the same constitutional relationship as other colonies: that Britain was not prepared to call a constitutional conference to which the Government would not come and the African nationalists would be unable to come: and that Britain had no intention of herself acting unconstitutionally, or of unleashing a war in central Africa whose consequences would be incalculable but which would certainly bring suffering and misery not only to Rhodesia but possibly far beyond her borders. Ministers expressed their regret at the failure of the nationalists to take the limited opportunities opened up for them by the 1961 Constitution, and condemned the violence and intimidation which had characterised recent Rhodesian history. They pointed out that we had nowhere, even in colonies in which, unlike Rhodesia, we retained control of the Government and the armed forces, put into power persons who had served no political apprenticeship, or had not worked some kind of transitional Constitution. The greatest danger to Rhodesia at the moment was a unilateral declaration of independence and the British Government were not going to take provocative and unconstitutional steps which would give Mr. Smith the precise opportunity he was looking for.

15. The directness and frankness with which these views were expressed made a visible impact on the nationalist leaders, whose reactions confirmed to a very large extent the criticism that both factions had believed they could sit back and wait for the British Government to instal them in power. An earnest appeal to reconsider their attitudes, and to frame their actions and policies in relation to the realities of the situation—the need to win European confidence, the need to put an end to violence and intimidation, the need to demonstrate in Parliament their ability to play a constructive part in the government of the country—was listened to grudgingly. It was clearly distasteful to the nationalists to abandon their illusions of an easy path to power, to be cut for them by Britain.

16. It will take time for all this to sink in, and it is too early to say how far these hard but necessary words may cause the nationalists' previous uncompromising and unrealistic stand to be modified. A further communication from Mr. Nkomo, received before the end of the visit, showed a reluctance to abandon his demands, but went as far as stating that he would be prepared to meet Mr. Smith for informal talks provided there was a British representative present: but his subsequent public comments on the statement issued at the end of the visit reverted to the line that Britain carried the entire responsibility, and that it was her duty to exercise her supposed powers on behalf of African majority rule.

The Europeans

17. The discussions with organisations and individuals representing primarily European opinion covered the widest range of all. They included talks with the most hardened Rhodesian Front extremists, the official Opposition and Rhodesia Party sympathisers, Rhodesian 'elder statesmen', a wide range of business, farming and industrial interests, educational, cultural and religious leaders and at the opposite extreme to the Rhodesian Front supporters, the very few Europeans, such as Mr. Garfield Todd and Mr. Leo Baron, who have publicly identified themselves with nationalist aspirations. From all, the visiting party had confirmation of the hardening of opinion that has taken place among Europeans as well as Africans in the past year or so. The invariable point of reference for all but the most liberal Europeans was the fate of States to the north in Africa who now had African majority rule, and the conclusions drawn therefrom about the likely future of the Europeans—and of the Africans—in Rhodesia if similar rule came prematurely to this country. The primary emotion was apprehension.

18. Almost all spoke of the need for early independence and of their opposition to any further African constitutional advancement while the Africans generally refused to play a constitutional role and failed to take up the substantial advances they had been accorded in the 1961 Constitution. While many Europeans had serious misgivings about the Government's attempts to build up the Chiefs, almost all strongly condemned the intransigence and the tactics of violence and intimidation of the nationalists. In responsible quarters the main difference of opinion was over a u.d.i. Many of those who strongly supported the claim to early independence were greatly concerned at the likely consequences of a u.d.i. and were opposed to the seizure of independence by unconstitutional action. But the visiting party were concerned at the irresponsible talk about the necessity for, and the consequences of, a u.d.i. which they encountered among some ordinary members of the electorate, and which undoubtedly reflected the unthinking emotions of the submerged section

of the electoral iceberg, with whom it was not possible to arrange any substantial contact.

19. In talks with Europeans, Ministers left no one under any illusions about the inevitable and disastrous consequences of a u.d.i., and challenged with great force the widespread misconception, fostered by the Rhodesian Front, that the only choice facing Europeans was to acquiesce in a u.d.i., or face an immediate handover of power to a nationalist Government. They explained with conviction that the British Government envisaged a peaceful transition to majority rule, the principle of which had been accepted by the Rhodesian electorate in accepting the 1961 Constitution; but that they did not seek to prescribe how or when that stage should be reached. They emphasised the British Government's sincere desire to find a solution which would enable early independence to be granted on a basis acceptable to all the peoples of Rhodesia.

The discussions with the Rhodesian government

20. In addition to personal talks with Mr. Smith, there were two long discussions with Mr. Smith and the rest of his Cabinet, at the start and on the last day of the visit. On both occasions there was very straight talking. At the first meeting Mr. Smith came out of his corner fighting, with a completely uncompromising exposition of the Rhodesian Government's position. He warned that a head-on collision between the two Governments was approaching, and tried to blame this on the Labour Government's actions since coming into office. Nothing would move his Government from their position on the independence issue; there was to be no giving way, no lowering of standards; no relaxation of the franchise; no further constitutional conference. His Government regarded independence as essential to remove the uncertainties which were making it impossible to attract the investment and immigration necessary for the expansion of the economy. So long as Britain was in the picture the nationalists would refuse to settle down to co-operation with the Government and the security situation would not improve. Independence was essential, and if this could not be granted on the present Constitution, then it would have to be taken.

21. Ministers strongly contested the arguments put forward by Mr. Smith and members of his Cabinet, but reserved their main fire until the second meeting with the Cabinet, on the last day of the visit. By then there had been a slight change of atmosphere, resulting partly from the forthright impression the Ministers had made on persons close to the Government in the course of the intervening 10 days, and partly, Sir, from your inspired decision to see Mr. Smith privately on our return to Salisbury at the end of the first week, and give him a personal account of your impressions to date. I am sure it was the frankness with which you spoke, and the direct touch with him you were thereby able to establish, which finally removed the original suspicions of the Government that the purpose of the mission was to throw the weight of the British Government behind the African nationalists, and convinced Mr. Smith and his Ministers that a genuine attempt was being made to find a way forward. The result was that while the Government remained as uncompromising as before during our second meeting with the Cabinet, the element of truculence and defiance which had characterised our first meeting had markedly diminished. At this final meeting the Cabinet were left in no doubt of where they stood. They were given a full account

of the discussions and impressions from the previous 10 days, including the discussions with the nationalist leaders. Their problems, and the common Rhodesian phobias about the threat of chaos from the black north and of subversion from Communism, were put into the context of the wider problems of the world and of the struggle against Communism. It was brought forcibly home to them that whether they liked it or not the people they had got to deal with were the educated, politically-conscious Africans, whether they called themselves 'nationalists' or 'moderates', and that the nationalists' failure to seize their opportunities under the 1961 Constitution in no way absolved the Government from its duty to bring the educated Africans into the political life of the country. The inevitable and disastrous consequences of a u.d.i. and the actions which would be forced upon any British Government in these circumstances were again driven home, I believe with conviction. The threat that Rhodesia might hit back with action against Zambia's economy was squarely tackled, and some of the far-reaching consequences, particularly the possibility of United Nations intervention, pointed out. It was noteworthy that the Prime Minister and his colleagues denied vehemently that economic action against Zambia (except as a reprisal against a Zambian embargo on trade with Rhodesia) was ever part of the Rhodesian Government's thinking or policy.

22. Mr. Smith and his colleagues maintained their stand to the end, and did not disguise their intention to declare independence unilaterally, preferably at a moment when some action by Britain might give them a favourable opportunity, unless the British Government were prepared to grant independence on the basis of the 1961 Constitution. The maintenance of the *status quo* offered no viable alternative, but a form of lingering death. Rather than this, the Government would take their chance with a u.d.i., and get what help they could from the friends around them. They did not believe in apartheid or want to adopt South African policies, but Britain might drive them to this, and they would accept it rather than go the way of countries to the north.

Final statement

23. The visit concluded with the issue to the Press of a full statement about the visit, the text of which is attached at Annex B.²

Conclusions

24. While, as the above record shows, the gloomy picture of irreconcilable positions and immovable views remains the realistic picture of the Rhodesian political situation at the present time, I believe the visit achieved far more than any of us dared hope at its outset. Indeed, I believe that in great measure all four of the limited objectives mentioned in paragraph 4 of this despatch were achieved.

25. The first of these was to combat the move towards a u.d.i. I do not suggest for a moment that the threat of u.d.i. has been removed. It has if anything been more unequivocally stated. But I think that any remaining illusions which may have been entertained by the Government or others, that Britain would in the

² Not printed.

event find some way of mitigating the consequences, or would hold back from taking severe action, have been dispelled. For all their brave talk, I do not think Rhodesian Ministers are unmindful of how severe the consequences might be. In addition some of the grounds on which they would hope to rally opinion behind a u.d.i. have been removed. An atmosphere of reasonableness is not conducive to whipping up public opinion. To this extent, therefore, I think the visit will have produced an increased disposition to look at any other way out of the impasse, if one can be found. And I think the lowering of tension which the visit has undoubtedly produced has given us and Rhodesia more time to think: this too will have its deterrent effect.

26. The second objective has been more fully realised, since there seems no doubt now that a dialogue has been re-established. The frank and often hard-hitting exchanges across the table in the Cabinet room were part of it, and laid the foundation for its continuance. That it can only continue within the very narrow limits I describe below does not detract from this achievement, which is a net and positive gain.

27. It is in the third objective that I believe the mission had its greatest success. I am in no doubt that the sedulously fostered myths and misconceptions about the British Government's policy and purpose have been dispelled most effectively, both by the conversations and discussions that took place during the visit, and by the clear statement issued at its close. This last has drawn warm praise from all sensible sections of the population for its balance and its perception, and it is largely due to this and to the personal impressions made by yourself and Lord Gardiner, that I can report a tangible lessening of the previous tension. There have been many publicly and privately expressed tributes, often from most unexpected quarters, to the way in which you and the Lord Chancellor fulfilled a demanding and exhausting programme and to your joint and several frankness, friendliness and equanimity under the most trying circumstances and often under the most hostile cross-questioning. All this has made a deep and reassuring impression.

28. A glance at the comprehensive nature of the programme, and at the concluding statement, is sufficient to establish that the fourth objective, that of forming a balanced assessment of the state of Rhodesian opinion, and of the possibilities of compromise, was amply achieved.

The situation now

29. A penumbra of misconceptions, misrepresentations and illusions has now been cleared away, and the unvarnished realities of the situation brought into sharp focus. These remain daunting. They may perhaps be summed up in two simple propositions. The first, that the Rhodesian Government will declare independence unilaterally, at a time of their choosing and to their advantage, if no negotiated basis can be found for independence. The second, that no negotiated basis for independence can be found if the present African nationalist leaders have a power of veto over it, *i.e.*, if a precondition is that its terms must be acceptable to them. The gulf between their absolute demands and anything negotiable with the rest of the country is too great to be bridged.

30. We have made it clear to the Government, and to the African nationalists, that we are not prepared to impose a political settlement by force of arms. It is

therefore within the most narrow parameters that a solution has now to be sought. If there is one ray of hope, it is that the personal relations between British and Rhodesian Ministers that were established during the visit and the frankness and honesty which characterised the Ministerial discussions, have laid a basis of trust and respect which had not existed before. And despite their protestations of inflexibility, I think the cumulative effect of the examination of the consequences of u.d.i. which has been going on here since last October, reinforced so strongly during your visit, has brought the Rhodesian Government closer to the contemplation of some negotiated concessions as a price for independence than they have been at any time since Mr. Smith came to power. Any concessions they might be brought to contemplate would be limited and grudging. They would certainly fall far short of the demands of the African nationalists and their supporters in Africa and New York. To discover whether there exists a formula which, while rejected by African nationalists, and extreme European opinion alike, would be accepted as fair by responsible opinion in the world, and which would still be negotiable with the Rhodesian Government, is the task before us in the new chapter in our relations with Rhodesia which this visit has opened.

31. I am sending copies of this despatch to the British High Commissioners in Accra, Lagos, Dar-es-Salaam, Kampala, Nairobi, Zomba and Lusaka; to Her Majesty's Ambassadors in Washington, Cape Town, Lisbon, Leopoldville and Addis Ababa; to the British Permanent Representative at the United Nations; to Her Majesty's Consul-General at Lourenço Marques; and the Political Adviser to the Commander-in-Chief, Middle East.

418 CAB 148/20, OPD(65)54

18 Mar 1965

'Possible alternatives to coal and power supplies to Zambia': memorandum by Mr Bottomley for Cabinet Defence and Oversea Policy Committee

At the meeting of the Cabinet on the 1st February (C.C. (65) 6th Meeting, Item 3) it was decided that an examination should be made as a matter of urgency of possible means whereby we might ensure the continued supply of coal and electric power to the copper mines of Zambia following a u.d.i. if these were denied by Rhodesia.

2. A paper by officials was considered by Ministers at their meeting (O.P.D. (65) 10th Meeting, Item 3) on the 17th February, as a result of which Ministers invited me to arrange for confidential discussions to take place with officials of the Zambia Government.

3. These discussions have now taken place and the agreed findings are embodied in the annexed memorandum and statistical tables. They are based on the assumption that Kariba power supplies, Wankie coal supplies and the use of Rhodesian Railways are denied to Zambia.

4. Many variables, political and economic, affect the assessment, but certain salient facts emerge:—

- (i) Merely to keep the mines on a care and maintenance basis without actually producing copper would require 400,000 tons more per annum of essential imports than could be brought in on existing routes.
- (ii) To produce 200,000 tons of copper (only approximately one-third of present annual output but the apparent maximum in u.d.i. conditions) would require 1.45 million tons more per annum of essential imports than existing routes allow.
- (iii) No more than 75,000 tons of copper per annum could be exported by available routes.

5. On the assumption however that the existing routes would suffice to carry all essential imports except the coal needed for power production, three suggestions whereby the fuel shortage might be met are put forward for further examination:—

- (a) Stockpiling of coal prior to a u.d.i.
- (b) Production of charcoal in Zambia as a substitute for coal.
- (c) Developing the Songwe/Tukuyu coal deposits in Tanzania.

6. If however the Zambian copper industry is to be preserved, the export problem must also be solved. Two possible solutions are suggested for further examination:—

- (a) An airlift from the Copperbelt to Mtwara on the Tanzania coast.
- (b) The release of copper from the American strategic stockpile in return for an equivalent tonnage to be held in Zambia.

7. In short, there is no way of maintaining the copper industry by emergency measures based simply on use of existing supply routes: and the feasibility of the suggestions in paragraphs 5 and 6 is highly questionable, particularly on the export side. Nevertheless, in so serious a contingency, they must be fully explored; and we shall need to convince the Zambians that this has been done if eventually we have to face them with the conclusion that virtually nothing can be done to save the industry if Rhodesia cuts off supplies, and with the difficult political questions which will then arise.

8. The stockpiling of coal prior to a u.d.i. could be no more than an adjunct to other measures to maintain copper production. At worst, and by itself, it could secure mere care and maintenance of the mines for a limited period (say, up to 12 months). Even this proposal is fraught with difficulty: apart from the physical and financial problems, it would have to be judged whether such an operation, which could not be kept secret, might not predispose the Rhodesian Government towards a u.d.i.

9. No estimate of costs has been made in the enquiries because of the limited information available from Government sources, but it is obvious that the expense involved would be very substantial.

10. The prospects are therefore gloomy but in my view these questions should be further pursued. I have already communicated the results of these enquiries to the United States Government and the Canadian Government, and propose to pursue with them the question of the feasibility of an airlift and the assistance which they might be able and willing to give towards it: and (with the United States Government) the possibility of releases from the American strategic stockpile. The Zambian authorities will pursue the question of charcoal production. To complete

the rest of the work satisfactorily, it is necessary to go outside Government circles. I should therefore be grateful for my colleagues' concurrence in:—

- (a) urgent confidential consultations with non-Government agencies (for example the Commonwealth Development Corporation, the National Coal Board and shipping companies) on the costs, methods and feasibility of stockpiling coal in Zambia; and
- (b) an approach to the Commonwealth Development Corporation for detailed information on the Songwe/Tukuyu coal deposits.

419 CAB 21/5513, MISC51/1

25 Mar 1965

[Negotiations with Mr Smith]: Cabinet Committee on Southern Rhodesia minutes¹

The Prime Minister said that unless the deadlock could be broken it seemed certain that the Southern Rhodesia Government would shortly make a unilateral declaration of independence (U. D. I.). The consequences would be extremely serious, both in Africa and internationally: Zambia would be ruined and the denial of Zambian copper would cause a major industrial crisis in the United Kingdom. It was therefore necessary to explore any possibility of breaking the deadlock and an informal discussion which the Lord Chancellor and the Commonwealth Secretary had had during their visit to Southern Rhodesia with Mr. Smith, the Prime Minister, indicated that there might be some possibility of agreement. The essential points in such an agreement would be:—

- (i) the election to the 'B' Roll to be on the basis of 'one man, one vote'. This would ratify the principle of universal suffrage though it would not provide for majority rule since 'B' Roll seats would still be a minority in the Southern Rhodesia Legislature;
- (ii) an increase in the 'B' Roll seats (from 15 to 26) to give them a blocking minority of one-third plus one against changes in the Constitution;
- (iii) a speeding up of the process by which the African would qualify for the 'A' Roll in order to hold out the prospect of majority rule within a measurable time;
- (iv) a liberalisation of the Land Apportionment Act;
- (v) the grant of independence on this basis.

There could be no certainty that Mr. Smith would accept an agreement on these lines, or that, even if he himself did so, he could carry his Government and the white population of Southern Rhodesia with him. The danger of embarking on negotiations with Mr. Smith was that, if they were to become public, they would be denounced by the other African Governments, including the Commonwealth

¹ Present at this, the first meeting of the Cabinet committee on SR were Wilson, Gardiner, George Brown (first secretary of state and secretary of state for economic affairs), Herbert Bowden (lord president of the Council), James Callaghan (chancellor of the Exchequer) and Anthony Greenwood (secretary of state for the colonies). Also probably present were Bottomley and Michael Stewart (secretary of state for foreign affairs since Jan 1965), although Bottomley is not listed by name as having attended, and Stewart is described, incorrectly, as secretary of state for Commonwealth relations. The secretariat was composed of Sir B Trend, P Rogers and D S Laskey.

Governments in Africa, as a betrayal of the Africans in Southern Rhodesia. If the opposition were such that the United Kingdom Government then had to draw back Mr. Smith would be almost certain to make a U. D. I. and would probably publish any correspondence with the United Kingdom Government.

He had had discussions with the Minister of State for Foreign Affairs (Lord Caradon) who had asked for time to think the matter over. Lord Caradon would shortly be visiting Nigeria and it might also be possible for him to see some of the other moderate African leaders like President Kaunda and President Nyerere. In view of Lord Caradon's personal influence in Africa he might be the best person to sound out African leaders if the Government decided to take an initiative on the lines he had suggested. Many African leaders would, in private, welcome a compromise solution and even if they were unable to endorse it publicly they might agree to refrain from outright condemnation.

The Commonwealth Secretary said that after the discussions which the Lord Chancellor and he had had with the Southern Rhodesia Government the deadlock seemed complete. They had however subsequently had a private talk with Mr. Smith at which no one else was present. Mr. Smith had said that he did not wish to ally himself with South Africa and recognised the dangers of a U. D. I.: nevertheless, the Southern Rhodesia Government were determined to achieve independence. He had then himself suggested that election to the 'B' Roll might be on the basis of universal suffrage. When the Lord Chancellor and he had raised the question of a blocking minority for the 'B' Roll seats Mr. Smith had said that this would be difficult but was not non-negotiable. His attitude had been the same towards the suggestion for speeding up the process by which Africans could qualify for the 'A' Roll. He had asked that any future correspondence on this subject should be conducted personally between himself and the Prime Minister, without the knowledge of his own Cabinet.

The Lord Chancellor and he had formed the impression that Mr. Smith held a dominant position both in his own Government and with the white population in Southern Rhodesia. He alone might be able to secure acceptance of an agreement which would otherwise be rejected. Moreover, contrary to their previous belief, the Lord Chancellor and he had become convinced during their visit that Mr. Smith would honourably carry out any agreement he made with the United Kingdom Government. It need not be assumed that a liberal solution would automatically be rejected by the white population. Although an extremist mood now prevailed there had been a two-thirds majority for the constitution of 1961 which would lead in time to an African majority and many people in Southern Rhodesia were basically liberal minded.

The Lord Chancellor agreed with the Commonwealth Secretary. The African Nationalist leaders in Southern Rhodesia demanded majority rule at once, if necessary imposed with armed forces by the United Kingdom. This was clearly impossible and the Nationalist leaders were at present quite unqualified to govern. On the other hand the Southern Rhodesia Government were determined to obtain independence, if necessary by a U. D. I. He believed that Mr. Smith was sincere in wanting a compromise agreement and that he himself would abide by it and would get it accepted.

In discussion there was general agreement that the consequences of U. D. I. would be so grave that the possibility of an agreement on the lines suggested by the Prime Minister should be most seriously considered. There was clearly a danger that even if Mr. Smith himself tried honestly to give effect to an agreement he might be unable

to do so. He would be under heavy pressure in Southern Rhodesia and it must be accepted that the agreement would be denounced by many countries in Africa. Moreover, whatever the legal position might be, the Southern Rhodesia Government would have many opportunities for frustrating the agreement; for instance they might be able to bribe enough members elected on the 'B' Roll to secure a two-thirds majority for amendments to the Constitution. If the agreement were frustrated in this way international reactions would be similar to those which would follow a U. D. I. and there would be similar pressure in the United Nations for measures to be taken against Southern Rhodesia. Even in these circumstances, however, the position for the United Kingdom might be less embarrassing since in the eyes of world opinion we might be regarded as less directly responsible than at present for developments in Southern Rhodesia.

In further discussion it was suggested that there might be additional guarantees to prevent amendments of the Constitution which would frustrate the agreement. These might take the form of a treaty between the United Kingdom and Southern Rhodesia as a condition for the grant of independence, or some form of Commonwealth or United Nations guarantee for the entrenched clauses in the Constitution. It was agreed that this was a matter which could be further explored and which might form the subject of negotiations with Mr. Smith.

An additional point made in discussion was that the United States Government should be kept informed and the danger of a U. D. I. should be made clear to them.

The Prime Minister summing up the discussion, said that there was general agreement that the possibility of negotiations with Mr. Smith should be explored in order to break the present deadlock and avoid the consequences of a U.D.I. It was desirable that any such negotiations should be conducted orally and that there should be nothing in writing. It would be necessary to confirm that Mr. Smith would still be prepared to discuss an agreement on the lines suggested. Meanwhile, in any conversations which Lord Caradon would have with African leaders he would take only tentative soundings, and make it clear that he was speaking in a purely personal capacity. Meanwhile it was essential that the matter be treated with the strictest secrecy.

The Meeting:—

Took note of the Prime Minister's summing up and the points made in discussion and agreed to resume their consideration of the matter at an early date.

420 PREM 13/536

4 May 1965

'Southern Rhodesia': minute by Sir B Trend to Mr Wilson on the implications for the UK and Zambia of disruption to Zambia's copper industry

The Committee¹ may wish first to ask the Minister of State for Foreign Affairs for a report on the latest position in the Security Council debate on Southern Rhodesia. If

¹ The Defence and Overseas Policy Committee.

a resolution has been tabled or the lines of a probable draft are known, it may be necessary to consider what our attitude should be and, in particular, whether we should be prepared, if necessary, to cast a veto at the risk of alienating African and Commonwealth opinion or to abstain at the risk of provoking Mr. Smith to take the final decision to act unilaterally. In weighing the latter risk Ministers will have before them, in the two memoranda on the agenda, an outline of the probable consequences of a u.d.i.

2. The Committee may then wish to consider the memorandum by the President of the Board of Trade (O.P.D. (65) 82) on emergency plans to deal with an interruption of supplies of Zambian copper to the United Kingdom. The memorandum makes very clear the seriousness of the situation that would arise. Some relief would be afforded if the United States Government were prepared to release supplies from their stockpile; but these could not make up the deficit. Non-essential uses of copper probably account for only a small proportion of the total; and a reduction in supplies would therefore be bound to affect essential industries. A control system would have to be introduced, for which legislation would be required; but copper is used in such diverse ways that control would be extremely difficult to operate. It is suggested that, in the allocation of available supplies, priority should be given to industrial needs at the expense of building requirements.

3. Two points call for early decision:—

(i) It is suggested in paragraph 12 that we should now intensify our preliminary discussions with the United States Government about the degree to which they could help through releases from their stockpile. The Committee will no doubt agree to this—preferably on the basis that the consultations will be confined to governmental circles and that commercial interests in the United States will not be involved.

(ii) Should we nevertheless initiate consultations with commercial interests in this country? Preferably not, since it is still true that such consultations might become known and might constitute an additional incentive to the Government of Southern Rhodesia to take precipitate action. Moreover, they would not really enable the Government to plan much more effectively, since so much will depend on what actually happens after a u.d.i. and the extent to which copper supplies are interrupted. But the Committee will wish to check that the necessary administrative preparations—legislation, Orders, extra staff, inter-departmental machinery etc.—are either complete or actively in hand.

4. The other aspect of the copper problem is the question how far the Zambian industry could be kept going if Southern Rhodesia introduced economic sanctions against Zambia. This is referred to in paragraphs 11 and 12 of the second memorandum before the Committee (O.P.D. (65) 81), which reach the conclusion that there is unlikely to be any real prospect of keeping the copper industry in operation if Southern Rhodesia cuts off power, coal and rail transport. This conclusion, however, is still subject to the outcome of the consultations with the United States Government which are now in train. (A note² indicating the scale on which an air lift would have to be organised for the purpose is attached. This shows that, in order to export about 200,000 tons—i.e. one third of Zambian output and

² Not printed.

the greater part of our own requirement—37 sorties a day, or one every three quarters of an hour, would be needed. Moreover, the 200,000 tons of coal which would constitute the inward load would represent only about one-seventh of the total of 1.45 million tons required to produce the 200,000 tons of copper and only half of the 400,000 tons required to keep the mines on a mere care and maintenance basis. These calculations, however, are in terms of our own Britannias; and United States aircraft could probably improve on them. Moreover the mere threat of a ‘massive’ (even if unquantified) United States airlift might make Mr. Smith pause. There is everything to be said, therefore, for pursuing these possibilities urgently with the United States authorities.)

5. In considering the rest of O.P.D. (65) 81 the Committee may wish to go through the table at Annex I; to check that administrative preparations have been carried as far as possible; and to consider the points on which Ministerial decisions are still required. The most important of these is the range of economic and financial measures covered by Serials 10 to 14 of the table. The Committee may feel that it would still be premature to reach decisions in advance of a u.d.i. If so, however, they will have to be prepared to decide at very short notice indeed if the Parliamentary statement is to contain something rather more robust than the remark that ‘Her Majesty’s Government are considering urgently what further measures should be taken’ (Annex II to O.P.D. (65) 81: paragraph 3).

6. Other points which the Committee may wish to consider are:—

(a) Paragraph 16 of O.P.D. (65) 81 proposes that, in addition to the consultations about Zambian copper, we should inform the United States Government at a high level of the state of our preparations and planning in general, in order to secure their support and to co-ordinate action with them. The sooner we do this, the better.

(b) It is also for consideration whether there should be further discussions with President Kaunda in advance of a u.d.i. If we decide to refrain from extreme measures against a rebel government in Southern Rhodesia by reason of the possible consequences for Zambia (and, of course, for our own copper supplies), it would not be unreasonable for us to ask President Kaunda to help us to meet criticism from the more emotional Afro-Asian countries (e.g. in the current United Nations debate and at the projected meeting of the O.A.U.’s Liberation Committee at Dar Es Salaam on 5th May?) The method and timing of any approach to him for this purpose may be affected, however, by the upshot of the discussions which the Minister of Oversea Development has just had with him.

421 PREM 13/536

18 May 1965

[Southern Rhodesia]: minute by Sir B Trend to Mr Wilson on discussions with Mr Smith and preparations for a unilateral declaration of independence

[In the Rhodesian general election on 7 May, Smith’s Rhodesian Front won all 50 of the ‘A Roll’ seats in parliament. African candidates from the Rhodesia Party won 10 of the 15 ‘B Roll’ seats. When, at the end of the month, the Rhodesia Party dissolved itself, the African members reconstituted themselves as the United Peoples Party.]

The purpose of tomorrow's O.P.D. is two-fold:—

- (i) To consider how we resume discussions with Mr. Smith.
- (ii) To take stock of the state of our preparations for a U.D.I.

We have therefore invited to the meeting both the High Commissioner (Mr. Johnston) and the C.R.O. Chairman of the Working Party concerned with the war book (Mr. Watson).

I. *Discussions with Mr. Smith*

1. You may like to ask the High Commissioner to give the Committee a brief outline of the present state of feeling in Salisbury. If he repeats what he told you the other day, his main points will be as follows:—

- (a) Mr. Smith is not in a truculent or an aggressive mood as a result of his electoral victory. He genuinely wants to negotiate; and for the time being, therefore, the threat of a U.D.I. may have somewhat receded.
- (b) As regards the substance of further discussions, Mr. Smith is very unlikely to accept the concept of a 'blocking third' but would compromise on a 'blocking quarter'; but even this would apply only to the amendment of the entrenched clauses *as a substitute* for the present safeguards in Sections 107–109 of the Constitution. Moreover, he remains very keen to abolish cross-voting, although ready to concede the principle of 'one man one vote' on the B roll.
- (c) In these circumstances there is no prospect of a quick or easy settlement; and we must be prepared to reach the point of break and failure before we can hope to succeed. In particular, there is no chance of reaching agreement before the Meeting of Commonwealth Prime Ministers.

2. In these circumstances what line should we now take as regards both Mr. Smith and the other Commonwealth Prime Ministers? If we merely stonewall at the Meeting without disclosing any of the details of the proposals under discussion between Mr. Smith and ourselves, and if we subsequently succeed in reaching some settlement with him which is not completely acceptable to African opinion, many of the other Prime Ministers may feel that they have been deceived and that we have interpreted our five principles with far more elasticity than they would have accepted if they had been told in advance. On the other hand the chance of reaching a settlement which is entirely acceptable both to Mr. Smith and to the other African members of the Commonwealth is practically nil. The least damaging course, therefore, may be to concentrate on:—

- (a) Trying to ensure that, in the speech from the Throne on the 9th June, Mr. Smith adopts as moderate an attitude as possible, particularly by indicating that he does not intend to make any constitutional amendments for the time being.
- (b) Trying to persuade the other Commonwealth Prime Ministers to endorse our five principles¹ as the basis of an eventual settlement but to leave it to us to decide how they would best be implemented in practice. (We must recognise that we shall be very fortunate if we succeed in this task, in the light of the disappointing

¹ For the 'five principles', see part I, p civ. These had been first set down as a group in Bottomley's letter to Johnston, 16 Apr 1965, PREM 13/535.

attitude of Kenya as disclosed in Murumbi's letter to the Commonwealth Secretary and the O.A.U. Communiqué which 'holds the United Kingdom wholly responsible for the explosive situation prevailing in Southern Rhodesia as well as for all the tragic consequences resulting from Britain's failure to honour its constitutional and political responsibilities'. We shall have to work very hard to mobilise Kaunda, Banda and perhaps Abubakar to offset Kenyatta, Nkrumah, Obote² and perhaps Nyerere!).

3. Meanwhile, how, in detail, should the High Commissioner pick up the negotiations with Mr. Smith; is he to stand firm on both the 'blocking third' and the retention of cross-voting? If so, we may reach the breaking point earlier than we should wish. On the other hand, we cannot possibly concede either of these points before the Meeting of Commonwealth Prime Ministers. In these circumstances how does the High Commissioner himself propose to play the hand? Where is his point of entry? And what are his means of leverage? It is important that he should have clear instructions on these points before he returns towards the end of the week.

II. *Preparations for U.D.I.*

4. In terms of our own domestic action—draft Bills, Orders in Council, Regulations, etc.—we are now reasonably ready. On the wider international front:—

(a) Discussions with the Americans—about the possibility of an airlift to Zambia and arrangements for the rationing of world copper supplies—are in progress, in the light of your own talks with Dean Rusk. But the Committee should realise that, the more closely we examine the position which might arise in Zambia if supplies of coal and power were cut off, the gloomier it becomes. It now looks as though any airlift which it would be practicable to mount might have to be largely earmarked to supply Zambia with the basic necessities of life and that the copper mines might have to take second place. It is encouraging, therefore, that, according to the High Commissioner, Mr. Smith is thinking of telling Kaunda, privately, that Zambia should not take too seriously the threats of retaliatory economic action which were uttered during the Rhodesia election campaign. If this means—as the High Commissioner thinks it means—that Mr. Smith does not intend to breach the Kariba Agreements with the International Bank, it is encouraging.

(b) We must be ready to mobilise a United Nations intervention at the earliest possible moment after a U.D.I. (if, indeed, we are not outstripped by the Africans!). Any United Nations intervention would have to be based on Zambia; and the High Commissioner has suggested to us that, if Kaunda appealed promptly to the Security Council (on the basis that there would be, perhaps, a few weeks in which there would be a chance to save the mines and Kariba and that the opposition would consist of only about 250,000 Europeans, of whom two-thirds are women and children) the response might be immediate and effective. You will be interested to see from the attached copy of a letter³ from the High Commissioner in Zambia, that the same thought has occurred to Prain. And it is perhaps for consideration whether, if the atmosphere starts to turn sour again, we should let it

² Dr Milton Obote, president of Uganda, prime minister of Uganda from 1962; president, 1967–1971.

³ Not printed.

be known to Mr. Smith that, in the event of a U.D.I., he might have to cope with armed intervention, although not by us.

5. (The letter from Monson is worth reading in full for other reasons—particularly the alleged threat by Odinga that if we, ourselves, would not intervene by force, African Commonwealth countries might nationalise British businesses in retaliation. We have no information to confirm that this threat has been seriously discussed among the African countries, still less that Kaunda is privy to it. Nevertheless, it is interesting, in the light of the intemperate utterances by Kenya and the O. A. U.)

422 CAB 21/5513

27 Aug 1965

[Negotiations with Smith]: minute by P Rogers to Sir B Trend

[Bottomley had written to Wilson on 26 Aug suggesting Smith be invited to London for further talks. Bottomley wished to make it clear both that independence would not be forthcoming without major concessions on Smith's part and that serious consequences would follow any unilateral action by the government of Southern Rhodesia.]

I am far from happy about the Commonwealth Secretary's proposal. I have discussed with Mr. Mitchell at his request and find that we had independently come to the same conclusion.

The paper rehearses all the points that we considered *ad nauseam* in the course of the past two years. There is nothing new to be said on all these aspects by now and the sole question is where we seek to go from here. So far we have constantly been seeking to find a 'solution' in the sense of a basis on which Rhodesia can become independent acceptable to ourselves, themselves and to world opinion. Is it not now clear that at any rate in the immediate future this is just not possible? In other words, is it not clear that Mr. Smith, or Mr. Smith's party, will not be willing to accept even the minimum conditions which we have laid down in the five principles—and in turn it is dubious if those would be acceptable to the majority of Commonwealth opinion. Obviously, desirable though it would be if we could find a solution, is it not in these circumstances best to plan for an engineered spinning out of negotiations? No doubt the time will come when either Mr. Smith's party on the one hand, or Afro-Asian opinion on the other, may bring matters to a point where the break is inevitable. But even so, should we not seek to put this off for the longest possible time? I suggest that this should be our aim, both because I cannot see anything else doing anything but harm to both black and white in Southern Rhodesia, but also because a break would surely eventually involve immense harm to our economic position. This is because however gently we may react initially to such a break, I would have thought that events would inevitably sooner or later lead increasingly to measures of economic warfare. This would be serious enough for us, as well as Southern Rhodesia, at the best of times, but in our present economic position it would surely be not the final straw on the camel's back, but an additional ton weight!

If this view is accepted, it would surely suggest that we ought not to seek to invite Mr. Smith and some of his colleagues to this country in the near future, since I do not see how we could still drag on the negotiations afterwards. From his own point of

view, let alone from our point of view in the light of the expectations of the Commonwealth, it would be expected that the visit would result in an agreement and since I do not think it can, Mr. Smith would surely be bound to make the break afterwards.

However difficult it may be—and it is very difficult indeed,—I suggest that the proposal should not be approved and instead we should consider how best just to spin things out for as long as we possibly can.¹

¹ Trend commented: 'OPD took much the same view; and it was agreed, as a compromise, that the C[ommon] wealth Sec[retary] should propose himself for a visit to Salisbury as the next move.'

423 PREM 13/539

21 Sept 1965

[Southern Rhodesia: contingency planning for a unilateral declaration of independence]: minute by Sir B Trend to Mr Wilson¹

In paragraph 2 of his memorandum the Commonwealth Secretary says that the major issues which remain unresolved in our contingency planning relate to our international posture, the economic action which we would take, and the prospects of assisting Zambia in the event of economic warfare with Rhodesia. He proposes that there should be discussions at the official level on these questions, including the copper supply position, with the United States and selected Commonwealth and friendly countries.

Our international posture

2. We are faced with the familiar dilemma that, if we are to succeed in giving a lead to the United Nations and preventing pressure for extreme measures, such as the use of force, we must show that we intend to act firmly against the rebel government. On the other hand, firm measures, including economic sanctions against Southern Rhodesia, would involve grave economic risks not only to Zambia but to the United Kingdom; and they would constitute a precedent in relation to South Africa which would be at variance with our past policy.

3. The Committee may therefore wish to consider carefully the way in which it is suggested that we should handle matters in the United Nations, particularly the detailed proposals in Annex II. These lay considerable emphasis on our present and continuing responsibility for dealing with the situation in Rhodesia. While this is no doubt legally correct, and while it is also important that we should not set an undesirable precedent for the United Nations handling of South Africa, it nevertheless seems essential that we should secure the maximum support from the United Nations and that any measures adopted against the rebel government should, so far as possible, be United Nations measures rather than purely United Kingdom ones. If Mr. Smith can be made to feel that he is dealing not only with the United Kingdom but with the almost unanimous opposition of the world community, he may perhaps be less inclined to adopt extreme measures, including economic sanctions against Zambia. There is also the consideration mentioned in paragraph 7

¹ This minute refers to Bottomley's paper OPD (65)132, 21 Sept 1965.

of the Commonwealth Secretary's paper that the time may well come when we shall have to consider transferring the responsibility for Rhodesia from ourselves to the United Nations. It would seem prudent that so far as possible we should prepare the ground for such a widening of responsibility from the outset.

4. This argument reinforces the Foreign Secretary's suggestion that some preparation for action to exclude Rhodesia from Her Majesty's Dominions should be undertaken without delay. It is reasonable to object—as the Commonwealth Secretary has hitherto tended to—that, if we washed our hands of Rhodesia in this way, we should be conceding victory to Mr. Smith by giving him precisely what he now says he wants (i.e. independence outside the Commonwealth) and should be forfeiting at one stroke such credit as we have acquired with the African members of the Commonwealth by our sustained refusal so far to do so. But, if the time may come when we shall wish to hand the whole problem over to the United Nations, it would do no harm to make secret preparations for the formal act which would be a logical and necessary corollary.

Economic implications

5. The latest assessment suggests that, in the event of economic warfare between Southern Rhodesia and Zambia, the situation would be worse than was previously estimated. There seems likely to be a shortfall of 100/200,000 tons a year in the supplies needed to keep Zambia going and to maintain the coppermines on a care and maintenance basis. To meet this an air lift would have to be considered; and even then we could expect no supplies of Zambian copper.

6. The Commonwealth Secretary suggests, in paragraph 17, that we should therefore try to work on the countries who would be likely to help Southern Rhodesia, particularly Portugal and South Africa, by frightening them with the possible consequences of a u. d. i. for them. The Foreign Secretary will no doubt say how far he thinks that this would be possible and useful. On the face of it vague hints and threats of this kind would not seem likely to be very effective unless we were prepared—and are we?—to extend to Portugal and South Africa the type of economic measures which we have it in mind to deploy against Rhodesia. But it might be worth attempting if we could get some of our allies, particularly the United States, to act with us.

7. Finally, the Commonwealth Secretary suggests that there should be a military survey of airfields which might be used for an airlift to Zambia. This seems to be a useful step, although in this and other measures designed to help Zambia in case of need we shall need to watch carefully the extent to which we are committed, or appear to be committed, to bear the cost of assistance and to give financial help.

8. For the rest our preparations (listed in Annex I) are as advanced as they can be—with the exception of the economic measures at serials 10–14, on which Ministers have reserved a decision until the eleventh hour. This will probably remain their view, on the grounds that, although we are irrevocably committed to instituting some kind of economic action, the stronger it is the more likely it is to provoke an economic war between Rhodesia and Zambia (with the consequences for our economy described above) and our response to a U.D.I. must therefore be graduated as closely as possible to the degree of challenge implicit in it. Nevertheless, Ministers will wish to be assured that administrative preparations have been carried as far as possible not only in relation to the measures under serials 10–14 but also in

relation to the rationing of copper which would be necessary if the worst came to the worst. How quickly and effectively could the official machine cope with the situation which would develop?

9. One final aspect of the problem which is not discussed in the memorandum is the position of the Governor in the event of a U.D.I. There are some grounds for doubting both his own firmness of purpose and the reliability of our communications with him in an emergency. But the one thing which he could do—and should be seen to do—would be to dismiss the Government in The Queen's name and to claim for himself the allegiance of all loyal Rhodesians. Can we be sure that he would do so?

424 DO 183/686

22 Sept 1965

[Banda and Smith]: inward telegram no 780 from J W Nicholas¹ to N D Watson and J B Johnston² on defence talks between Malawi and Southern Rhodesia

[In the censored copy of this document in PREM 13/539 (it appears in full in DO 183/686) the opening words, 'From usual delicate source', have been replaced with the note, 'Passage deleted & retained under section 3(4).' From the contents of neither file is it possible to identify this 'delicate source', although it may have been one of the British officials who retained senior positions in Banda's government following independence. These included Peter Youens (see 391, note 1), and Douglas Lomax, head of Special Branch. Jones regularly gathered these figures together for evening security meetings ('vespers'), sometimes without Banda's knowledge (Colin Baker, *Sir Glyn Jones: A proconsul in Africa*, London, 2000, p 244).]

Our telegram No. 742: *Smith's Visit*.

Personal for Watson and Johnson.

From usual delicate source we learn that during Smith's visit here it was agreed that the Rhodesian G.O.C. and A.O.C. with possibly a senior police officer, would visit Zomba secretly (groups undec ? so as to agree) ways in which Rhodesian forces could give assistance to Malawi in the event of external aggression. Not clear whether Banda initiated request or Smith made offer. We know Banda is seriously worried about situation and understand he has made similar approach to Kenyatta, who while sympathizing, pointed out that Kenya had no means of getting her troops to Malawi and that such an intervention might put Kenya in impossible position. At same time, however, it is possible Smith has become increasingly worried about Malawi (see Salisbury telegram No.419 of 7 April) and may himself have raised subject during his visit.

2. Visit of Rhodesian officers is planned for 27 September to 29 September, and meetings with Banda, Roberts,³ Long,⁴ Lewis,⁵ Thornton and possibly others, will take place in Government House. Officials (and Governor-General) are apparently fully aware of dangers of situation and are hoping:—

¹ Deputy high commissioner, Malawi, 1964–1966.

² Johnston is incorrectly deciphered as Johnson in the original.

³ Sir Bryan Roberts, attorney-general of Malawi 1964–1972; Cabinet secretary and head of the Civil Service, 1965–1972.

⁴ Peter Long, commissioner of police.

⁵ Lewis and Thornton were British officers attached to the Malawi armed forces.

- (a) To persuade Banda to cancel visit and to (group undec) for external assistance in event of any aggression to O.A.U.;
- (b) If visit takes place, to limit offer of assistance to a few troop-carrying planes (to move (group undec) to north) and reconaissance aircraft.

Apparently Banda told Smith any Rhodesian troops who came to Malawi would have to be in civilian clothes. This is so obviously impracticable. Officials hope any plan to intervene with ground troops will be quickly discarded.

3. Am told that at meeting of officials Roberts asked whether Malawi could look to Britain for military help. View was that this was not possible, and question was not pursued. And, nevertheless, there is always chance that Banda may raise matter with me either directly or through Governor General (who has so far not been in touch with me). We could obviously give no prior undertaking, but at same time if Malawi were invaded from north assume we could not turn down request from Banda for military assistance out of hand, and would not wish even at this stage to deny all hope of any such assistance being given. Grateful early guidance since I may be seeing Banda very shortly in view of your telegram No. 585 of 21 September. In meantime if Banda raises this I will merely tell him that I will seek urgent instructions.

425 PREM 13/539

23 Sept 1965

[Southern Rhodesian preparations for UDI]: inward telegram no 1144 from J B Johnston to N D Watson

Personal for Watson from Johnston.

U.D.I.

At his request I had clandestine session with senior Government servant last night from which following information emerged:—

- (i) Ministerial Committee of Cabinet dealing with independence decided about ten days ago that decks must be cleared for U.D.I. Ministers were instructed to see Heads of their Departments and obtain from them advice on matters for which administrative or legislative provision would have to be made. This process is now in train.
- (ii) Chiefs of Staff have been asked to advise on dependability of armed forces in light of oath of loyalty. Both have reported that Government must expect resignations among senior officers but there is no suggestion that armed forces will not support Government (C.A.S. independently told my Air Adviser yesterday that armed forces would go with Government in U.D.I.)
- (iii) Benoy (Permanent Secretary, External Affairs and Defence) has again been faced by Dupont and subsequently by Prime Minister with demand that he state his position over U.D.I. He has stoutly declared his opposition to it and unwillingness to support and has refused demand for his resignation. Source expects him to be eased out of his job (probably by re-organization of two Ministries concerned involving abolition of his present office) in next week or so.
- (iv) Ministers are not asking for official advice about risks and consequences of U.D.I. They are unwilling to countenance information or advice which might

weaken resolution and a number seem under delusion that any action British Government might take in response to U.D.I. would be token and formal. Assumption is that British Government would, in fact, be pleased to have got rid of problem of Rhodesia, and for economic reasons would not wish to disturb trading relationship more than minimum necessary to demonstrate disapproval and pacify public opinion.

(v) Source claimed that only hope now of avoiding U.D.I. lay in bringing home reality of adverse consequences.

2. We have separate information which supports (i) and (iv) above.

3. I saw Governor this morning and put him fully in picture. He said all his information confirmed that active preparations for U.D.I. were being made more seriously than ever before. He was convinced that next meeting between Smith and British Ministers would be the last and that U.D.I. would follow very swiftly. He in turn urged that opportunity of Smith's visit to London be taken to bring home to him with as much conviction and in as much detail as possible specific action by Her Majesty's Government and disastrous consequences which would inevitably follow U.D.I.

4. Source in paragraph 1 above agreed with my assessment that all preparations were being made in case Government decide on U.D.I., but that decision had not yet been taken and that there was just a possibility Government's nerve might not hold if they could be convinced of calamitous consequences. Governor took view that even though decision has not yet been taken it would be most difficult for Government to take any decision other than U.D.I., and he regarded U.D.I. as now virtually certain during month of October.

5. Please confine circulation of this telegram to minimum necessary in view of delicacy of sources.

426 PREM 13/539

24 Sept 1965

[Banda and Smith]: outward telegram (reply) no 603 from CRO to Zomba on defence talks between Malawi and Southern Rhodesia

Your telegrams Nos. 780¹ and 787.

Malawi and Rhodesia

We believe Banda is misinformed if he thinks that it is urgently necessary for Malawi to prepare to meet aggression from abroad by the armed forces of any other country. On the other hand there is certainly a threat to his personal security. Whatever help Rhodesians might provide in the event of external aggression they are surely not the best people to prevent Banda from being assassinated. We ourselves might be best able to help over his internal security problems and if he seeks our assistance for this purpose we will be ready to consider what we might be able to do.

2. Second consideration is that any use of Rhodesian military forces outside Rhodesia would be a matter involving the British Government's responsibility for the

¹ See 424

external affairs of Rhodesia. It is in fact improper for the Rhodesians to be exploring arrangements of this kind with Malawi without our knowledge and agreement. But we do not want to pick a quarrel with Rhodesians on this issue at present moment.

3. Third factor of importance is that timing of defence talks between Rhodesia and Malawi is liable to prove most embarrassing not only to us but also to Banda in relation to possible political developments in Rhodesia. We expect Smith to be coming to London within next fortnight for discussions leading to what he insists must be 'final decisions' about independence for Rhodesia. Negotiations with him over recent months have failed to reveal a satisfactory basis for independence. Smith and his Government are no longer concealing their preparations for U.D.I. and we believe there is high probability of this taking place before end of October if talks with him are not successful. We shall then take drastic action against Rhodesia (for details see my statements in Y No. 52 of 25 October, 1964, and Hansard Columns 637-644 of 29 April, 1965). Action against Rhodesia by O.A.U. and anti-Rhodesia resolutions in the Security Council are also to be expected. If Malawi were in any sort of defence arrangement with Rhodesia Banda's external enemies would then be able to multiply their attacks upon him under the cloak of anti-Rhodesian respectability.

4. Against this background we believe that any offer of military assistance to Malawi must be designed by Rhodesians to draw her into 'Southern Redoubt' of South Africa, Rhodesia and Portuguese territories. If Banda lends himself to this Rhodesian manoeuvre it will in the event of U.D.I. inevitably have the gravest consequences not only on our relations with him but also on his relations with all other newly independent African countries and the United Nations.

5. Against the background of early possibility of U.D.I. we must be very circumspect how much of this we say to Banda for fear that he may pass on what we say to Smith, who could make political capital out of knowledge that we had tried to dissuade Malawi from accepting Rhodesian military assistance. At present this security consideration must be overriding.

6. We think therefore best course would be for you to explain position fully to Governor-General as above but for him to confine himself when talking to Banda to content of paragraph 1 above and to broad indication of possibility of early U.D.I. and of strong reaction there is likely to be in Britain, United Nations and O.A.U. If Banda is not prepared to drop altogether idea of defence arrangement with Rhodesia we suggest he be pressed hard to postpone any further talks until question whether there is to be a U.D.I. or not is settled, e.g. for say one month.

7. As to paragraph 3 of your telegram No. 780, you will appreciate from paragraph 1 above that we believe Banda's desire for military assistance to be based upon a misreading of the nature of the threat confronting him. However we have never given any Commonwealth Government an undertaking to help to defend them against another Commonwealth country even when we are fellow members of an international defence pact, e.g. Pakistan. For both these reasons, therefore, there can be no question of your encouraging Banda to think that we will be ready to give him a military guarantee. But that of course does not mean that we would be idle in the remote eventuality of unprovoked aggression from Tanzania. Best course is, however, to try to get Banda away from thinking in terms of conventional military assistance against external aggression and to concentrate on the need for improvement of his personal security where we are ready to consider what we might be able to do to help if asked.

427 PREM 13/539

1 Oct 1965

[Talks with Smith]: minute by Sir B Trend to Mr Wilson on the issues and UK strategy

To-morrow's meeting might perhaps be best conducted in three stages:—

A. How to handle next week's discussions with Smith

The C.R.O. briefs seem to cover the ground adequately in terms of the two phases into which the discussions should fall—i.e. the first phase of reasoned argument (brief No. 1); the second and more drastic phase of warning and intimidation (briefs Nos. 2 and 3). The 'outside chances' discussed in brief No. 4 are hardly worth looking at, at this stage. Most of them are obvious non-starters in any circumstances.

Apart from agreeing these briefs with the Commonwealth Secretary, you will presumably not wish to discuss them in detail in the Committee; and it should suffice to give your colleagues a brief description of the way in which the discussions will be shared between the Commonwealth Secretary and yourself. But they should be left under no illusion that, if and when we reach the second (warning and threatening) stage, our chances of success will depend on your being able to speak to Smith, on the basis of brief No. 3, with real force and conviction. This will itself depend on our determination to introduce, if there is a u.d.i., the various economic measures which Ministers have considered many times but have not yet formally approved. Formal approval can perhaps wait until Thursday's Cabinet; but, if you are to have any chance of frightening Smith out of a u.d.i., the Cabinet will have little option on Thursday morning but to approve the measures set out in the attached copy¹ of the u.d.i. 'war book' up to and including a ban on imports of Rhodesian tobacco (to which we are virtually committed by your statement of 29th April).

Meanwhile, is there—apart from the briefs—any other action which we can take, before the talks begin, to induce Smith to approach them in a more reasonable frame of mind? On the strength of the general authority given by Ministers at their last discussion of Rhodesia the C.R.O. and the Foreign Office are urgently considering how international opinion might be mobilised, at some appropriate point before or during the discussions, to convince Smith that, if he opts for a u.d.i., he will be more or less isolated. The U.S.A., West Germany and Japan are perhaps the most important channels of pressure for this purpose. How far have we got with our approaches to these Governments? Further pressure from Canada and Australia might also be useful. Can this be elicited? We should also consider urgently an approach to the Portuguese Government, in the light of the minute which the Foreign Secretary has sent you to-day. And how do we stand as regards the mobilisation of parallel Commonwealth pressure on the African leaders in Rhodesia, particularly as a result of your approach to Nyerere and Kaunda?

B. What do we do if the talks break down but Smith does not commit himself then and there to a u.d.i.?

1. We must be ready with a public statement of our position (which would presumably be different in tone and content from the public statement which we

¹ Not printed.

should issue after a u.d.i. had taken place). We have commissioned a draft for this purpose. When will it be available to Ministers?

2. We must try to ensure that as many other Governments as possible, both inside and outside the Commonwealth, support us with similar pronouncements. This is part of the international preparation described under A above. Are we getting satisfactory responses to our approaches?

3. Do we involve the Crown at any stage? This question is discussed in brief No. 4, in terms of a personal appeal by The Queen. The brief rejects this suggestion for reasons which are obviously right. But we have also to consider the possibility that, even though The Queen may make no approach to Smith, he may ask for an audience; and this request may come either during the discussions or after they have broken down. Ministers should be clear what advice they would tender The Queen in these circumstances. On balance, it would seem wise that, even if the talks have reached deadlock, She should be advised not to refuse a request for an audience. But she would presumably make it clear to Smith that there could be no question of the Crown's taking sides in the dispute and that She would continue to be guided throughout by the advice of U.K. Ministers; it is not impossible that a clear statement to this effect in private might have a very sobering effect on Smith.

4. Should we take the drastic step of putting Smith (? and any other Rhodesian Ministers within reach) under restraint? Brief No. 4 dismisses this suggestion on the ground that, so far from preventing a u.d.i., it might precipitate it. This is surely right except in the extremely unlikely event of Smith saying, or even doing, something while he is here, which would present a *clear* case for charging him with treason.

C. *What do we do if Smith departs and subsequently makes a u.d.i.?*

This could happen very quickly indeed—perhaps within 24 hours of Smith's departure from London. We should then need an effective interdepartmental machine to cope with a rapidly developing situation; and I hope that we may decide to-morrow to create it, under C.R.O. chairmanship, at a sufficiently authoritative level to ensure swift action and easy access to Ministers. The issues with which it would have to deal are summarised in the 'u.d.i. war book'. Of these the most important are:—

(a) *Serial 1—the dismissal of Rhodesian ministers by the governor.* Is there anything that we can do, in the meantime, to stiffen the Governor's resolution?

(b) *Serial 4—the public statement of our position.* This would need to be reinforced by a White Paper which, if it was to do justice to the protracted and complex discussions with Smith's Government, might be a bulky affair but would be needed at very short notice. A partial draft exists already; but how quickly could a final version be produced (and printed)?

(c) *Serial 5—action in the United Nations.* Ministers have recently been inclining to the view that we should, in effect, hand over the problem to the United Nations sooner rather than later—if only because the United Nations are likely to take it, whether we give it to them or not! But are we ready to arrange this transfer of responsibility at perhaps no more than 24 hours' notice? Have we considered what sort of Resolution we should favour, as against some of the more extreme measures which might be urged on us?

(d) *Serial 6—the general Enabling Bill.* If we are to convince international opinion that we have done all in our power to deal with the problem before handing it over to the United Nations, the enactment of this Bill will be an urgent matter. Are we prepared to recall Parliament for this purpose, if the u.d.i. happens before the 26th October? And is the Bill absolutely ready? (It can't be, because some of the measures, which are under consideration but have not yet been decided, to induce white Rhodesians to remain loyal to the Crown would require to be included in it).

(e) *Serials 10–14—i.e. the main economic sanctions.* Ministers have so far suspended decisions on these; but we must now be ready to settle them at very short notice. To some extent our action would be determined by U.N. pressure—at least as regards a comprehensive trade embargo (serial 13). But the Commonwealth items under serials 10, 11 and 12—i.e. the suspension of the Ottawa Agreement, the removal of Rhodesia from the Commonwealth Preference Area and the ban on imports of Rhodesian tobacco—represent sanctions which we should presumably be expected to introduce on our own initiative and without delay. Are we ready to do so, particularly as regards the potential dollar cost of banning Rhodesian tobacco? (The extra cost is about £6 million; and the extra dollar cost about £35 million. You will wish to confirm from the Chancellor of the Exchequer that he will accept this). Note also that the removal of Rhodesia from the Commonwealth Preference Area involves legislation which, we are told, cannot be brought within the scope of the Enabling Bill but would require a separate enactment.

In addition, we should be ready to warn Kaunda, perhaps even before a u.d.i., to refrain from any provocative action which might give Smith an excuse to cut off supplies of fuel to the Copper-belt and so to precipitate a copper crisis which would hit the United Kingdom economy very hard. In these circumstances we could not necessarily count on Portuguese co-operation in maintaining supplies to Zambia; and a very hasty examination of the proposal that we might force them to do so, by means of a blockade of Portuguese ports in Angola and Mozambique, suggests that this would make wholly unacceptable demands on our naval resources. Even, if we had the co-operation of other countries, it would still be a most formidable task. It is therefore very important that Kaunda should model himself as closely on Brer Rabbit as the local political temperature allows!

428 PREM 13/539

2 Oct 1965

[US and UDI]: minute by C M Le Quesne on discussion with a US embassy official

This telegram was discussed by Ministers at the O.P.D. Committee meeting this morning. Thereafter I sent off our telegram No. 7662 to Washington.

2. I asked Mr. Brubeck of the U.S. Embassy to call at 6 o'clock this evening. I said that we had received a report from our Embassy in Washington that there was a growing impression in the State Department that we were counting on the U.S. Government to pick up the check for any measures that we might decide on in response to a u.d.i.; that a refusal on their part to do so would be used by us publicly

to justify a refusal to take action against Rhodesia; and that there was growing resentment at this attempt at blackmail. I said that I thought this misunderstanding was serious enough to justify my asking him to call at this hour. There was no truth in the suggestion that we intended to use any inability on the part of the U.S. to help us in the way suggested. Nothing of the sort had ever been in anybody's mind. I said that we had instructed Sir P. Dean¹ to make this clear to Mr. Rusk, that the Secretary of State would be talking to him in New York next week and that we would be grateful if he would send a telegram to the State Department repeating what I had said.

3. Mr. Brubeck said that he shared my concern that such a rumour should have gained currency. It was absolutely at variance with his understanding of our position and he regretted if their reporting had given rise to it. He doubted this since after his meeting with Sir S. Garner this week he had specifically reported that we in London did realise the limitation of the Americans' ability to help much except in the political field. He undertook to telegraph to the State Department accordingly this evening.

4. In subsequent conversation Mr. Brubeck said that he hoped that we would not feel inhibited by this incident from telling the Americans frankly how we thought they could help us. I thanked him and recalled that it might be that copper would be the most serious problem.

5. On the general problem Mr. Brubeck referred to Mr. Nyerere's recent more helpful attitude. He said that he thought that he was at last waking up to the fact that a u.d.i. might seriously set back the chances of an African majority rule in Rhodesia. He wondered in this case whether, if the talks with Mr. Smith broke down, he might perhaps be brought to sponsor jointly with Mr. Wilson an appeal, over the heads of the Rhodesian Government, to:—

- (a) white opinion in Rhodesia which was unhappy about a u.d.i., and
- (b) the nationalists, directed to securing agreement on:—
 - (i) a 3-year moratorium on constitutional changes,
 - (ii) nationalist co-operation on working the present constitution.

I said that I had no idea whether or not there was anything in this idea. But it was certainly worth looking at.

¹ UK ambassador, Washington.

429 CAB 148/18, OPD 42(65)1

2 Oct 1965

[Talks with Smith and action in the event of UDI]: Cabinet Defence and Oversea Policy Committee minutes

The Commonwealth Secretary said that the Prime Minister of Southern Rhodesia, Mr. Ian Smith, would arrive in the United Kingdom on Monday and the talks between them would begin on Tuesday. He would encourage Mr. Smith to bring with him the other Southern Rhodesia Ministers now in London. It seemed unlikely that the initial talks would achieve any progress and towards the end of the week it was proposed that the Prime Minister himself should then have discussions with Mr.

Smith. There seemed little prospect that in the end it would be possible to achieve any acceptable agreement with Mr. Smith on the future of Southern Rhodesia and the most that could be expected would be that the consequences of a unilateral declaration of independence (u.d.i.) should be made so clear that the present Government of Southern Rhodesia would be deterred from it. The situation would be raised at the United Nations early the following week when the Minister of State for Foreign Affairs, Lord Caradon, would make a statement of our present policy and inform the Security Council that negotiations were currently taking place. The United States Government had enquired if we would favour their promotion of a friendly resolution in the Security Council and while, because of the constitutional position, it would not be possible for us to be associated with such a resolution, we had not discouraged them from pursuing their proposal. There was no question but that the United Nations would expect us to take action to prevent the present Government achieving independence and in the event of a u.d.i. it might well be desirable that we should ourselves lay the matter before them.

Meanwhile, approaches were being made to other countries most concerned to persuade them to bring pressure to bear on the Southern Rhodesian Government to dissuade them from a u.d.i. and contingency planning was now almost complete. We must be ready in any event to issue a detailed public statement at the end of the forthcoming talks and a draft White Paper publishing the correspondence up to date had been prepared.

The Prime Minister said that after the visit the previous February to Southern Rhodesia of the Commonwealth Secretary and the Lord Chancellor it appeared that Mr. Smith had been willing to consider negotiations on the basis of the five principles which we had put forward. It was now clear that Mr. Smith had either resiled from that position, or had been prevented by the pressure of opinion in his party from pursuing such a course. He had virtually rejected any negotiation on the basis of the five principles and the most that we could expect in the current discussions was to deter his Government from a u.d.i. If we were to have any prospect of success, Ministers must be able to make it abundantly clear to Mr. Smith and his fellow Ministers that we would take firm action, in accordance with the statements which we had made the previous October and again in April. If we were then forced by a u.d.i. to do so this might have unpleasant consequences for us, but the alternative might well be worse. It would, moreover, be impracticable for us to seek to deter the United Nations from considering action in the event of a u.d.i. on the grounds of our own continuing constitutional responsibility and any attempt on our part to do so would merely result in our being placed in the worst possible position, both in relation to Southern Rhodesia and in relation to other countries. *Per contra*, if the members of the United Nations acted in concert, the consequences for the United Kingdom would be substantially mitigated. We should, therefore, at an early stage ourselves lay the problem before the United Nations.

The United Kingdom High Commissioner in Southern Rhodesia said that it now appeared that when Mr. Smith first started negotiations with us he had hoped that Southern Rhodesia might achieve independence on the basis of some minor concessions which would not affect the dominant position of the Europeans. He now realised that we would only be prepared to grant independence on the basis of an agreement fairly carrying out our five basic principles. These were unacceptable to Mr. Smith and his party who looked to European supremacy for the foreseeable

future. It was possible that if a u.d.i. were followed by disillusion as the result of economic distress in Southern Rhodesia an important, though small, group of moderate European leaders of standing might regain influence, but there was no present prospect of this.

In discussion there was general agreement with the manner in which it was proposed to handle the forthcoming talks with Mr. Smith. While it was clear that our aim in the event of a u.d.i. must be to bring about the replacement of Mr. Smith's Government by that of a moderate group which would be prepared to accept African advancement, it was doubtful whether we should succeed. In the event of a u.d.i. the United Kingdom Government would constitutionally assume full responsibility for Government in Southern Rhodesia but the current assessment was that Mr. Smith's Government could effectively maintain themselves in power for a considerable time in the face of any likely internal revolt. It was uncertain how long they could maintain themselves in the face of economic and other pressure from other countries, but we must not ignore the possibility that the Armed Forces might be reinforced by 'volunteers' from South Africa. Moreover, outside pressure would be likely to consolidate and harden the views of the European population. Meanwhile it would be likely that an African Government-in-exile would be formed and would receive wide international recognition, so limiting or removing our own freedom of constitutional action in the event of the fall of Mr. Smith's Government. The economic consequences for the United Kingdom of a break in economic relations with Southern Rhodesia might be serious. The additional cost of buying United States tobacco if imports of Rhodesian tobacco were banned might be acceptable, but here and *a fortiori* in the event of any breakdown in exports of copper from Zambia, it was essential that we should act in concert with other countries and in particular that we should seek the assistance of the United States Government. It should be made clear to them that we regarded their help in the present situation as an essential part of our co-operation in world affairs, in which we maintained certain world responsibilities not directly related to our immediate economic interests. There was also general agreement that immediately after a u.d.i. we should ourselves take the initiative in bringing the matter before the United Nations and make the matter their responsibility. It must be recognised that this might lead to military action against Southern Rhodesia by some of the Great Powers, even though we should be unwilling to participate. It would be important to make this possibility clear to Mr. Smith in the forthcoming discussions.

The Committee then discussed action in the following circumstances.

Action in the event of a breakdown in the talks with Mr. Smith but no immediate u.d.i.

The following points were made:—

- (a) There should be an immediate statement setting out Her Majesty's Government's position and the reason for the breakdown in the talks. This would be different from the statement to be issued in the event of a u.d.i. It was for consideration whether it should reaffirm the statements made in October 1964 and April 1965, but it would not announce the imposition of measures against the Southern Rhodesia Government.

(b) We must try to ensure both during the current discussions and subsequently in the event of their breakdown that as many other Governments as possible, both inside and outside the Commonwealth, would support the position of the United Kingdom Government either by public statements or by messages to the Southern Rhodesia Government. It would be particularly valuable if such action were taken by Japan and Germany since the Southern Rhodesia Government hoped that these countries would buy more Rhodesian tobacco if the United Kingdom banned tobacco imports.

(c) It would not be appropriate to take extreme measures against Mr. Smith and other Rhodesian Ministers in London, such as putting them under restraint. It was most unlikely that there would be any legal basis for such action and in any event to take such measures after inviting Mr. Smith to come to London would create an unfavourable impression.

The Committee:—

(1) Took note of the points made in discussion.

(2) Invited the Commonwealth Secretary to prepare a draft statement for use in the event of the talks breaking down but of no immediate u.d.i.

(3) Invited the Foreign Secretary and the Commonwealth Secretary to take action with foreign and Commonwealth Governments on the lines indicated in discussion.

Action in the event of a u.d.i.

If the talks broke down the Southern Rhodesia Government might make a u.d.i. almost immediately afterwards. A senior interdepartmental committee of officials, under the chairmanship of the Commonwealth Relations Office, should therefore be set up in order to co-ordinate the action to be taken in this event and to advise Ministers.

The Committee then considered the list of measures set out in Annex I to OPD (65) 132 and the following points were made:—

(1) The Governor might now be unwilling to dismiss the Ministers on his own initiative, but he would probably do so if so ordered by The Queen. Instructions in this sense should therefore be sent and announced immediately on a u.d.i. Ministers could be dismissed by an order issued from London if the Governor were unable or unwilling to act.

(2) (ii) In addition to the action agreed in regard to the Southern Rhodesia High Commissioner,¹ steps should be taken to take possession of Rhodesia House immediately on a u.d.i. Preparations had already been made to reduce the documents held by the United Kingdom High Commission in Salisbury and to destroy the remaining documents if the Southern Rhodesia Government tried to seize the High Commission Office. A military transport plane returning to the United Kingdom from Swaziland was due to collect a load of documents on 8th October. The possibility of arranging for the plane to pass through Salisbury earlier than 8th October should be examined.

(2) (iv) It was agreed that the question of protecting British interests should be considered after a u.d.i. If some members of the High Commission remained to carry

¹ Annex I to OPD (65) 132 suggested that the high commissioner should be asked to leave Britain if he supported UDI.

out Consular duties it would be unnecessary to arrange for another Power to protect British interests. Moreover, the representatives of other friendly Powers in Salisbury might be withdrawn after a u.d.i.

(4) If a u.d.i. took place during the recess it would be necessary to recall Parliament immediately. Publicity for the statement of the United Kingdom Government's policy should include a Ministerial television broadcast. A White Paper was in preparation but in order to ensure immediate publicity a short version summarising the events since September 1964 should be drafted. The inter-departmental committee should examine how quickly this could be issued, including the time required for printing. It was noted that there might be some opposition to the Government's policy in the House of Lords; much would depend on the attitude adopted by the Opposition.

(5) A revised paper on action in the United Nations had been prepared by the Foreign Office and Commonwealth Relations Office and would be circulated for consideration by the Committee at their next meeting.

(6) The draft of a General Enabling Bill had been prepared but the inclusion of certain further provisions dealing with citizenship was still under consideration. It was agreed that in order to avoid delay it might be necessary to present the Bill in the form already drafted and to leave other matters to be dealt with in subsequent legislation.

(7) It was agreed that action to ban the export of arms to Southern Rhodesia should be taken immediately on a u.d.i. without further reference to Ministers.

(8) The exclusion of Southern Rhodesia from borrowing on the London Market could be taken by administrative action, but would be unlikely to have any significant immediate effect.

(9) It was agreed that Southern Rhodesian students in this country should not be sent back nor should any assistance to them be withdrawn, so long as they did not engage in political activities in support of the rebel Government.

(10) and (11) It was agreed that Commonwealth Preference should initially only be suspended, in the event of a u.d.i., since legally the United Kingdom would remain responsible for the territory, and that it could then be restored if a moderate Government came to power in Southern Rhodesia. The removal of Southern Rhodesia from the Commonwealth Preference Area could either be done by an Act which the Board of Trade had prepared or by the inclusion of a provision in the General Enabling Bill.

(12) No Ministerial decision about a ban on imports of tobacco from Southern Rhodesia had yet been taken. The substitution of such tobacco by American could cost about £6 million a year more and would involve increased dollar expenditure. Immediate purchases would not be necessary since large stocks were held in the United Kingdom, but the United States Government might be pressed to consider terms for the sale of United States tobacco which would not add to our balance of payments burden. A form of lend-lease might be considered. The economic consequences of a ban on tobacco would be far more serious if this led to Southern Rhodesia taking economic sanctions against Zambia, and hence to the cutting off of Zambian copper supplies to the United Kingdom. On balance it seemed unlikely that the Southern Rhodesian Government would initiate such action against Zambia since this would cause dislocation and unemployment in Southern Rhodesia and would deprive them of exports worth £35 million a year. They might, however, retaliate if Zambia banned Southern Rhodesian imports and it would be important to

persuade President Kaunda that he should not take provocative action of this kind. There was general agreement that in spite of the possible consequences it would be difficult for the United Kingdom Government not to ban imports of Southern Rhodesian tobacco in view of the statements already made and the need to demonstrate that the Government were reacting firmly to a u.d.i. It might also be necessary, if the Southern Rhodesian Government were to be dissuaded from a u.d.i., to make it clear to Mr. Smith in the forthcoming talks that in the event of a u.d.i. tobacco imports would be banned.

(13) It was agreed that the question of imposing a comprehensive trade embargo would only arise if the United Nations agreed on the application of full-scale economic sanctions.

(14) The Chancellor of the Exchequer would reconsider these measures and their possible effect on confidence in sterling. It should be borne in mind that Southern Rhodesia might withdraw current balances and so frustrate any action on our part, particularly if this were delayed. Moreover the position must be considered in the light of the fact that the Government would be in rebellion against the Crown.

(15) and (16) A paper on these two subjects would be circulated for consideration by the Committee at their next meeting.

(17) It was agreed that action to exclude Southern Rhodesia from Her Majesty's Dominions would depend on the course of events at the United Nations.

Copper

Discussions were in progress with the United States, Canadian and Australian Governments about making copper supplies available if imports from Zambia were cut off. Confidential discussions with United Kingdom firms were also in progress, including the question of priorities for the use of copper as between the engineering and building industries. The Foreign Secretary would discuss the question of United States assistance over copper as well as tobacco during his forthcoming visit to New York and Washington.

Summing up the discussion *the Prime Minister* said that the Committee would reconsider the question of tobacco and copper in the light of the Foreign Secretary's discussions with the United States Government. It seemed likely, however, that in the event of a u.d.i. the United Kingdom Government would have to ban imports of Rhodesian tobacco and he and the Commonwealth Secretary must be free in the forthcoming talks with Mr. Smith to make it clear to him that a ban on tobacco imports would be imposed if, in their judgment, this was necessary in order to deter Mr. Smith from a u.d.i.

The Committee:—

(4) Took note that the Prime Minister would arrange for a senior inter-departmental committee of officials to be set up under the chairmanship of the Commonwealth Relations Office to co-ordinate action and advise Ministers in the event of a u.d.i.

(5) Took note of the points agreed in discussion about the measures to be taken in the event of a u.d.i.

(6) Invited the Secretary of State for Defence, in consultation with the Commonwealth Secretary, to consider whether the RAF plane due to leave Salisbury on 8th October might not do so at an earlier date.

- (7) Invited the Foreign Secretary to circulate a paper on action in the United Nations for consideration at the next meeting of the Committee.
- (8) Invited the Commonwealth Secretary to circulate a paper on inducements to encourage loyalty among Rhodesians and on other forms of advice and aid to loyal Rhodesians, for consideration at their next meeting.
- (9) Invited the Foreign Secretary to discuss the question of tobacco and copper with the United States Government during his forthcoming visit to New York and Washington, on the lines indicated in their discussion.

430 PREM 13/539

4 Oct 1965

'Rhodesia: an appeal by the Queen': minute by D J Mitchell

Brief No. 4 for the discussions with Mr. Smith includes as an 'outside chance' an appeal to Mr. Smith by The Queen. During the Prime Minister's weekend at Balmoral. I discussed this with Sir Michael Adeane and Sir Martin Charteris.¹

Both took the point made by the Commonwealth Relations Office in the brief that it would be awkward if The Queen were to become personally involved in the controversy surrounding U.D.I. This was from the constitutional angle that insofar as there was a difference of view between the Government and the Opposition on the way the Rhodesian problem should be handled, The Queen might be thought to be associating Herself with the policies of the Government. On the other hand, the essence of what The Queen would be saying to Mr. Smith would be that he should not commit treason i.e. behave unconstitutionally; and there could be no valid objection to this. The same difficulty would not arise—or at any rate not in the same degree—if Mr. Smith himself asked for an Audience of The Queen (whether entirely on his own initiative or with encouragement from H.M.G.).

Sir Michael Adeane stressed that in whatever way the Audience arose it would be essential for a U.K. Minister (presumably the Commonwealth Secretary) to be present. This was because Mr. Smith was not entitled in his own right to an Audience; and anyway it would be important that a Minister should be present as a witness.

I understand that the Prime Minister did not raise this aspect of the Rhodesian problem with The Queen at his Audience on Saturday, October 2, and I made it clear to Sir Michael Adeane that I had only mentioned it so that he would have an opportunity of turning the matter over in his own mind before it was raised formally with The Queen; not that it necessarily would be but if it were there might not be much time to think through the constitutional and other problems involved. The Prime Minister subsequently made it clear that he had no thought of asking The Queen to take the initiative with Mr. Smith, though there was some chance that Mr. Smith himself might seek an Audience.²

¹ Sir Martin Charteris, deputy private secretary to the Queen, 1952–1972.

² Mitchell added a note, 'The P.M. mentioned this last possibility to the Queen after dinner on Oct 3.'

431 PREM 13/539

6 Oct 1965

'Action regarding the white population of Rhodesia': minute by Sir B Trend to Mr Wilson

The first part of the Commonwealth Secretary's memorandum¹ (Paragraphs 1–5) deals with two related but distinct questions.

(i) Should we try to encourage an exodus from Southern Rhodesia, particularly of judges and civil servants, but including also business men, industrialists, etc? If there were an exodus on any scale, this *might* bring down the present administration. On the other hand any moderates in Southern Rhodesia will be needed there, not only to oppose the present government but to form an alternative government if the present one can be overthrown. The High Commissioner's view is that to attempt to encourage an exodus by appearing to buy loyalty would be counter-productive; and this view must clearly carry great weight. The Commonwealth Secretary therefore recommends that any scheme for financial aid should be limited to judges and civil servants who refuse to work for the rebel government and leave Rhodesia for the United Kingdom. He does not expect that many would qualify.

(ii) There is the further possibility that we should offer to compensate judges and civil servants who refuse to work for the rebel government but continue to live in Southern Rhodesia. This might have a significant effect; and it would not be open to the objection mentioned by the High Commissioner, since we should not be encouraging Rhodesians to desert their country but only to dissociate themselves from the rebel government. But it presents obvious difficulties since, for the reasons given in the paper, we should almost certainly be unable to make any payments during the rebellion and our aid could only be retrospective. There would also be difficulty in establishing the bona fides of applicants, e.g. whether resignation from the civil service was due to 'loyalty' or to other reasons. Moreover, the scheme could well be more extensive and therefore more costly than that under (i) above. Finally, it would be difficult to avoid a wholesale commitment to African civil servants, however junior, who stopped work.

2. The proposals as regards citizenship in paragraphs 6–8, although they do not in form involve any colour discrimination, will in practice apply almost entirely to white Rhodesians and will be seen to do so. It is therefore recognised in paragraph 9 that something must be done for loyal Africans or coloured Rhodesians; and it is recommended that they should be provided for through the grant of political asylum. This is not wholly satisfactory because it may well prove very difficult in practice to establish whether a coloured Rhodesian who reaches the United Kingdom satisfies the rather rigid conditions which we normally apply to claimants for asylum. In practice, it would be very difficult to turn such people away and we should probably have to stretch a point in applying the conditions to them. It seems unlikely, however, that the number would be very large. The problem in Bechuanaland may well be on a larger scale; and the Committee will wish to note that we may well be asked for, and will probably have to give, financial aid to the Bechuanaland Government.

¹ This minute refers to Bottomley's OPD paper, *OPD* (65)138.

3. The Commonwealth Secretary recommends that the provisions suggested in his paper should be included in a public statement after a u.d.i. This should clearly apply to the measures concerning citizenship and entry into the United Kingdom; if there is criticism that the measures proposed for coloured Rhodesians, i.e. the grant of political asylum, as inadequate, it may be necessary to explain that these will be applied liberally (though the Home Secretary may feel that this would create a difficult precedent). It does not seem necessary that anything should be said in the public statement about the position in Bechuanaland.

432 CAB 148/18, OPD 43(65)1 & 2

7 Oct 1965

[Talks with Smith and exchange controls]: Cabinet Defence and Oversea Policy Committee minutes

1. Southern Rhodesia: Progress of discussions with Mr. Smith

(Previous Reference: OPD (65) 42nd Meeting, Item 1)

The Commonwealth Secretary said that at the outset Mr. Smith had accepted that the discussions should be on the basis of the five principles proposed by Her Majesty's Government (unimpeded progress towards majority rule; guarantees against retrogressive amendment of the Constitution; immediate improvement of the political status of Africans; progress towards ending racial discrimination; and the requirement that the United Kingdom Government would need to be satisfied that any basis proposed for independence was acceptable to the people of Southern Rhodesia as a whole). In discussion, however, Mr. Smith had in fact rejected all these principles and consequently no progress had been made. His only positive proposal had been the suggestion of a Second Chamber to consist of six Chiefs, one Asian representative, one African representative and four representatives of industry, commerce, the professions, etc., all nominated by the Southern Rhodesian Government. A two-thirds majority of both Houses voting together would be required for the amendment of the specially entrenched clauses of the Constitution. On racial discrimination Mr. Smith had said there could be no repeal of the Land Apportionment Act. Mr. Smith had argued that the 1961 Constitution had been negotiated with the intention that Southern Rhodesia should obtain independence on this basis and had attempted to obtain a statement that the United Kingdom Government rejected the 1961 Constitution. He had also argued that the principle of acceptability to the people of Southern Rhodesia as a whole superseded the other four principles. It appeared that there was unanimity between Mr. Smith and his colleagues and that the talks were heading for breakdown.

The Prime Minister said that it was not possible for Her Majesty's Government to resile from the five principles. Unless Mr. Smith and his colleagues changed their attitude the negotiations must break down. It was uncertain, however, whether after Mr. Smith had returned to Southern Rhodesia a unilateral declaration of independence (u.d.i.) would follow. International pressures on the Southern Rhodesian Government were mounting and the attitude of the South African Government was perhaps encouraging. There still remained some chance that if Her Majesty's Government presented a firm enough front Mr. Smith might change his attitude. There was also the possibility that Mr. Smith might lose power with his

party after his return to Salisbury in which case we should be presented with a totally different situation. He would himself be conducting the discussions with Mr. Smith that afternoon.

The Committee:—

Took note of these statements.

2. *Exchange control measures against Southern Rhodesia*

The Committee considered a memorandum by the Chancellor of the Exchequer (OPD (65) 142) about the possibilities of exchange control action against Southern Rhodesia in the event of a u.d.i.

The Chancellor of the Exchequer said that Southern Rhodesian sterling balances in London amounted to about £35 million gross (or £23 million net of United Kingdom claims), compared with total net sterling balances of about £4,400 million, of which some £2,300 million belonged to the overseas sterling area. The exclusion of Southern Rhodesia from the sterling area, could be achieved by Order at any time, which could be reversed later if circumstances changed. The consequences of exclusion from the sterling area should not involve any serious disadvantage for the United Kingdom, but would not cause more than inconvenience to Southern Rhodesia. Southern Rhodesian sterling balances could also readily be blocked by an Order made at any time but it would be necessary to explain very carefully our reasons for taking such action because other holders of sterling balances much larger than the Southern Rhodesian might lose confidence if they thought we might interfere with sterling balances for political reasons. A u.d.i. would probably provide a satisfactory explanation, but it would be preferable not to take such action in isolation from other economic sanctions.

A new development, however, made it necessary to consider whether official sterling balances should be blocked before a u.d.i. This should be regarded as highly confidential. Since the beginning of October, the Reserve Bank of Southern Rhodesia had made two substantial drawings, and had given notice of others to-day and tomorrow, in each case to the Reserve Bank of South Africa. No such drawings had been made between June and August and there appeared to be no motive for them in the commercial needs or past practice of the Bank. It was normal practice within the sterling area to give advance notice of the pattern of any diversification of balances, but no such information had reached us on these occasions. The Chancellor of the Exchequer had tried without success to meet the Finance Minister of Southern Rhodesia, and would seek to do so again in the course of the day, in order to establish the reason for these transfers. Meanwhile it was for consideration whether they were an insurance against a u.d.i. or evidence of an impending u.d.i. In accordance with normal banking practice, the Bank of England would complete transactions within the working day so far as transfers within the sterling area were concerned, and the consequences of instructing them to defer the transfers might be serious. An Order could be made at short notice which would require the Bank of England to seek Treasury authority for such transfers, and it was for consideration whether such an Order should be made to frustrate the current transfers.

In discussion the following points were made:—

(a) The only recent occasion on which action had been taken under the Exchange Control Act was against Egypt. This had been technically effective but the long-

term political results had been adverse. There were strong reasons of policy and of principle against any interference with sterling balances short of a u.d.i.

(b) As things stood, the Bank of England was bound to effect these transfers at the request of the Reserve Bank of Rhodesia. Legal sanction for any steps to prevent them would be required.

(c) If the transfers were part of Southern Rhodesian preparations for a u.d.i., we should be exposed to severe criticism if it became known that we had failed to take preventive action and we should, in any case, wish to prevent action by the Reserve Bank of Southern Rhodesia which would frustrate the action which we had in mind to block sterling balances in the event of a u.d.i.

Summing up the discussion, *the Prime Minister* said that an Order requiring the Bank of England to seek Treasury authority before operating the sterling balances held on behalf of the Reserve Bank of Rhodesia should be prepared and held in readiness against any evidence that the transfers of sterling balances were being made as an insurance against a u.d.i. which might emerge in the course of his discussion that afternoon with the Prime Minister of Southern Rhodesia or in exchanges between the Chancellor of the Exchequer and the Finance Minister. If the Order could be justified on these grounds it should be made; otherwise no action could be taken to frustrate the completion of the impending transfers.

The Committee:—

Agreed that in the event of a u.d.i. Southern Rhodesia should be excluded from the sterling area and action should be taken to block official sterling balances, in conjunction so far as possible with other economic sanctions.

Took note that the Prime Minister, in consultation with the Chancellor of the Exchequer, would give further consideration, in the light of the outcome of the discussion later that day with Mr. Smith, to the making of an Order requiring the Bank of England to seek Treasury approval for the transfer of official Southern Rhodesian sterling balances.

433 PREM 13/539

7 Oct 1965

[Banda and Smith]: letter from C C W Adams¹ to J O Wright² on the defence of Malawi and Dr Banda's personal security

Will you please refer to your letter of 2nd October about the Prime Minister's marginal notes on Zomba telegrams No. 780³ and 787. You will now have seen C.R.O. No. 603⁴ to Zomba in reply and the subsequent action reported in Zomba No. 793. Copies of both these telegrams are enclosed for ease of reference.

2. On the Prime Minister's first point, we have never given any Commonwealth Government an undertaking to defend them against another Commonwealth

¹ Private secretary to the secretary of state for Commonwealth relations

² Private secretary to the prime minister, 1964–1966

³ See 424.

⁴ See 426.

country, even when we are fellow members of an international defence pact; e.g., Pakistan. For this reason we do not think that there could be any question of encouraging Dr. Banda to think that we could give him a military guarantee in the eventuality of unprovoked aggression from Tanzania, though of course this would not mean that we would necessarily stand idle. Intelligence we have received leads us to believe that there is in fact no immediate danger of such aggression. Rather it points strongly to the conclusion that the dissidents and their Tanzanian friends are relying for the moment on their plans to assassinate Dr. Banda and his Ministers. We are encouraging Dr. Banda therefore to think in terms of improving his personal security arrangements, where we are ready to consider what we might be able to do to help.

3. You will see that Dr. Banda has agreed to defer the proposed visit of the Rhodesian G.O.C. and A.O.C. for three or four weeks. A conventional attack on Malawi from Tanzania would in our view be on the cards only if, in the event of a Rhodesian u.d.i., Dr. Banda thereafter pursued a line of making close contacts with the Rhodesians in the defence and security fields and this traffic became public knowledge. In this case, clearly, any military intervention on our part would be out of the question. In the unlikely event of unprovoked aggression taking place in other circumstances which justified the unprecedented step of coming militarily to the aid of one Commonwealth country against another, plans have recently been drawn up for a battalion-strength intervention to protect British subjects in Malawi in case of a breakdown of law and order. Such modifications as would be necessary to adapt it for aiding Malawi against external aggression could be made reasonably quickly.

4. With regard to the Prime Minister's second point, we have evidence of fairly close contact in the border areas between Malawi Army officers and their Portuguese opposite numbers and of increasing contact between Malawi and Mozambique on e.g., improving rail communications. But this is the first we have heard of a high-level military understanding. It does, however, make sense in the context of Dr. Banda's fear of Tanzania (bound up no doubt with considerations for his personal safety) and his contacts with Rhodesia on the one hand and Rhodesian contacts with Portugal on the other. We are following up this lead.

5. I am sending a copy of this letter to Nairne in the Defence Secretary's office.

434 PREM 13/540

11 Oct 1965

[Commonwealth mission to Southern Rhodesia]: note for the record by J O Wright of a telephone conversation between Mr Wilson and Sir R Menzies, and the position at the UN on the use of force

The Prime Minister spoke to Sir Robert Menzies on the telephone at 12 noon today.

The Prime Minister said that Mr. Smith had just left No. 10 Downing Street and there was no agreement. It might well be that Mr. Smith, on his return to Rhodesia, would proceed to a u.d.i. If that was so the pressures would begin to mount up.

Already, he was receiving telegrams from African Heads of Government insisting that Britain should use military force to restore the situation. We should also be under severe pressure at the United Nations for military sanctions.

The Prime Minister said that in these circumstances he was wondering whether now was the right time to set up a Commonwealth Mission, to proceed to Salisbury and to try and go into the whole matter. It was very important, from the point of view of world opinion, that we should still be seen actively to be promoting a solution. If Smith agreed, all would be well; if he refused then he would be utterly isolated. *Sir Robert Menzies* agreed that the Commonwealth Mission would be a good idea.

The Prime Minister then asked whether Sir Robert would agree to lead such a Mission. *Sir Robert Menzies* audibly groaned and said that he had been done in the eye over his Mission to Cairo. None the less he was prepared to think it over. He said he would sleep on it and let the Prime Minister have his answer in the morning.

There was then some discussion of a possible make-up of the members of the team. Sir Robert Menzies agreed that the Prime Minister of Nigeria, the Prime Minister of Ceylon and the President of Zambia—or if his position was thought to be too delicate, the Prime Minister of Uganda—would make a good team. Sir Robert Menzies also agreed that the Prime Minister could collect the voices of the rest of the Commonwealth on this proposition.

Sir Robert Menzies finally congratulated the Prime Minister on his handling of the whole negotiation and situation in general, which he said was first-class. *The Prime Minister* said that at any rate both sides knew exactly where they stood.

Subsequently, the Prime Minister spoke to the Foreign Secretary on the telephone in Washington about handling the situation at the United Nations, with particular reference to New York telegram No. 2443. The Prime Minister explained that both forms of words proposed by Lord Caradon could be taken as implying that we should be prepared to use force in the event of u.d.i.

The Prime Minister told the Foreign Secretary that the decision not to take unilateral military action against Rhodesia was a firm Cabinet decision¹ and that whilst, if the United Nations proposed a United Nations military force we might be able to help with support and logistics, Britain would not provide combat troops. The Prime Minister also said that the advice from Departments was that we very much doubted whether either U.S. or U.S.S.R. would be willing to contribute force to a U.N. operation.

It was agreed that:—

- 1) A very full message would be sent to the Foreign Secretary instructing him on the line that he should take at Security Council, in particular giving our reasons for believing that the measures we were prepared to take would succeed in their object; and
- 2) that Lord Caradon should pay a flying visit to this country both in order to brief Ministers about feeling at United Nations and also to receive briefing from Ministers on his conduct of Security Council and General Assembly Debates.

¹ On 7 Oct the Cabinet agreed 'that in the event of a udi there should be no military intervention by United Kingdom armed forces and that we should seek to avoid United Kingdom participation, especially by combat troops, in any United Nations force' (CAB 128/39/2, CC 50(65)4).

435 PREM 13/542

19 Oct 1965

[Situation in Southern Rhodesia]: Cabinet office record of meeting between Mr Wilson and a delegation from the Confederation of British Industry¹

Sir Peter Runge said that they had spent a very interesting but very depressing four days in Rhodesia. The atmosphere was one of acute anxiety, but there was no shouting and no jingoism. He thought that the Smith Cabinet had made up their mind and would not change it. Some people discounted effective British action in the event of u.d.i., some on the grounds that we would do nothing to place Rhodesian–Zambian relations at risk; others on the grounds that action would hurt the four million Africans more than the quarter of a million Europeans. Mr. Smith himself said that he had taken all factors into account when coming to his decision. He said that he and his colleagues were unanimous and would not change their minds. The decision, when it came, would probably be that of a decision in principle in favour of u.d.i., the precise timing of the entry into effect being left open. There were varying estimates of the time-lag between the decision in principle and action: it varied from a few days to up to six months.

Sir Peter Runge went on to make three points. First, the delegation had been appalled by the lack of confidence between the Rhodesian Government and successive British Governments. The Rhodesians were convinced that a bargain had been struck that when confederation came to an end Rhodesia would proceed rapidly to independence on the basis of the 1961 Constitution. In these circumstances, Rhodesians claimed that this breach of faith by Britain gave them their moral justification for taking u.d.i.

The Prime Minister said there was no proof that such a bargain had been struck. *Sir Edgar Whitehead* had specifically made a statement to that effect in the Rhodesian Parliament. He would ask the Commonwealth Secretary to send *Sir Peter Runge* a note on the subject.

Sir Peter Runge said that secondly, many members of passed Rhodesian Administrations had made the point that Britain should strike and make a quick kill. The object of this would be to ensure that an alternative Government came to power in Rhodesia before economic ruin had overtaken the country. *Sir Peter* would not rule out the possibility of Smith himself heading such a moderate Government. Thirdly, virtually the whole of the commercial, business and financial community were against u.d.i. The Institute of Directors and the local equivalent of the Federation of Industries were almost unanimously against. The Chambers of Commerce were 75% against. The tobacco men were evenly divided.

Finally *Sir Peter Runge* said that there was great resentment in all quarters of Rhodesia that H.M.G. had made no statement deploring the training of guerrillas in Tanzania. Even if nothing could be done, an expression of disapproval would help.

In further discussion the following points were made:—

¹ The CBI was established earlier in 1965, with the encouragement of the Labour government, through a merger of a number of employers' organisations, the principal one being the Federation of British Industries. The CBI delegation at this meeting consisted of *Sir P Runge* (vice-president, 1965–1968), *T Peppercorn*, *E Faulkner*, *J Pears* and *Mr Whitehorn*.

- (1) In answer to questions why opponents of u.d.i. took no concerted political action, the answer invariably was that if they held meetings they would be howled down.
- (2) Although Smith had no mandate for u.d.i., it was doubtful whether he would hold either an election or a referendum on this subject and he would have the majority of the country behind him if he went ahead.
- (3) A re-affirmation of the Convention that the British Parliament would not legislate for matters within the competence of the Rhodesian Government might be helpful in strengthening the hand of opponents of u.d.i.
- (4) Mr. Howman had made the point that it might be possible to do a deal whereby the Rhodesians would accept the British five principles in exchange for a re-affirmation of the Convention; and that both factors would be incorporated in a Treaty.
- (5) Much play had been made in Rhodesia that whereas Britain gave a vast quantity of aid to other African countries, she has given nothing to Rhodesia over the last few years. *The Prime Minister* pointed out that we had given an outright gift of four million pounds to help clear off the old Federal debt and was still subsidising the University of Salisbury. The Prime Minister undertook to let Sir Peter Runge have a note on the extent of British aid to Rhodesia.
- (6) There was some talk in Salisbury of a regency the object of which would be to hold the fort until Rhodesia became acceptable as a member of the Commonwealth once again. Although there was no point of agreement between the Rhodesian and British Governments there was no feeling of enmity rather the reverse between Rhodesian and British peoples.
- (7) The Rhodesian High Commissioner in London, Brigadier Skeene, was a wild man, who had totally misread public opinion in Britain. The Mission had pointed out that however much the British people might sympathise with the Rhodesian people in their dilemma, the British people were none the less a law abiding people and sympathy should not be equated with approval for u.d.i.
- (8) Rhodesia's immediate problem on u.d.i., would be the question of foreign exchange and the value of the Rhodesian pound. The authorities might well have to requisition the overseas investments of private individuals. Since some of the biggest holders of overseas portfolios were the supporters of the Rhodesian Government, they would be the first to feel the squeeze. Mr. Rudland² had been frightened at this prospect.
- (9) Rhodesia was hoping to get some help from Germany, less from France. South Africa was unlikely to come to her rescue; Rhodesians had tried and had a dusty answer.
- (10) The estimate was that the economy would be ruined in eighteen months.
- (11) An embargo on tobacco only would be interpreted as a sign of weakness, since it would not become effective until the harvest in the Spring. Other measures would have to be taken at once.

The Mission had noted a flurry on the money market whilst they were in Salisbury. This might have been a combination of repatriation of money from overseas plus the bringing in of money to finance the tobacco farmers.

Sir Peter Runge and his delegation left at 6.10 p.m.

² Southern Rhodesian minister of trade, industry and development.

436 PREM 13/542

19 Oct 1965

[Use of force against Southern Rhodesia]: FO/CRO outward telegram no 418 to British missions overseas

At a Press conference on 23 August the Commonwealth Secretary was asked about the possible use of force in Rhodesia. He reiterated that the British Government had no intention of using it. The use of force would be disastrous politically and economically and it would be on his conscience even in a decade or two if there was an upheaval, and the economic consequences especially for Zambian copper could linger.

2. You may make such use as you think fit of the Commonwealth Secretary's statement if questioned by officials and journalists, but you should not take the initiative in raising the question.

3. You may also point out unattributively that Britain has no direct means of making her views prevail in Rhodesia. Military invasion is out of the question. Rhodesia has been self-governing since 1923. There is not a single British soldier, not a single British policeman, not a single British administrator in the Rhodesian services responsible to the British Government. This is a unique situation and entirely different from that prevailing in any other colony at this stage of the advance to independence or in Algeria. You may be told that we have been prepared to use armed force in other colonies. You should reply that we have, but only in a police role to maintain law and order. We have never in recent history contemplated invasion by British forces of a colony which would be opposed by the armed forces of that colony. That is what force would require in Rhodesia.

4. You can, in addition, say that the use of force in Rhodesia would inevitably lead to bloodshed which could not be confined to Rhodesia, and blacks as well as whites would die. It would also involve great risk of an escalation which could destroy the economy of Zambia. There would be a clear risk of Communist intervention leading to the development of a full-scale war.

5. Strictly for your own information the government have decided that British forces will not be used against Rhodesia in the event of a U.D.I. and *a fortiori* not to impose constitutional changes in Rhodesia. Ministers have also decided that there can be no question of Britain's contributing combatant troops to any United Nations force which might eventually be formed. No decisions have been made about possible logistic support for a United Nations force if one were formed. Our primary objective remains to prevent United Nations military intervention if at all possible.

437 PREM 13/542

20 Oct 1965

[Salisbury visit]: message from Mr Wilson to the Australian and Canadian prime ministers on his planned visit to Salisbury¹

The latest message from Smith shows that he is still hesitating before taking the plunge and, though the prospects are not hopeful, I feel that I must make a final

¹The message to Pearson began, 'I am still thinking about your suggestion for a Meeting of Commonwealth Prime Ministers', and to Menzies, 'Since Smith rejected the idea of your Commonwealth Mission, I have been thinking further about this terrible problem.'

effort to see whether there is any possibility of breaking the deadlock and of averting the disaster that otherwise impends. I have therefore proposed that I should fly to Salisbury in the next day or so to discuss the whole matter further with him. My reply will make it clear that I expect to be able to meet anyone I wish to. Our High Commissioner has instructions to make plain to Mr. Smith that I mean by this the African Nationalist leaders, Nkomo and Sithole, and all ex-Southern Rhodesian Prime Ministers among others. My aim will be to persuade them as a first step to co-operate in working the 1961 constitution. In this way I hope to hold, as it were, a constitutional conference of my own, thus meeting, in a sense, one desideratum of the Commonwealth Prime Ministers Meeting. If my visit can in addition help to start changing the climate of negotiations and point the way towards a real solution, so much the better.

My message will be released for publication as soon as it has been delivered tomorrow (Thursday) morning and I hope you will feel able to give it your support.²

² Wilson's impression of Smith's state of mind appears to have been optimistic. According to the memoirs of the head of the Rhodesian Central Intelligence Organisation, Ken Flower, the Rhodesian Security Council had made the decision to proceed with UDI the previous day (Ken Flower, *Serving secretly: an intelligence chief on record. Rhodesia into Zimbabwe 1964 to 1981*, London, 1987, pp 47–9, 283–5).

438 PREM 13/543

27 Oct 1965

[Wilson in Salisbury]: Cabinet office record of a meeting between Mr Wilson and a delegation from ZAPU at Government House, Salisbury

[Wilson held an intensive round of talks in Southern Rhodesia from 25–29 Oct. The aim, according to Wilson's private secretary, was to 'discover by personal contact and discussion with all shades of Rhodesian opinion, whether there exists a general desire to find a way out of the present deadlock'. The government sought to win a year's moratorium during which confidence between the various parties could be rebuilt. A key objective in meetings with nationalist leaders was to persuade them to participate in the 1961 constitution (PREM 13/542, pp 91–93, minute by J O Wright, 22 Oct 1965). Wilson arranged separate meetings with the leaders of the Zimbabwe African People's Union (ZAPU) and the Zimbabwe African National Union (ZANU). Both sets of leaders were currently held in detention, and they were brought to Government House by the Rhodesian authorities. At the meeting recorded below, the British government was represented by Wilson, Bottomley, A E Oram (parliamentary secretary at the Ministry of Overseas Development, 1964–1969) Trend, Garner, Johnston, Mitchell, Wright and K J Neale. ZANU was represented by Joshua Nkomo, J W Msika, D W Musarawa, J Chinamano, E Dumbutshena, D N Madzimbamato and B Tshuma. Also present was ZAPU's legal adviser, Leo Baron.]

The Prime Minister opened the discussion by thanking Mr. Nkomo and his colleagues for coming to see him. They were, he said, engaged on important and fateful discussions and he was anxious to hear how Mr. Nkomo viewed the situation. The discussions would of course be confidential. The Prime Minister emphasised that he had decided to visit Rhodesia not primarily for the purpose of promoting a particular solution but for widening the area of consultation. He expected to see Mr. Nkomo more than once.

Mr. Nkomo said that before discussing the political situation he wished to protest most strongly about the treatment which he and his colleagues had received from the Rhodesian authorities since their arrival in Salisbury. *Mr. Baron* added his

protest and said that he had been denied access to his clients and had had no opportunity before the meeting to discuss matters with them. The Rhodesian authorities had been deliberately provocative. He himself was restricted to a radius of two miles from the Post Office. *The Prime Minister* undertook to make representations to the authorities and asked the High Commissioner to take the necessary action at once.

Mr. Nkomo said that before expressing his views he would like to hear from the Prime Minister his view of the present situation. He and his supporters were not able to keep fully in touch with developments and wished to know what was happening. In response to this request, *the Prime Minister* summarised the actions by his Government and events since their assumption of office last year. He also explained the reasons and purposes of the five principles in relation to the question of independence. Finally he emphasised the United Kingdom Government's intention to react strongly in the event of an illegal declaration of independence. The Prime Minister explained his purpose in visiting Rhodesia. He did not wish to raise false hopes but he did feel that it was necessary to examine the treaty proposal in order to ascertain whether it was a viable proposition. Like Mr. Smith he was not very enthusiastic. But it had provided the opportunity for further negotiation. His object now was to move away from bilateral discussions to a multilateral consultation. He wished to inject some fluidity into the situation and felt that in a sense he was now conducting a form of constitutional conference covering representatives of all shades of Rhodesian opinion. He had no cut and dried proposals to put forward and could not indicate his conclusions at this stage of the visit. He assured Mr. Nkomo, however, that the United Kingdom Government would stand by the five principles and were utterly opposed to a UDI. Whether it would be possible to reach an agreement between everyone on the basis of independence with adequate safeguards would emerge this week. In any assessment he felt that Mr. Nkomo's party held a key role. It was his intention to see the Rev. N. Sithole and representatives of his party later in the day.

Mr. Nkomo emphasised that he wished to be clear on the meaning of the five principles. He asked when it was envisaged that one man, one vote would materialise and whether the United Kingdom Government had shifted from its usual view that majority rule must precede independence.

The Prime Minister said that this had been a matter of discussion for over a year. This point had been fully discussed at the Commonwealth Prime Ministers' Meeting and he had been in correspondence with President Nyerere and President Kaunda. He had also taken the opportunity of a discussion with President Kenyatta in Nairobi on his way to Rhodesia. He wished to say frankly that it was not the United Kingdom Government's policy to agree to independence on the basis of immediate majority rule. But they did insist that progress to that end must be guaranteed and unimpeded. He would like to discuss with Mr. Nkomo whether he felt it would be possible to make progress on the basis of a sufficient guarantee for majority rule which would be automatically achieved after independence, or whether Mr. Nkomo insisted that majority rule must precede independence. He had no set policy and had not accepted the Rhodesian Government's demands. He was under no delusion that the Rhodesian Government contemplated early majority rule or were indeed prepared to do anything to accelerate the process. They had made it plain that they were interested in education on educational grounds only. They had no intention of

pressing education to enable more Africans to qualify for the vote. The Prime Minister continued, that if, as Mr. Smith had told him, the African people were unready to assume responsibility he regarded this as a serious reflection on the conduct of affairs in this country over the last 40 years. It was only fair to say, however, that Mr. Smith did not regard most of the rest of Africa as ready for independence either. However, in a recently published letter a number of leading Europeans in Kenya had borne witness to the progress and racial tolerance in that country. He wished to see the fullest participation by the African parties in Parliamentary activity in Rhodesia. He, too, had been opposed to the 1961 Constitution but it was very important that Africans should begin to acquire experience in the Parliamentary field. The Prime Minister emphasised also the necessity of training Africans in administrative work to enable them to play their full role in the Government machine. He had discussed this aspect of the problem with other African leaders and had received an encouraging response. They would be ready to take a number of Rhodesian Africans into their own administrative service to give them practical experience.

Mr. Baron said that the crux of the matter was that no safeguard could be fully efficient in the event of independence under a minority Government. There was no way of preventing an unscrupulous Government from breaching the Constitution. South Africa had made this all too plain.

The Prime Minister said that that was exactly what his discussions had been about. He was fully conscious of the need to protect the unentrenched clauses and the Attorney-General would be examining that matter most closely this week. He had already expressed his grave doubts as to whether the additional sanctity which a treaty might provide would go very far to meet this difficulty. Mr. Smith had suggested to him that this might be overcome by giving the Judicial Committee of the Privy Council a jurisdictional function. However the difficulty was that after independence it would be very difficult to apply any effective sanction. This was why the United Kingdom Government had concentrated on a genuine blocking mechanism.

Mr. Nkomo said that the suggestion that there should be crash programmes of training demonstrated that the problem had been misconceived. The Civil Service in Rhodesia was not expatriate as in other colonies. There was a permanent and highly trained service and there would not be any intention on the part of Africans to displace established civil servants. Thus training in administration was not a necessary pre-requisite for independence. He suspected that this was not the real reason why Britain wished to delay the introduction of majority rule. In his view the British attitude was that the European community must be protected from what they regarded as political extremists. He felt that the British delegation was here as a result of the threat of a UDI. The object of the visit was, if possible, to prevent that. But it was clear that Britain would not act effectively in the event of a UDI against their own 'kith and kin'. It must be remembered that the 1961 Constitution was designed for the Whitehead Government but this had been overthrown and eventually superseded by Mr. Smith. It was necessary to face facts. Racial attitudes stood between his people and majority rule.

The Prime Minister observed that in every other case before the move to independence there had been a transitional period in which those who took over the reins of Government had gained experience. He enquired whether Mr. Nkomo was insisting on majority rule now or nothing.

Mr. Nkomo replied that he had never said that. He was prepared to look at any proposals that might be made and weigh them against all the other factors in the situation. But he wished to make it clear that they would resist most strongly any proposition which envisaged independence before majority rule. The time had passed when an interim solution might be possible. He could not contemplate participating in any settlement where he had no hope of success.

In response to an enquiry from *the Prime Minister* as to how many 'A' Roll seats might be won by African candidates if registration was complete, *Mr. Nkomo* and his supporters thought that they could not win any but *Mr. Baron* thought that depending on delimitation it was possible that two might be won. *The Prime Minister* observed that his informants suggested that the situation might be more favourable.

Mr. Msika said that they had been surprised that a Labour Government were ready to discuss a settlement on the basis of a treaty guarantee. It had to be recognised that the Rhodesian Government had no regard for law or the spirit of the Constitution. Efforts by the ZAPU to include Europeans in their party ranks had been frustrated by intimidation. It could not be expected that such a Government would honour a treaty. He wished to register ZAPU's protest against any intention by the United Kingdom Government to grant independence under a minority Government. This would be regarded as a deliberate repudiation of Britain's responsibility.

The Prime Minister replied that he had already expressed serious doubts about the treaty proposals. He was fully conscious of the unfortunate precedents and had reached no final view. In fact he continued to have deep reservations.

Mr. Dumbutshena said that he had concluded that the Rhodesian Front had made up its mind to take independence and that British threats of economic sanctions would not deter them. The only way to prevent a UDI was to announce that Britain would intervene militarily.

The Prime Minister said he must reply frankly. The fact was that British public opinion would not tolerate the use of force in this situation. This must be understood. For all practical purposes Rhodesia had been a Dominion for over 40 years and in this respect was unique. The Federal Air Force had been handed over to the Rhodesians at Dissolution and President Kaunda had acquiesced. This was a factor in the situation which the Labour Government had inherited. Any operations against Rhodesia would amount to full-scale war. However, the effect of economic sanctions should not be underrated. There was much self-delusion here but he was convinced that the effect would be more effective and rapid than many people thought. Even if such a tragedy was followed by majority rule, the situation would be disastrous.

Mr. Baron thought that it might take 10 years to rebuild the country after a UDI, which he wished to see avoided. This would be true whether force was used or not. The arguments about 'kith and kin' were falsely based. Unless the United Kingdom Government dealt effectively with the situation, which in his view was critically poised, there would be 'Sharpevilles' in Rhodesia. Positive steps were required. In reply *the Prime Minister* said he had warned the Rhodesian Government of this danger.

Mr. Baron said that he was worried about the attitude which Britain might adopt. Would they, for example, be content with the *status quo* in the event of failure to reach an agreed solution?

The Prime Minister said that the problem of a UDI was inseparable from the independence issue. He could not say at this stage what Britain's position might be in

relation to a hypothetical situation. But in his view time was important and every day that a UDI was delayed meant that the doubts would grow stronger. He hoped his visit would assist in that process and help to promote a 'cooling off' period. Certain people were active in trying to make progress and they needed time in which to operate.

Mr. Baron undertook to submit a memorandum to the Prime Minister in which he would draw attention to what he regarded as the undemocratic characteristics of the present Constitution. In his view the imposition of the 1961 Constitution had been a confidence trick and an outrage to democracy. The African people would not submit to a Constitution which fell short of the requirements of common justice. Before any agreement was reached there would need to be major amendments of the legal aspects of the machinery of the declaration of rights.

In reply to a question by the Prime Minister, *Mr. Nkomo* denied that he had ever supported the 1961 Constitution. He claimed that *Mr. Duncan Sandys*, through his superior propaganda machinery, had perpetuated this myth. He had never at any point accepted it, although he had agreed to a number of unexceptionable clauses which had enabled *Mr. Sandys* to say that there had been a wide measure of agreement. He and the Rev. N. Sithole, had disagreed entirely on the provisions for representation and the franchise. In response to a further question from the Prime Minister, *Mr. Nkomo* said that he was prepared to agree to the Rev. N. Sithole and his followers rejoining his party. They had little support and could return to the fold, but he could not at this point say whether he would be willing to meet the Rev. N. Sithole. *Mr. Nkomo* asked why the United Kingdom Government could not take action before a UDI as they had done elsewhere. Could they not, faced with a breakdown of constitutional Government, suspend the Constitution, if necessary backing their action by the use of force. *The Prime Minister* said that this would have no practical effect and would amount to a meaningless gesture. Furthermore it would make a UDI inevitable. The objection in Britain to a military intervention would be even greater. In other cases, such as British Guiana, there had been a British military presence and our forces had been used to maintain law and order, not as a means of overthrowing a Government of whose conduct we disapproved. He still wished that *Mr. Nkomo* had been prepared to work the 1961 Constitution and enquired whether, in all circumstances, *Mr. Nkomo* would be opposed to working that Constitution for a period in a Parliamentary sense on the basis of freedom from restriction and an undertaking that he could indulge in legitimate political activity. *Mr. Nkomo* replied that they were faced with a proposition for immediate independence on the basis of the 1961 Constitution. They had foreseen this situation long ago and their position would have been weaker if they had been in Parliament at a time when a motion for independence had been passed. *The Prime Minister* refuted this suggestion. *Mr. Nkomo* added that in his view the five principles, and, in particular, the insistence of successive British Governments on the acceptability of any new Constitution to the people of the country as a whole, had come as a result of their own rejection of the Constitution.

The Prime Minister then asked whether *Mr. Nkomo* saw any possibility of acceptability being decided on the basis of the consensus of opinion which had been suggested in recent proposals. *Mr. Nkomo* said he was doubtful because it would be alleged, on such a proposal, that he represented only a small minority.

At this point the Prime Minister was called away from the meeting.

The Secretary of State said that it was necessary to face the fact that the alternative to positive negotiation was probably a UDI. It was essential to try to promote ways in which an agreed method of proceeding to majority rule could be devised. He felt there might be ways in which the 1961 Constitution could be used as a basis for such a solution. *Mr. Nkomo* replied that he saw no possibility of his party relaxing their views. They felt their position to be impossible. If Britain would take a firm stand there would be no bloodshed. Britain had the authority and must exercise it.

The Secretary of State said that Britain had made a firm stand and Mr. Smith had been left in no doubt as to the British position. What Mr. Nkomo and his supporters were saying amounted to a demand for the use of force, but this would be calamitous and they could not delude themselves into thinking a mere threat of force would be effective; it would mean war. The strength of the British position was that they had throughout acted constitutionally. If Mr. Smith acted illegally he would be at fault and there could be no excuse for his action. The economic measures would be fully effective. Comparisons with other attempts to impose decisive economic sanctions were erroneous. Rhodesia would be in a virtually isolated position.¹

¹ This meeting was followed at 3.30 the same afternoon with a meeting with ZANU leaders at which Wilson spoke in similar terms. The record is reproduced in S R Ashton & Wm R Louis, eds, *East of Suez and the Commonwealth 1964–1971* (BDEEP: London, 2004) part II, 202. At a press conference on 30 Oct at the end of the visit, Wilson made public his private warning to African leaders that Britain had no intention of using force against the Smith government.

439 CAB 130/242, MISC84/26

4 Nov 1965

‘Action in the event of UDI’: note by the Department for Economic Affairs¹

An assessment

Background

This paper analyses the probable effects on the Rhodesian economy of the action the U.K. itself intends to take against Rhodesia immediately on a u.d.i., the counter measure Rhodesia is likely to adopt and the additional consequences of concerted economic action by other countries.

U.K. action

2. In the event of a u.d.i. immediate British sanctions would consist of excluding Rhodesia from the Commonwealth Preference Area, banning the import of Rhodesian tobacco and sugar, imposing exchange control measures against her, and cutting off aid and military supplies.

3. The exclusion of Rhodesia from the Commonwealth Preference Area will have no significant effects on trade. In releasing Rhodesia from her obligations to the

¹ The DEA was established by the Labour government in 1964 with the aim of coordinating economic planning and improving British competitiveness. It was dissolved in 1969.

United Kingdom it may even accord Rhodesia some minor benefits. The banning of imports of Rhodesian tobacco will in any case over-ride any effects that the removal of Commonwealth Preference might have on Rhodesia's exports of this product to the United Kingdom.

4. If the ban on imports of Rhodesian tobacco and sugar had been imposed in 1964 it would have affected 19% of Rhodesia's exports. Although the 1965 crop is all sold and auctions will not begin again until early next summer the tobacco ban will immediately affect the farmers who are now planting and becoming more committed to tobacco. There is no evidence that they are holding back on planting. In the event of u.d.i. they will have to decide whether to proceed with tobacco or whether they can switch to other less remunerative crops.

Some of the frustrated tobacco exports would probably be sold elsewhere, but at a much lower price. The banks may well refuse to lend for the tobacco crop if its main outlet is closed. Some switch to maize might be possible quickly and would benefit Rhodesia's trading balance. A longer term switch to meat might also be possible. The loss of the high C.S.A. price for sugar on 125,000 tons would mean a certain loss of £3 million p.a. and there is considerable doubt whether alternative markets could be found.² The effect of our measures, allowing for sales elsewhere and some switching, would be to reduce Rhodesia's export earnings by 10–15%.

5. The effect of the exchange control measures will be to prevent anything other than current payments being made to Rhodesia, and to prevent exceptional transactions being made from the reserves. Rhodesia will not be able to raise capital in London, but this has not been a possibility for some time. Rhodesia will also be unable to use the reserves held in London for purchases elsewhere in the world. Both external and internal confidence in the Rhodesian currency will be weakened. Exporters to Rhodesia will presumably make sure that currency of value to them will be made available to pay for their sales.

6. Cutting off aid to Rhodesia would have no significant economic effect since the present level of aid is very small. The stopping of arms shipments will bring some small gain to Rhodesia's reserves.

Rhodesian counter-measures

7. The attached Appendix³ gives a general summary of the Rhodesian economy. No inside information is available of the action Rhodesia is likely to take to counter economic sanctions, but it is not difficult to guess the main lines that any sensible Government would take.

In view of the low level of Rhodesia's reserves immediate action to strengthen existing exchange control and circumvent our own measures would be taken. Capital and current movements would be controlled and sales outside the U.K. e.g. to Zambia would no doubt be invoiced in other than sterling currency. Moreover, any U.K. measures designed to put important limitations on Rhodesia's use of her sterling balances would put Rhodesia in a position to declare a moratorium on the

² This was an error and later corrected to read: 'A loss of the high C.S.A. price for sugar on 25,000 tons would mean a certain loss of £¾ million p.a. and there is considerable doubt whether alternative markets could be found.'

³ Not printed.

payment to U.K. residents of interest and dividends on U.K. investments in Rhodesia including the substantial Rhodesian sterling debt in London. Rhodesia could save possibly £20 million of foreign exchange in a year by so doing.

8. As was to be expected import controls have now been introduced and these would be used to keep imports under strict control. Efforts would no doubt be made to sell tobacco and sugar elsewhere, possibly by offering barter deals or favourable import treatment. Import controls and possibly subsidies will be used to stimulate the further growth of internal manufacturing capacity, thus reducing dependence on exports. How quickly it may be possible to switch from tobacco production to other crops is difficult to assess, but plans are no doubt in hand to do this and to prevent excess tobacco production. Certain other action to increase Rhodesia's foreign exchange earnings are possibly open to her apart from the above: for example, Rhodesia might place a transit duty on Zambian copper passing through Rhodesia and/or increase the price of Wankie coal.

9. In the short-term the most Rhodesia has to fear is that our action will reduce her recent trading surplus to a balanced position. The main short term problem for the Government will, however, be to deal with the danger of a recession arising more from a fall in internal confidence than from the deflationary effect of our own measures.

It hopes however, that there will be factors operating the other way since it has spoken of massive investment available as soon as uncertainty is removed. Even if there is a net decline in economic activity, it should not be sufficiently grave that it could not be easily countered by increased Government spending, if necessary at the expense of an increased budgetary deficit. The Rhodesian Government should be able to arrange for loans to tide farmers and others over any transitional difficulties using an Agricultural Loan Board if the Banks are unco-operative. There would not seem to be any point in an immediate devaluation of the Rhodesian pound, though this might be resorted to later if the Rhodesians wished to stimulate the export of manufactured products.

10. Over the longer term the Rhodesians will presumably replan their economy to be less dependent upon imports generally and hence on exports. In agriculture they will shift from tobacco to maize and meat for which there should be eventually growing internal as well as export markets. They have the skilled manpower and the raw material resources to be able to manufacture a very wide range of the industrial products they are likely to need at the present stage of their development. Their remaining export earnings should certainly enable them to buy the remainder of essential requirements, though major new development schemes involving capital equipment may be slowed down.

Net effect of United Kingdom action

11. In the face of Rhodesian counter-measures (even excluding a moratorium on debt and a surcharge on copper in transit), the net effect of our own economic measures viewed in isolation will be to deal a severe blow to some sectors of the Rhodesian economy, especially tobacco and sugar farmers and the tobacco merchants, but will reduce Rhodesians' export earnings no more than 10 to 15 per cent. The Rhodesians should have little difficulty in riding out the short term effects of this and over the long term they should be able to adjust their economy to shake off the adverse effects, although the rate of economic growth may be slowed down.

Joint action with other countries

12. The possibility of other countries who matter in the economy of Rhodesia joining with us in economic sanctions at the outset of U.D.I. does not at present seem very promising. Many have legal difficulties in imposing import bans and some would require a Chapter VII resolution before they could take action. There is no economic action the O.A.U. could take which would affect Rhodesia appreciably. South Africa must presumably be regarded as a non-co-operator. Zambia takes a substantial part of Rhodesia's exports mainly in the form of fairly high-priced manufactured goods, but any import ban by Zambia (or even the withdrawal of Commonwealth preference) might precipitate the economic war between Zambia and Rhodesia which we wish to avoid. There have also been indications that some other countries would be prepared to increase their trade with Rhodesia at our expense, including finding ways round our exchange controls.

13. Our efforts have so far been directed to trying to make the ban on tobacco effective by appealing for co-operation from other importers. The major world importers of tobacco from any source (and thus the countries most able to increase imports of Rhodesian tobacco quickly and substantially if offered at a low price) are West Germany, Netherlands, United States and U.S.S.R. The first three have all said they would have legal difficulties in banning imports. Even if they do so, however, there are many other small markets which collectively could absorb a large part of the Rhodesian crop. It is, therefore, going to be very difficult to make a ban on Rhodesian tobacco sufficiently universal to prevent them selling their crop, although they may have to take a fairly low price to do so. This is not to say, however, that efforts should not be continued to make the ban as effective as possible. The best that is likely to be achieved would be to reduce Rhodesian's earnings by 25 per cent.

14. Approaches are now being made to persuade other countries to ban imports of sugar, but this is likely to be even more difficult to organise since sugar is so widely traded and so difficult to identify as to origin. Present world prices are, however, so low that the crop might not be worth shipping. Countries are also to be invited to restrict other products to bring the total reduction of their imports from Rhodesia to the 70 per cent level of our own. Some response may be obtained from other countries, but it would be very optimistic to assume that this would do more than reduce Rhodesia's total exchange earnings by 40 per cent, equivalent to 15 per cent of G. N. P. This figure if achieved should on the face of it have a substantial effect on the Rhodesian economy. It would certainly mean severe import restrictions and a major re-organisation of the Rhodesian economy on the lines indicated in paragraphs 7 to 10 above. Its effect would, however, be much less serious than in a far more complex economy like France and still less than the United Kingdom which operates a reserve currency. Moreover by a moratorium on debts and other action Rhodesia could do much to protect its reserves. Since, moreover, the 40 per cent reduction in export earnings would not happen for some time the Rhodesians would get ahead with the process of re-organisation. The short-term tendency to deflation would be more serious than in the case of United Kingdom alone imposing sanctions, calling for more vigorous counter-measures. There would be unemployment among white artisans and some economic sectors might be seriously depressed. Some of the unemployed citizens might, however, be used in strengthened police and military forces. The fall in agricultural employment and the shortage of foreign exchange for external remittances would lead to the repatriation of imported workers from

Zambia and Malawi, but it would be their economics which would then suffer rather than Rhodesia's. Africans in the Rhodesian villages would be slightly affected by the rise in price and reduced supplies of consumer goods (e.g. textiles), those employed on the farms or in the towns might also have their wages reduced. Some planned development would have to be foregone e.g. sugar development in the lowveld area or radically rephased. Rhodesian economic development would certainly be put back several years, but it might in the end gain from the enforced diversion from dependence on tobacco and towards development of industry.

15. It is difficult to assess the psychological effect of all this on the Rhodesian population. A great deal will turn on how successful the Government is in preventing a serious slump. If they succeed, the thrill of defying the rest of the world and carrying through the major economic changes needed could keep the elan of the white population high. On the other hand a slump with serious unemployment amongst the artisans might drive many of them to find employment in South Africa and this could lead to a down-ward economic spiral, with serious political consequences. It all depends, therefore, on how well the Rhodesian Government, which has so far been somewhat conservative in economic matters, intervenes vigorously to stimulate and direct the economy.

440 PREM 13/544

6 Nov 1965

[Royal Commission on Southern Rhodesia]: inward telegram no 1643 from J B Johnston to Mr Bottomley

Smith asked me to see him privately at 0800 local this morning.

2. He said official reply would be coming through this morning, burden of which would be that we had so surrounded the Royal Commission proposal with conditions as to make it tantamount to a rejection of the Rhodesian Government's offer. He personally recognized that the Prime Minister had had to attach these conditions to make the proposals acceptable to Parliament, but the pressures in caucus and Cabinet on the lines he had described yesterday (my telegram No. 1621) persisted strongly. Nevertheless, he believed that if he personally insisted, he could get Royal Commission accepted though he felt he would have to give his party a specific undertaking that he would resign if the Commission did not produce a satisfactory outcome.

3. He then asked whether it would be possible for the Prime Minister to give him certain private undertakings. If these undertakings could be given as between the two Prime Ministers only, he would then feel justified in forcing the Royal Commission through. The undertakings would be as follows:—

- (i) He recognized that the British Government would have to make it clear that they did not agree with the Rhodesian Government's proposals. They had in fact already made this clear. Could the matter not rest there, or what else would the Prime Minister feel he had to do? Could he have an undertaking that the Prime Minister would not 'send someone round' at the time the Commission was at work, putting the British side of the case and actively persuading people to say no to the Rhodesian proposals?

(ii) The Rhodesian Government did not feel an interim report was necessary: if a Royal Commission of high standing were appointed they could surely be left to get on with the job. However, Smith recognized that the Prime Minister had committed himself on this in the House of Commons. Could he give Smith an undertaking that unless the Commission made proposals which were patently ridiculous he would accept any reasonable recommendations? Might it not be possible to let the Commission proceed without insisting on an interim report, but to make it clear to them that if at any time the Commission (on the proposition of any of its members) felt they needed to refer back to the two Governments for guidance, e.g. over the method they proposed to adopt, the Commission would be free to do so.

(iii) Smith agreed that if the Commission could operate by unanimity this would carry more conviction. But if this was not possible why could not the Commission operate as Commissions normally did, i.e. by means of a majority and minority report if unanimity had not been reached. One of his difficulties was that the British Government had reserved their position even if the Commission was unanimous. He recognized there was a certain logic in this because of the impossibility of committing Parliament. Could Mr. Wilson assure him privately that if the Commission reported in favour of independence on the 1961 Constitution he would recommend it to Parliament? He would also welcome an undertaking that if the Commission produced only a majority report in favour of independence on the 1961 Constitution this would still be given very serious consideration.

4. Smith said the personnel of the Commission were clearly very important. If 'an obvious left-winger' were appointed on the British side it would greatly aggravate the position in Rhodesia. For his part he would aim at avoiding any obviously right wing appointment.

5. Smith said he made these suggestions because we had now got so near to agreement, and he was convinced the Prime Minister was honest and sincere in his proposals. We must however recognize the difficulties he was in view of the present atmosphere in Rhodesia and the past history of all their dealings with the British Government. He was himself willing to put his faith in the Prime Minister's integrity and honesty. Any undertakings given by the Prime Minister would remain completely private between the two Prime Ministers.

6. I asked Smith what he saw as the public position in the circumstances he postulated. Against this background, what sort of reply could the Prime Minister return to the message he was about to send? Smith said that his suggestions for some private assurances on the lines indicated above were designed to avoid Britain having publicly to retreat from the position already taken up. If the Prime Minister could reply to Rhodesian Government's message saying that Mr. Wilson's proposals and the conditions attached to them were made in good faith and could go on to invite the Rhodesian Government to put this good faith to the test by accepting the arrangements proposed, he would try and push them through (provided he had the private undertakings he sought). It might perhaps be possible to avoid mentioning the interim report, leaving this to the Commission.

7. Smith said that if these undertakings could be given he felt they ought to be recorded in some form—perhaps they could be written down and then lodged in a

sealed envelope with the Governor to hold until the completion of the exercise. They could then be destroyed, unless Smith felt that the Prime Minister had gone back on the undertakings, in which case he would wish to be able to refer to them.

8. Finally, Smith said that if the Prime Minister felt unable to give these undertakings, there would be no ill feeling on his part. No one else at all would know that he had made this approach and he would remain entirely silent about it.

9. I undertook to report all this immediately. Please see my immediately following telegram.

441 PREM 13/561

10 Nov 1965

[Cypher equipment for Southern Rhodesia]: minute by Mr Hughes to Mr Wilson

The Rhodesian forces have for some years been in possession of some American cypher equipments known as KL7s. They received these against a contingency in which we and the Rhodesians might be operating together. Some months ago the American asked us to retrieve these equipments. They did not tell us why, but we believe that it was because they did not want to run the risk of these machines remaining with a rebel government or falling into the hands of a black Rhodesian government.

2. In the interests of our intelligence relations with the Americans, we have been anxious to achieve what they wanted. The only way we could do it was by supplying to the Rhodesian forces with our own (obsolescent) Typex machines in exchange. The exchange with the Rhodesian Army has already taken place. The Typexes for the Rhodesian Air Force are in a Union Castle ship which is due at Lourenço Marques on Friday, 12th November. They are consigned to the Royal Rhodesian Air Force on permanent loan from the R.A.F. and in the normal course they will be collected by officers of the R.R.A.F. and the KL7s be returned as soon as the Typexes have been installed in Rhodesia.

3. We need to decide at once whether to stop the ship from delivering the machines to the Rhodesians at Lourenço Marques.

4. If we do so decide this action in advance of a u.d.i. [sic] will be an irritant to the Rhodesians but this no longer matters; we shall disappoint the Americans, as we shall have no hope of recovering the KL7s from the risk of compromise; and the Rhodesians will be neither better nor worse off from the point of view of cypher communications.

5. If on the other hand we allow the Typexes to be delivered and this became publicly known we should be open to criticism that we had at this late hour delivered to the Rhodesians items which could be regarded as military equipment, despite our publicly declared policy to the contrary.

6. I am on balance in favour of stopping delivery. If there were no American complication, there would be no question of our allowing delivery of such equipment to go ahead at this moment: and though the Americans may be disappointed, they could hardly criticise us for a decision to hold back on the eve of a u.d.i. If you agree, we must ask the Foreign Secretary to send instructions to our Consul-General at

Lourenço Marques not later than tomorrow, Thursday, night. We should also need to arrange matters with the Union Castle Line: I would see to this.

7. I am sending copies of this minute to the Foreign Secretary and the Defence Secretary.

442 PREM 13/545

11 Nov 1965

[Prelude to UDI]: transcript of a telephone conversation between Mr Wilson and Mr Smith

P.M. Is that Mr., Prime Minister? Good morning.

SMITH Good morning.

P.M. Good morning. I wanted to talk to you directly. I have had a report on the High Commissioner's talk with you last night. It seems to me, apart from one or two points of clarification that there really is nothing now between us to stop us setting up the Royal Commission. I understand there are one or two points you are not clear about. I would like to clear up one or two of them now.

The first of these relates to the question of our dissociation from your document to the Royal Commission. As far as that is concerned we believe, as I said in my message, that having stated our opposition in the House of Commons we are now prepared to leave it there. The Royal Commission will be seized of our views and we have no intention at all of canvassing against those proposals in Rhodesia. As far as that is concerned the position, I think, is quite clear.

Smith Yes

P.M. Now the second point relates to the freedom of the Commission to see everybody they want to see. I discussed this with Beadle,¹ who can tell you about it when he returns this morning. This must be a matter for the Commission to decide; whether they are allowed to see everybody that they wish to see, and whether in their view there is a free expression of opinion by the people of Rhodesia; and we would have full confidence in the Commission when it is appointed to decide whether they could do their job. If they cannot, presumably they would on their own initiative report to us. I am not suggesting that we give any instructions to the Commission on that point, but it is a matter on which there is very great concern in our House of Commons, we have got to be satisfied that the Commission can do their job and that is a matter for the Commission to decide. That is point two.

Now point three refers to the lengthy question that we have put to you. So far as that question is concerned this is a question I am putting to your Government. My own Cabinet is meeting this morning. If your Government is prepared to say 'yes' if we say 'yes', I will of course recommend to my Cabinet that we say 'yes'. And that will mean that we are prepared to commend to the House of Commons, to Parliament, subject always to their sovereign rights of course, acceptance of a unanimous report of the Commission which says that the people of Rhodesia want independence on the 1961 Constitution, in return for a statement by you that you drop your claim to independence on that Constitution if there is a unanimous report saying that the people of Rhodesia do not want that. In those circumstances, of course, we then

¹ Sir Hugh Beadle, chief justice of Rhodesia.

propose that the Royal Commission be reconstituted with wider terms of reference. This does not rule out, of course, if you want to press this, that the 1961 Constitution continues, but that it would not be a basis for independence. That is what we mean by dropping your claim.

The only other point that I can see, though you may tell me there are others, is what happens if there are majority reports. If there are majority reports, in other words if we do not get a clear unanimous report, then both Governments would reserve their position and we would have to get into talks again. So that is how we see these particular problems. But I may not have dealt with all the doubts and clarifications you have in mind, though I think Hugh Beadle could probably clear up any further details. Oh, I am sorry, I have not dealt with the interim report. We believe this should be a matter—and here I am taking the advice of what Hugh Beadle said to me—this should be a matter for the Commission, if they were to decide by majority that they want to make an interim report. If they do not so decide there would presumably be no interim report as to the method of consultation. Now those are the points that I thought—it seemed from your discussion with the High Commissioner—that you were not clear about.

But my own view now is that there is no difference in substance or as far as I can see in detail to prevent the establishment of a Royal Commission, and my own view now is that I should send a senior Minister to Salisbury to clear up any points of clarification if there are any—I can send him today—and then to sign an agreed minute with you on the basis on which we recommend the Royal Commission. I do not think there is anything now to justify further exchanges or arguments. I can send one of my senior chaps today.

Smith Yes I think I got most of it, could you hear me?

P.M. Yes. Are you there. Could you hear all that?

Smith The important things that are outstanding as far as we are concerned are certainly the things you mentioned at the beginning, but the two most important things that we believe, as we said not in my last letter but in the previous letter, that we would be prepared to accept a majority report as opposed to a minority report and that what is most of all worrying us is your suggestion that if the Royal Commission should not find favour of the terms that we put, that you would then be in a position to put your terms to the country. Because we have always believed that, if the Commission did not find in our favour, then the alternative would be to continue as we are under the present Constitution because this is what the British Government has so far advocated to us. This is the thing that is causing our Cabinet the most concern.

P.M. We have never said, as far as I am aware, that there is anything against continuing as you are.

Smith I will take your message to them.

P.M. Let us just be clear about this. On a unanimous report, the proposal we put to you is that we both agree to accept a unanimous report whichever way it goes. On a majority report, our proposal is that the Royal Commission be reconstituted. But we certainly haven't said that we are unwilling to go on as we are; all we have said is that there would then be no basis for independence. Both sides have reserved their position so far as this is concerned.

But there would be no basis for agreed independence on the 1961 Constitution in the absence of a unanimous report. But if both sides have reserved their position and

if your Government said in those circumstances, 'Let us go on as we are', we have made no proposal about altering the 1961 Constitution unless we can agree to set up a Royal Commission to try and do it.

SMITH This is a thing which is worrying us most, and as I say, the first reaction of my Cabinet when they read your message, as they have been reading it this morning, is that we are further apart and not closer together.

P.M. Oh, this isn't true you know. This really isn't so. On every point you have pressed since I left Salisbury, we have met you: on the terms of reference, the narrower terms of reference; on the fact that it should be a Rhodesian paper only, if we could not agree on this, and on the interim report, on all these things, and even to the point now where we are prepared to accept in advance, and commend to Parliament, subject always to the sovereign rights of Parliament to commend as a Government a unanimous report of the Commission. Now how you can say we are further apart than ever, I just cannot understand.

SMITH That is what is worrying them, and the reason why it is is that that thing which has now been brought in referred to the fact that if the Commission was to vote against the recommendations that we wished, then you would expect not a Royal Commission putting over the five principles, embodying the five principles themselves—that would be a different thing to retaining the *status quo*.

P.M. I wasn't aware that there has been any backtracking by your Government on the five principles. I thought we had agreed with them all along. But as far as we are concerned we have never ruled out the *status quo*. But we thought that you and your Government and your people wanted to have independence, and that independence was something that you wanted for its own sake. What we are saying is that if there were a unanimous report against independence on these terms, then if you are still demanding independence, we would have to get something that *was* acceptable—we suggested a Royal Commission for that. If, of course, you say you are prepared in those circumstances having lost the unanimous report to maintain the *status quo*, without independence, we have never said that we would not agree to that.

SMITH Well now, as I said, we are in the midst of discussing this and I take it that it would not be right of me if I do not tell you that the feeling seems to be that it looks as though this thing has gone too far. I would be wrong to say the feeling was optimistic.

SMITH My Cabinet and I regret that this has happened at this stage, because you find yourself in the position that it has gone too far, not because of actions on your part. This seems to be the general theory, is this not irreconcilable?

P.M. Well the thing is obviously reconcilable and there is not a point outstanding, so far as I can see; but if there is any doubt or any point to be clarified, I have offered to send a senior Minister out today. He will have full authority in the name of our Cabinet to discuss these points with you within the terms of the decisions that our Cabinet have made and which were communicated yesterday. It may well be that your people, or that you, have doubts about the meaning of some of these things but what I am getting more and more worried about—I had this feeling on that Friday night we met, some of your messages seem to reinforce this feeling—is that members of your Cabinet, whether a majority or not—only you can say—have pretty well decided to take the law into their own hands, irrespective of any effort to reach agreement.

I do not believe that there is a single independent person in the world studying our exchanges, who could possibly say that this is irreconcilable. This is just an excuse for illegal action by people who have got the bit between their teeth. I am not accusing you of this, because I believe that you throughout have negotiated in good faith, as we have. I am not sure that that is true of some of your colleagues. The question whether you can get them to take a reasonable point of view is something that only you know. I think you are big enough to do it; but I may be wrong.

SMITH Well I think it is possible that there may be a few that fall into the category that you mention, but I can assure you that it is only a few, not the majority. That I can assure you.

P.M. Yes, well, as I say, I am convinced and I have said it throughout, in the House and elsewhere, and I believe it to be true, that you have negotiated in good faith. If anybody can now say that this position is irreconcilable or justifies illegal action I think they want their heads examining or they must have a death wish on them that is beyond what can be dealt with by ordinary rational argument such as you and I have conducted.

SMITH Well I am grateful to you for taking all this trouble.

P.M. I leave it to you now to report to your Cabinet what I have said. I hope you could hear all I said in the first time round, but if you have any questions on what I said, I will be glad to try and answer them or, of course, I can arrange for any points to be clarified and I could give you a quick reply. I think they are clarified now. I think our formal proposal—I make this quite formally—is that a senior Minister flies to Salisbury today. I would be grateful if you would put that to your colleagues.

SMITH Thank you, I have got the position quite clear. Goodbye.

P.M. All right then Prime Minister. Have you got anything more to raise? Thank you very much. Goodbye.²

² Smith announced UDI in a broadcast at 11.00 GMT that morning.

Biographical Notes: parts I–II

Alport, Cuthbert James McCall (Lord Alport), b 1912

Life peer, cr 1961 (Baron Alport of Colchester); Haileybury and Pembroke, Cambridge (president of Cambridge Union, 1935); barrister; war service; MP (Con) for Colchester, 1950–1961; assistant postmaster-general, 1955–1957; parliamentary under-secretary of state, CRO, 1957–1959; and minister of state, Oct 1959–Mar 1961; high commissioner in Federation of Rhodesia and Nyasaland, 1961–1963; a deputy speaker of House of Lords from 1971

Amery, Julian, 1919–1966

Summerfields, Eton and Balliol, Oxford; war service; MP (Con) for Preston North, 1950–1966; married Catherine Macmillan, 1950; member of Round Table Conference on Malta, 1955; parliamentary under-secretary of state and financial secretary, War Office, 1957–1958; parliamentary under-secretary of state, CO, 1958–1960; S of S for Air, Oct 1960–July 1962; minister of aviation, 1962–1964; minister for housing and construction, Dept of Environment, 1970–1972; minister of state, FO, 1972–1974

Armitage, Robert Percival, 1906–1990

Knighted 1954; Winchester College and New College, Oxford; colonial administrative service, Kenya, 1929–1948 (administrative secretary, 1947–1948); financial secretary, Gold Coast, 1948–1951; minister of finance, 1951–1954; gov of Cyprus, 1954–1955; gov of Nyasaland 1956–1961

Banda, Hastings Kamuzu, 1898–1997

Educated in USA and Scotland; practised medicine in UK, 1939–1953, and Ghana, 1953–1958; returned to Nyasaland 1958; detained in Southern Rhodesia, 1959–1960; minister of natural resources and local government, Nyasaland, 1961–1963; prime minister of Nyasaland (Malawi from 1964), 1963–1966; president of Malawi, 1966–1994

Barrow, Malcolm Palliser, 1900–1973

Member of Nyasaland legislative council, 1940–1953 (member of executive council 1941–1953); federal minister of home affairs and power 1953; minister of internal affairs 1953–1954; minister of commerce and industry, and power, 1954–1956; minister of home affairs and power, 1956–1962; deputy prime minister and minister for defence, economic affairs and power, 1962–1963

Baxter, George Herbert, 1894–1962

Manchester Grammar School and New College, Oxford; entered India Office, 1920; principal, 1924–1933; financial secretary, 1933–1943; assistant under-secretary of state for India, 1943–1947; assistant under-secretary of state for Commonwealth relations, 1947–1955; director of Rhodesia and Nyasaland committee, 1957–1962

Benson, Arthur, 1907–1987

Knighted 1954; Wolverhampton School and Exeter College, Oxford; colonial administrative service, Northern Rhodesia, 1932–1939; CO, 1939; War Cabinet Office, 1940–1943; CO, 1943–1944; secretariat, Northern Rhodesia, 1944–1946; administrative secretary, Uganda, 1946–1949; chief secretary, Central African Council, 1949–1951; chief secretary to the government of Nigeria, 1951–1954; gov of Northern Rhodesia, 1954–1959

Brook, Norman Craven (1st Baron Normanbrook cr 1963), 1902–1967

Knighted 1946; Wolverhampton School and Wadham, Oxford; Home Office, 1925–1940; personal assistant to lord president of the Council, 1940–1942; deputy secretary (civil) to War Cabinet, 1942; permanent secretary, Ministry of Reconstruction, 1943–1945; additional secretary to Cabinet, 1945–1946; secretary to Cabinet, 1947–1962; joint secretary of Treasury and head of Home Civil Service, 1956–1962

Butler, Richard Austen (Lord Butler), 1902–1982

Life peer cr 1965 (baron Butler of Saffron Walden); Marlborough and Pembroke, Cambridge; Fellow of Corpus Christi, Cambridge, 1925–1929; MP (Con) 1929–1965 for Saffron Walden; parliamentary under-secretary of state, India Office, 1932–1937, and of FO, 1938–1941; minister of education, 1941–1945; chancellor of the Exchequer, 1951–1955; lord privy seal, 1955–1959; leader of House of Commons, 1955–1961; home secretary, 1957–1962; first S of S, deputy prime minister, minister i/c Central African Office, July 1962–Oct 1963; S of S, foreign affairs, 1963–1964; Master of Trinity College, Cambridge, 1965–1978

Churchill, Winston Leonard Spencer, 1874–1965

Knighted 1953; MP (Con) 1900–1904, (Lib) 1904–1918, (Coalition Lib) 1918–1922, (Constitutionalist) 1924–1929, (Con) 1929–1964; under-secretary of state, CO, 1906–1908; president of Board of Trade, 1908–1910; home secretary, 1910–1911; first lord of admiralty, 1911–1915; chancellor of Duchy of Lancaster, 1915; minister of munitions, 1917–1919; S of S war and air, 1919–1921; S of S air and colonies, 1921–1922; chancellor of Exchequer, 1924–1929; first lord of Admiralty, 1939–1940; prime minister and minister of defence, 1940–1945; prime minister, 1951–1955 and minister of defence, 1951–1952

Cohen, Andrew Benjamin, 1909–1968

Knighted 1952; Malvern and Trinity, Cambridge; CO from 1933; CO assistant secretary (East & Central African Dept) from 1943; assistant under-secretary of state (Africa Dept), 1947–1951; gov of Uganda, 1952–1957; permanent UK representative, UN Trusteeship Council, 1957–1961; director-general, Dept of Technical Co-operation, 1961–1964; permanent secretary, Ministry of Overseas Development, 1964–1968 (died)

Colby, Geoffrey Francis Taylor, 1901–1958

Knighted 1949; Charterhouse and Clare College, Cambridge; colonial officer in Nigeria, 1925–1939; principal assistant secretary, 1939–1942; secretary of Nigeria Supply Board, 1942–1943, director of supplies, Nigeria, 1943–1945, administrative secretary, Nigeria, 1945–1947; gov of Nyasaland, 1948–1956

Creech Jones, Arthur, 1891–1964

MP (Lab) 1935–1950; executive member, Fabian Society; member, CO Education Advisory Committee, 1936–1945; chairman, Fabian Colonial Bureau and Labour Party Imperial Advisory Committee; vice-chairman, Higher Education Commission to West Africa, 1943–1944; parliamentary under-secretary of state for colonies, 1945–1946; S of S for colonies, 1946–1950

Dalhousie, Simon Ramsay, 16th Earl, 1914–1999

Eton and Christ Church, Oxford; wartime service with the Black Watch; MP (Con) for County of Angus, 1945–1950; gov-gen of Federation of Rhodesia and Nyasaland, 1957–1963; lord chamberlain to the Queen Mother, 1965–1992

Devlin, Patrick Arthur, 1905–1992

Knighted 1948; Stonyhurst College and Christ's College, Cambridge; called to Bar 1926; legal department, ministry of supply, 1940–1942; junior counsel to ministries of war transport, food and supply; King's counsel, 1945; appointed justice of the high court, King's bench division, 1948

Field, Winston J, 1904–1969

Settled in Southern Rhodesia in 1921; farmer and president of the Rhodesian Tobacco Association 1938–1940; member of the federal parliament of Rhodesia and Nyasaland, 1957–1962; leader of the Opposition, 1958–1962, prime minister, Southern Rhodesia, 1962–1964

Garner (Joseph John) Saville (Lord), 1908–1983

Knighted 1954; life peer cr 1969 (Baron); Highgate School and Jesus, Cambridge; entered Dominions Office, 1930; private secretary to successive S of S; served in High Commission, Canada, 1943–1948; assistant under-secretary of state, CRO, 1948–1951; deputy high commissioner in India, 1951–1953; deputy under-secretary of state, CRO, 1952–1956; high commissioner in Canada, 1956–1961; permanent under-secretary of state, CRO/Commonwealth Office, 1962–1968; head of Diplomatic Service, 1965–1968

Gibbs, Humphrey (Vicary), 1902–1990

Knighted 1960, Eton and Trinity College, Cambridge; farmer, Southern Rhodesia from 1928; gov of Southern Rhodesia, 1959–1969 (acting gov-gen of Federation of Rhodesia and Nyasaland, 1963)

Gordon Walker, Patrick Chrestien (Lord Gordon Walker), 1907–1980

Life peer cr 1974 (Baron Gordon Walker of Leyton); Wellington College and Christ Church, Oxford; MP (Lab) Smethwick, 1945–1964, Leyton, 1966–1974; parliamentary under-secretary of state, CRO, 1947–1950; S of S Commonwealth relations, 1950–1951; S of S foreign affairs, Oct 1964–Jan 1965; minister without portfolio, 1967; S of S for education and science, 1967–1968

Gorell Barnes, William Lethbridge, 1909–1987

Knighted 1961; Marlborough and Pembroke, Cambridge; served in Diplomatic Service, 1932–1939 and offices of War Cabinet, 1939–1945; assistant secretary, Treasury, 1945–1946; personal assistant to prime minister, 1946–1948; seconded to CO as assistant under-secretary of state, 1948–1959; joint deputy under-secretary of state, 1959–1963

Greenfield, Julius MacDonald, 1907–1993

Milton School, Bulawayo and Universities of Cape Town and Oxford; practised at Bar in Southern Rhodesia, 1933–1950; minister for internal affairs and justice, Southern Rhodesia, 1950–1953; federal minister for education and home affairs, 1953–1955; education and law, 1955–1958; law, 1958–1962; home affairs and law, 1962–1963

Griffiths, James, 1890–1975

MP (Lab) from 1936; minister of national insurance, 1945–1950; S of S for colonies, 1950–1951

Home, Alexander Frederick Douglas– (Lord Home), 1903–1995

14th Earl of Home, 1951–1963 (renounced peerage), Sir Alec Douglas–Home, 1963–1974, *cr* life peer 1974 (Baron Home of the Hirsel); Eton and Christ Church, Oxford; MP (Con/Unionist), 1931–1945, 1950–1951, 1963–1974 (Lanark/Kinross & West Perthshire); parliamentary private secretary to prime minister, 1937–1940; joint parliamentary under-secretary of state, FO, 1945; minister of state, Scottish Office, 1951–1955; S of S for Commonwealth relations, 1955–1960; leader of House of Lords, 1957–1960; lord president of the Council, 1957, 1959–1960; S of S for foreign affairs, 1960–1963; prime minister, 1963–1964; S of S for foreign and Commonwealth affairs, 1970–1974

Hone, Evelyn Dennison, 1911–1979

Knighted 1959; Wellington College, Rhodes University Grahamstown and New College, Oxford; colonial administrative service, Tanganyika, 1935–1944; secretary to the government, Seychelles, 1944–1946; assistant secretary, Palestine, 1946–1948; colonial secretary, British Honduras, 1948–1953; chief secretary, Aden, 1953–1957; chief secretary, Northern Rhodesia, 1957–1959; gov, Northern Rhodesia, 1959–1964

Huggins, Godfrey (1st Viscount Malvern *cr* 1955), 1883–1971

Knighted 1941, Malvern College and St Thomas's Hospital; practised as a surgeon before leaving for Southern Rhodesia in 1911; prime minister of Southern Rhodesia, 1933–1953; prime minister of the Federation of Rhodesia and Nyasaland, 1953–1956

Johnston, John Baines, 1918–

Knighted 1966; Banbury Grammar School and Queen's, Oxford; CO from 1947; transferred to CRO, 1957; deputy high commissioner, South Africa, 1959–1961; high commissioner, Sierra Leone, 1961–1963, Federation of Rhodesia and Nyasaland, 1963; Southern Rhodesia, 1964–1965; assistant/deputy under-secretary of state, FCO, 1968–1971; high commissioner, Malaysia, 1971–1974, Canada, 1974–1978

Jones, Arthur Creech, *see* Creech Jones, Arthur**Jones, Glyn, 1908–1992**

Knighted 1960; King's School, Chester and St Catherine's College, Oxford; colonial administrative service, Northern Rhodesia, 1931–1960 (secretary for native affairs, 1958–1959; minister for native affairs, 1959–1960); gov of Nyasaland, 1961–1964; gov–gen of Malawi, 1964–1966

Kaunda, Kenneth, 1924–

Founder member of African National Congress, Northern Rhodesia, 1951; founded Zambian African National Congress, 1958; imprisoned 1959–1960; reconstituted his party as the United National Independence Party (UNIP), 1960; minister, 1962–1964; prime minister, Northern Rhodesia, 1964; president of Zambia, 1964–1991

Laithwaite, (John) Gilbert, 1894–1986

Knighted 1941; Clongowes School and Trinity, Oxford; India Office, 1919–1936; private secretary to viceroy of India, 1936–1943; deputy-under secretary of state for Burma, 1945–1947, and for India, 1947, and for Commonwealth relations, 1948–1949; ambassador to Republic of Ireland, 1949–1951; high commissioner to Pakistan, 1951–1954; permanent under-secretary of state, CRO, 1955–1959

Lambert, Charles Ernest, 1900–1974

Aske's Haberdashers' Hampstead School; CO from 1923; assistant secretary, 1947–1961

Lennox–Boyd, Alan Tindal (Lord Boyd), 1904–1983

cr 1st Vcount Boyd of Merton 1960; Sherborne and Christ Church, Oxford (president of Oxford Union, 1926); MP (Con) for mid-Bedfordshire, 1931–1960; parliamentary secretary, Ministry of Labour, 1938–1939, of Ministry of Home Security, 1939, of Ministry of Food, 1939–1940, of Ministry of Aircraft Production, 1943–1945; minister of state, CO, 1951–1952; minister of transport and civil aviation, 1952–1954; S of S for colonies, 1954–1959

Macleod, Iain Norman, 1913–1970

Fettes and Gonville & Caius, Cambridge; joined Conservative Party Parliamentary Secretariat, 1946; head of Home Affairs Research Dept of Conservative Party, 1948–1950; MP (Con) for Enfield West, 1950–1970; minister of health, 1952–1955; minister of labour and national service, Dec 1955–Oct 1959; S of S for colonies, 1959–1961; chancellor of Duchy of Lancaster and leader of House of Commons, 1961–1963; chairman, Conservative Party Organisation, 1961–1963; editor of *The Spectator*, 1963–1965; chancellor of the Exchequer, June 1970 (died 20 July 1970)

Macmillan, (Maurice) Harold (Lord Stockton), 1894–1986

cr 1st Earl of Stockton 1984; Eton and Balliol, Oxford; MP (Con/Unionist) 1924–1929, 1931–1945 (Stockton-on-Tees), 1945–1964 (Bromley); parliamentary secretary, Ministry of Supply, 1940–1942; parliamentary under-secretary of state, CO, 1942; minister resident at Allied HQ in North-West Africa, 1942–1945; secretary for air, 1945; minister of housing and local government, 1951–1954; minister of defence, Oct 1954–Dec 1955; S of S for foreign affairs, Apr–Dec 1955; chancellor of Exchequer, Dec 1955–Jan 1957; prime minister, Jan 1957–Oct 1963

Macpherson, John Stuart, 1898–1971

Knighted 1945; Malayan Civil Service, 1921–1937; seconded to CO, 1933–1935; served in Nigeria, 1937–1939; chief secretary, Palestine, 1939–1943; member, Anglo-American Caribbean Commission, 1943–1945; comptroller for development and welfare in West Indies and British co-chairman, Caribbean Commission, 1945–1948; gov of Nigeria, 1948–1954; gov-gen, Federation of Nigeria, 1954–1955; permanent under-secretary of state, CO, 1956–1959

Martin, John Miller, 1904–1991

Knighted 1952; Edinburgh Academy and Corpus Christi, Oxford; Dominions Office from 1927; seconded to Malayan Civil Service, 1931–1934; secretary, Palestine Royal Commission, 1936–1937; private secretary to prime minister, 1940–1945 (principal private secretary, 1941–1945); CO assistant under-secretary of state, 1945–1956; deputy under-secretary of state, 1956–1965; high commissioner in Malta, 1965–1967

Maudling, Reginald, 1917–1979

Merchants Taylors' School and Merton, Oxford; MP (Con) for Barnet, Herts, 1950–1979; parliamentary secretary, Ministry of Civil Aviation, 1952; economic secretary to Treasury, 1952–1955; minister of supply, 1955–1957; paymaster-general, 1957–1959; president of BoT, 1959–1961; S of S for the colonies, Oct 1961–July 1962; chancellor of Exchequer, 1962–1964; home secretary, 1970–1972 (resigned)

Monckton, Walter Turner (1st Viscount Monckton of Brenchley cr 1957), 1891–1965

Knighted 1937; Harrow and Balliol, Oxford (president of Oxford Union, 1913); barrister; director of General Press & Censorship Bureau, 1939–1940; deputy director-general, Ministry of Information, 1940–1941; solicitor general, 1945; MP (Con) 1951–1957 for Bristol West; minister of labour and national service, 1951–1955; minister of defence, 1955–1957; chairman of Advisory Commission on the Review of the Constitution of Rhodesia and Nyasaland

Noel-Baker, Philip James (Baron, life peer cr 1977) 1889–1982

MP (Lab) 1929–1931 and 1936–1951; minister of state, FO, 1945–1946; S of S for air, 1946–1947; S of S for Commonwealth relations, 1947–1950; minister of fuel and power, 1950–1951; Nobel Peace Prize, 1959

Nkomo, Joshua, 1917–1999

Leader of the African National Congress, Southern Rhodesia, 1952–1959; leader of the National Democratic Party (NDP), 1960–1961; founded the Zimbabwe African People's Union (ZAPU), 1961; detained 1962–1974; home affairs minister, Zimbabwe, 1980–1987; appointed vice-president of Zimbabwe, 1987

Perth, John David Drummond, 17th Earl, 1907–2002

Downside and Cambridge University; lieutenant, Intelligence Corps from 1940 (seconded to War Cabinet Offices, 1942–1943, and Ministry of Production, 1944–1945); minister of state, CO, 1957–1962 (resigned)

Rennie, Gilbert McCall, 1895–1981

Knighted 1949; Stirling High School and Glasgow University; Ceylon Civil Service 1920–1937; financial secretary, Gold Coast, 1937–1939; chief secretary, Kenya, 1939–1947; gov, Northern Rhodesia, 1948–1954; high commissioner in London for the Federation of Rhodesia and Nyasaland, 1954–1961

Salisbury, 5th Marquess of 1947 (Robert Arthur James Gascoyne Cecil), 1893–1972

Viscount Cranborne 1942; MP (Unionist) 1929–1941; parliamentary under-secretary of state, FO, 1935–1938; paymaster general, 1940; S of S for dominion

affairs, 1940–1942 and 1943–1945; S of S for colonies, 1942; lord privy seal, 1942–1943; leader of House of Lords, 1942–1945 and 1951–1957; S of S for Commonwealth relations, 1952; lord president of the Council, 1952–1957; resigned over colonial affairs

Sandys, Duncan (Lord Duncan–Sandys), 1908–1987

Life peer cr 1974 (Baron); Eton and Magdalen, Oxford; Diplomatic Service, 1930; married Diana Churchill, 1935 (until 1960); MP (Con) 1935–1945, 1950–1974 for Wandsworth Streatham; parliamentary secretary, Ministry of Supply, 1943–1944; minister of works, 1944–1945; founded European Movement, 1947; minister of supply, 1951–1954; minister of housing and local government, 1954–1957; minister of defence, Jan 1957–Oct 1959; minister of aviation, 1959–1960; S of S for Commonwealth relations, July 1960–Oct 1964 and S of S for colonies, July 1962–Oct 1964

Smith, Ian D, 1919–

Wartime service in royal air force, 1941–1946; member of legislative assembly, Southern Rhodesia, 1948–1953; member of the Federal legislature of Rhodesia and Nyasaland, 1953–1962; resigned from United Federal Party, 1961; founder member of the Rhodesian Front; minister of the treasury and deputy prime minister, Southern Rhodesia, 1962–1964; prime minister, Southern Rhodesia, 1964–1979; minister without portfolio, Zimbabwe–Rhodesia, 1979–1980.

Swinton, 1st Earl of cr 1955 (Philip Cunliffe–Lister), 1884–1972

Philip Lloyd-Greame 1884–1924; knighted 1920; 1st Viscount Swinton 1935–1955; MP (Unionist) 1918–1935; president of Board of Trade, 1922–1923 and 1924–1929; S of S for colonies, 1931–1935; S of S for air, 1935–1938; Cabinet minister–resident in West Africa, 1942–1944; minister for civil aviation, 1944–1945; chancellor of Duchy of Lancaster and minister of materials, 1951–1952; deputy leader of House of Lords, 1951–1955; S of S for Commonwealth relations, 1952–1955

Todd, Reginald Stephen Garfield, 1908–2002

Otago University, New Zealand, Glen Leith Theological College and the University of Witwatersrand; superintendent of Dadaya mission, 1934–1953; member of the legislative assembly, Southern Rhodesia, 1946–1958; prime minister, Southern Rhodesia, and leader of the United Rhodesia Party, 1953–1958; periods of restriction and imprisonment in the 1960s and 1970s; appointed to the Zimbabwean senate, 1980

Trend, Burke St John, 1914–1987

Knighted 1962; Whitgift School and Merton, Oxford; entered Treasury, 1937; under-secretary, 1949–1955; deputy secretary to Cabinet, 1956–1959; second secretary, Treasury, 1960–1962; secretary to Cabinet, 1963–1973; Rector of Lincoln College, Oxford, 1973–1983

Watson, Noel Duncan, 1915–1999

Knighted 1967; Bradford Grammar School and New College, Oxford; administrative officer, Cyprus, 1938–1943; assistant colonial secretary, Trinidad, 1943–1945; principal, CO, 1946; on secondment to Home Civil Service, 1947; principal private secretary to S of S colonies, 1947–1950; assistant secretary, CO,

1950–1962; Central Africa Office, 1962–1963; assistant under-secretary of state, CO/CRO, 1964–1967; political adviser to c-in-c, Far East, 1967–1970; high commissioner, Malta, 1970–1972; deputy under-secretary of state, 1972–1975

Welensky, Roy, 1907–1991

Knighted 1953; Engine driver and heavyweight boxer; leader of railway workers' union; member of legislative council, Northern Rhodesia, from 1938; director of manpower, Northern Rhodesia, 1946; leader of Northern Rhodesia unofficial members, 1946; federal minister of transport, communications and posts, 1953–1956; federal prime minister, 1956–1963

Whitehead, Edgar, 1905–1971

Knighted 1954; University College, Oxford; member of legislative assembly, Southern Rhodesia, 1939–1940, 1946–1953 and 1958–1963; acting Southern Rhodesia high commissioner in London, 1945–1946; minister for the Federation of Rhodesia and Nyasaland in Washington, 1957–1958; prime minister, Southern Rhodesia, 1958–1962

Wilson, James Harold (Lord Wilson), 1916–1995

Life peer cr 1983 (Baron Wilson of Rievaulx, West Yorkshire); Milnsbridge Council School and Royds Hall School, Huddersfield, Wirral Grammar School, Bebington, Cheshire and Jesus, Oxford; lecturer in economics, New College, Oxford, 1937; MP (Lab), Ormskirk, 1945–1950, Huyton (Lancs), 1950–1983; parliamentary secretary, Ministry of Works, 1945–1947; president, Board of Trade, 1947–1951; leader of Labour Party, 1963–1976; prime minister, 1964–1970, and 1974–1976 (resigned); leader of Opposition, 1970–1974

Bibliography 1: Sources searched at The National Archives

Unless otherwise stated, the papers below refer to the period from 1945 to 11 Nov 1965.

1 *Cabinet*

(i) *Cabinet Committees*

Ad hoc Committees, GEN series:

Rhodesia and Nyasaland: CAB 130/160 (Feb–May 1959)

Federation of Rhodesia and Nyasaland: CAB 130/171 (Feb–Sept 1960)

Southern Rhodesia: CAB 130/190 (1963)

Southern Rhodesia: CAB 130/197 (June–July 1964)

Compensation for former members of the public service of the Federation of Rhodesia and Nyasaland: CAB 130/200 (1964)

Southern Rhodesia: CAB 130/206 (Oct–Nov 1964)

Mineral rights in Northern Rhodesia: CAB 130/207 (1964)

Working party on Southern Rhodesia: CAB 130/208–209 (Oct–Nov 1964)

Southern Rhodesia: CAB 130/228 (Mar–Jul 1965)

Southern Rhodesia: action in the event of a UDI: CAB 130/244–245 (Oct–Nov 1965)

General series:

Commonwealth and International Conferences: CAB 133/97–100, 162, 205, 233–236

Defence and Oversea Policy Committee: CAB 148/15–24

Defence and Oversea Policy Committee sub-committee on Southern Rhodesia: CAB 148/67 (1965)

Miscellaneous series:

Africa Committee: CAB 134/1–5 (1949–1951)

Colonial Affairs Committee: CAB 134/52–53 (1945–1949)

Commonwealth Affairs Committee: CAB 134/54–56 (1947–1949)

Africa (official) Committee: CAB 134/1351–1363 (1957–1963)

Official Committee on Colonial Policy: CAB 134/1551–1552 (1957–1958)

Colonial Policy Committee: CAB 134/1555–1561 (1957–1962)

Counter-subversion Committee: CAB 134/2544 (1965)

(ii) *Cabinet Office*

Cabinet conclusions (minutes): CAB 128

Cabinet memoranda: CAB 129

Cabinet Office registered files: CAB 21/1688, 2432–2433, 3119, 3172–3175, 3455, 4558, 4585, 4625, 4846, 4846, 5039, 5043–5045, 5063–5065, 5093, 5456, 5258, 5512–5518, 5525–5527, 5684

Joint Intelligence Committee memoranda: CAB 158/1–60

Joint Intelligence Committee minutes: CAB 159/1–44

2 *Chiefs of Staff Committee and Service Departments*

(i) *COS records*

Minutes of meetings: DEFE 4/134

Private Office: DEFE 13/270, 383

Defence Secretariat: DEFE 24/57, 664

Directorate of Forward Plans: DEFE 28/170

Chiefs of Staff Committee: secretary's registered files: DEFE 32/6, 17

3 *Colonial Office*

(i) *CO original correspondence: geographical classes*

Nyasaland: CO 525/193–221 (1945–1951)

Northern Rhodesia: CO 795/126–170 (1945–1951)

Central Africa and Aden: CO 1015/1–2645 (1951–1962)

(ii) *CO original correspondence: subject classes*

Colonies supplementary ['secret']: CO 537

A considerable amount of correspondence relating to Central Africa – mostly to Northern Rhodesia – is distributed across this class. The major groupings of files for the period 1945–1951 are as follows:

CO 537/1510–1519 (1945–1946)

CO 537/2112–2119 (1947)

CO 537/3606–3617 (1948)

CO 537/4686–4698 (1949)

CO 537/5882–5902 (1950)

CO 537/7201–7206 (1951)

Defence: CO 968/698

Private Office papers: CO 967/43, 64, 65, 151, 184, 204, 274, 289, 305, 330, 348, 353–354, 356, 364–365

Information: CO 1027/140, 185, 330

4 *Commonwealth Relations Office*

(1) *High Commission and Consular Archives*

Southern Rhodesia: DO 154/1–98 (1946–1966)

(2) *CRO/Commonwealth Office registered departmental files*

General records: DO 35

Most of the CRO files relating to Central Africa during this period are located in this sprawling series covering correspondence about Commonwealth affairs 1915–1971 and comprising 10914 files. The Central African files are too numerous and dispersed to be listed here although some of the major concentrations are 3581–3628, 4574–4831, 6720–6897 and 7440–7726.

Central Africa: DO 158/1–81 (1953–1963)

Private Office papers: DO 121/97, 99, 117, 136–146, 158, 161, 165–171, 183, 195, 217, 236, 240–242

5 *Central Africa Office*

Includes files inherited by the CRO: DO 183/1–935 (1962–1966)

6 *Foreign Office*

(i) FO original correspondence, political: FO 371

This series contains a large number of files on the former Belgian Congo for the period 1960–1965. In addition, it contains a number of files on the foreign relations of the Federation of Rhodesia and Nyasaland and of the three Central African territories. These include: FO 371/138392, 138395, 167126, 167129, 167137, 167162, 167166, 176504–176505, 176508, 176513, 176527, 176561, 176575, 181607, 181869, 181872, 181876–181890

(ii) *FO private papers: ministers and officials*

R A Butler: FO 1109/155, 530, 532, 535–6, 539–540

7 *Prime Minister's Office*

Correspondence and papers 1945–1951: PREM 8/955, 1066, 1266–1267, 1307, 1512, 1562

Correspondence and papers 1951–1964: PREM 11/ 523, 1563, 2477, 2585, 2618, 2769, 2783–2788, 2883, 3065–3070, 3075–3085, 3187–3193, 3239, 3485–3499, 3627–3628, 3814, 3938–3949, 4049, 4418–4426, 5018–5050

Correspondence and papers 1964–1965: PREM 13/84–85, 111, 534–567

8 *Treasury*

Files relating to Central Africa during this period can be found in a number of Treasury series including T 220 (imperial and foreign division) and T 236 (overseas finance division). The records of ad hoc committees on the Federation for the period 1955 to 1957 can be found in T 277/462–463, 534–535 and 637, and those of a committee on the Reserve Bank of Rhodesia (1965) can be found at T 277/1582–1583. As UDI approached, a significant number of files on Rhodesia began to be generated in the series T 295 (overseas finance (exchange control) division).

Bibliography 2: Official publications, unpublished private papers, published documents and secondary sources

1. *Official publications*

(a) *United Kingdom*

Parliamentary Debates (Hansard), 1945–1965

Rhodesia-Nyasaland Royal Commission: Report, Cmd 5949, 1939

Report of the Conference on Closer Association in Central Africa, Cmd 8233, 1951

Closer Association in Central Africa: Statement by H M Government, Cmd 8411, 1951

Draft Federal Scheme, Cmd 8573, 1952

Report of the Fiscal Commission, Cmd 8672, 1952

Report of the Conference on Federation, Cmd 8753, 1953

Federal Scheme prepared by a Conference held in London in January 1953, Cmd 8754, 1953

Federation of Rhodesia and Nyasaland Constitutional Amendment Bill, Cmnd 298, 1957

Federation of Rhodesia and Nyasaland Electoral Bill, Cmnd 362, 1958

Proposals for Constitutional Change in Northern Rhodesia, Cmnd 530, 1958

Nyasaland: State of Emergency, Cmnd 707, 1959

Report of the Nyasaland Commission of Enquiry, Cmnd 814, 1959

Nyasaland: Despatch by the Governor Relating to the Report of the Nyasaland Commission of Inquiry, Cmnd 815, 1959

Report of the Nyasaland Constitutional Conference, Cmnd 1132, 1960

Report of the Advisory Commission on the Review of the Constitution of Rhodesia and Nyasaland, Cmnd 1148–1151, 1960

Report of the Southern Rhodesia Constitutional Conference in Salisbury, Cmnd 1291, 1961

Northern Rhodesia: Proposals for Constitutional Change, Cmnd 1295, 1961

Northern Rhodesia: Statement by the Secretary of State for the Colonies on Proposals for Constitutional Change, Cmnd 1301, 1961

Southern Rhodesian Constitution, Cmnd 1399–1400, 1961

Northern Rhodesia: Proposals for Constitutional Change, Cmnd 1423, 1961

Report of the Nyasaland Constitutional Conference, Cmnd 1887, 1962

The Federation of Rhodesia and Nyasaland: Commentary on Statements Relating to the establishment of the Federation and their bearing on the withdrawal of Nyasaland, Cmnd 1948, 1963

Correspondence between Her Majesty's Government and the Government of Southern Rhodesia, Cmnd 2000, 1963

Southern Rhodesian Correspondence, April–June 1963, Cmnd 2073, 1963

Report of the Central Africa Conference, Cmnd 2093, 1963

Documents relating to the Negotiations between the United Kingdom and the Southern Rhodesian Governments, November 1963–November 1965, Cmnd 2807, 1965

(b) *The federal and the Central African governments*

Report of the Commission Appointed to Inquire into the Disturbances in the Copperbelt, Northern Rhodesia, July 1940 (Lusaka) 1941

Conference on Closer Association of the Central African Territories, Sept 1951

Central African Federation: The Franchise for Federal Elections in Rhodesia and Nyasaland (Salisbury) 1957

Proposals for Constitutional Change in Northern Rhodesia, (Lusaka) 1958

Northern Rhodesia: Report of an Inquiry into the Circumstances which gave rise to the making of the Safeguard of Elections and Public Safety Regulations (Lusaka) 1959

An Account of the Disturbances in Northern Rhodesia July to October 1961, (Lusaka) 1961

Federation and Nyasaland: The British Government's Broken Pledges and Consequences, (Salisbury) 1962

Correspondence between Her Majesty's Government of the United Kingdom and Her Majesty's Government of Southern Rhodesia, (Salisbury) June 1963

Report of the Central African Conference held at the Victoria Falls Hotel, 28th June 1965–3rd July 1963, (Salisbury) July 1963

2. Unpublished collections of private papers in the UK

(a) *Bodleian Library (including Rhodes House), Oxford*

Sir Robert Armitage

Alan Lennox-Boyd

Harold Macmillan

Sir Roy Welensky

Sir Edgar Williams

(b) *Modern Archives Centre, Churchill College, Cambridge*

Oliver Lyttelton

Sir William Gorell Barnes

Duncan Sandys

Archival sources outside the UK have not been consulted for the purpose of this volume.

3. Other unpublished sources

Richard T Coggins, 'Rhodesian UDI and the search for a settlement, 1964–68: failure of decolonization', (Oxford D Phil thesis, 2002)

4. *Published selections of documents*

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S R Ashton and Wm Roger Louis, *East of Suez and the Commonwealth 1964–1971* (London, 2004) in three parts

S R Ashton and S E Stockwell, eds, *Imperial policy and colonial practice 1925–1945* (London, 1996) in two parts

D Goldworthy, ed, *The Conservative government and the end of empire 1951–1957* (London, 1994) in three parts

R Hyam, ed, *The Labour government and the end of empire 1945–51* (London, 1992) in four parts

R Hyam and Wm R Louis, eds, *The Conservative government and the end of empire 1957–1964* (London, 2000) in two parts

A F Madden, ed, *Imperial constitutional documents, 1765–1965: a supplement* (Oxford, 1966)

A N Porter and A J Stockwell, eds, *British imperial policy and decolonization 1938–1964* (London, 1989) in two vols, *1938–1951* & *1951–1964*

J Turner, ed, *Macmillan: Cabinet papers, 1957–1963, on CD-ROM* (set of three, Adam Matthew Publications, Marlborough, Wilts/Public Record Office, 1999)

Elaine Windrich, ed, *The Rhodesian problem: A documentary record, 1923–1973* (London, 1975)

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Index of Main Subjects and Persons

This is not a comprehensive index, but a simplified and straightforward index to document numbers, together with page references to the Introduction, the latter being given at the beginning of the entry in lower case roman numerals. The index is designed to be used in conjunction with the summary lists of documents. A preceding asterisk indicates inclusion in the Biographical Notes. Where necessary (eg particularly in long documents), and if possible, paragraph or section numbers are given inside round brackets.

The following abbreviations are used:

- A — appendix or annex
- E — enclosure
- N — editorial link note (before main text of document)
- n — footnote
- † — included in list of office holders in one or both parts

Documents are divided between two parts of the volume as follows:

- nos 1–167 Part I
- nos 168–443 Part II

Abrahams, Sir S 21 N, 41
Adams, C C W 433 n
† **Addison, Lord** 2, 4, 5, 14
Adeane, Sir M 411 n, 430
administrative arrangements for British Central Africa xxxi–xxxiv, 47, 142–144, 170, 187, 208, 310
Adoula, C xci, 306, 308
Adu, A L xciv
Africa Bureau 97 N, 196
Africa Conference (1948) 34, 35
African defence pact 157, 159
African Mine Workers' Union (Northern Rhodesia) lix, 39, 110, 131 N
African National Congress (Northern Rhodesia) lix, lxxxv, 111, 113, 131 N, 134, 138, 147, 176
African National Congress (Southern Rhodesia) 152 (19), 180
Afrikaner immigration xl, xliv–xlvi, xlix, li, 23, 43, 45–46, 52, 57–59, 61–62, 79 E
Alliance des Bakongo (ABAKO) lxxxviii, 246 N
* † **Alport, C J M** xxxii, lxxiv, xciii, c, 297, 308 A, 315, 320, 323, 337, 338, 340, 345, 353
* † **Amery, J** lxxiii, xc, 181, 183, 199, 203, 205, 210, 252

Amery, L S xxxv
Anderson, Gen 404 n
Anglo-American Corporation liv, lviii, 90, 110, 140, 206
Anti-Slavery and Aborigines Protection Society 62
Arden-Clarke, Sir C 232, 365
* † **Armitage, Sir R** xxxiii, lxiv, lxx–lxxxiii, lxxv–lxxvi, 120, 121, 123, 137, 144, 155, 168, 170, 171, 173, 174, 175, 176, 177, 178, 179, 180, 186, 201, 202, 203, 204, 205, 207, 215, 220, 221, 222, 223, 225, 228, 244
† **Attlee, C R** 47, 51
Australia 59
Balewa, Sir A T 374
* † **Banda, H K** xxx, xxxiv, lxix, lxx, lxxi, lxxiv–lxxvi, lxxxiv, xcii, xciii, xcv, xcvi, 12, 62, 96, 97, 168, 171, 173, 174, 176, 177 N, 180 n, 193, 205, 206, 207, 211, 212, 213, 214, 215, 219, 220, 221, 222, 224, 225, 226, 227, 228, 230, 231, 233, 234, 235, 238, 244, 250, 251, 264, 291, 293, 298 n, 299, 300, 307, 313, 320, 321, 322, 323, 327, 328, 331, 332, 333, 346, 377, 391, 396, 398, 424, 426

- Banda, T D T** 244 n
Barber, A 193 N, 203,
Baring, E xxxvi, 59 n, 177
Barltrop, E W 56
Barotseland (see Northern Rhodesia)
*** Barrow, M P** xlii, 18 n, 35, 176, 252 N
Barton, C J J T 7 n, 18
† **Bates, W S** lxii, lxiii, 104 n, 111, 331, 332
Bathurst-Brown R 333 n
*** Baxter, G H** xlv, xlvii, liii, 44, 57, 58, 59, 61, 65, 66, 68, 69, 70, 71, 72, 88, 89 N, 92 n, 93, 95 N, 155 n
'Baxter Report' xlv–xlvi, xlvii, xlviii, intro l, 57, 68, 72
Beadle, Sir H 442 n
Beadle, T M W xliii–xliv, 44
Bechuanaland 14
Beckett, G B 33, 42, 45, 54, 63
*** † Benson, (Sir) A** xlv, lxi–lxii, lxiii, lxiv–lxv, lxvii, lxxi–lxxii, lxxxv, 49, 57, 105, 106, 107, 108, 110, 112, 113, 114, 121, 122, 124, 125, 129, 130, 135, 139, 140, 141, 143, 144, 148, 150, 151, 160, 161, 163, 167, 176, 180, 185
Blackwood, M lxxvi
Bledisloe Commission xxxv, xxxvi, xxxvii
Bligh, T J 192 n, 193, 200, 202, 273, 277, 278, 279, 298 n, 300, 312, 368, 370, 372, 374, 376
Blundell, M 193 n, 293, 343
Boothby, E B 249 n
† **Bottomley, A** xcvi, civ, 20, 412, 414, 415 n, 416, 417, 418, 419
Bourdillon, H T intro l, 86 n, 87
† **Bourn J** 313 n
Boyd-Carpenter, J A 392 n
Branigan, Sir P lix, 131 n, 138
Bridgeman, F H G 173 n
British Broadcasting Corporation (BBC) 169, 376 n
British Central Africa Company 41, 97
British Protected Persons lxii–lxiii, lxvi, 109, 111, 114, 116, 140 N, 151
British South Africa Company liii–lv, xc, xcvi–xcviii, 6, 9, 14, 20, 42, 367, 373, 392, 397, 399, 406
British South Africa Police (Southern Rhodesia) lxxvi, lxxxiv, 97, 219
*** † Brook, Sir N** lxxxix, lxxxvi, 190, 200, 202, 204, 224 N, 322
Brown, A 344 n
Bush, R P 71 n, 73
*** † Butler, R A** xxxiii, lxxxiv, xciii, xciv, xcvi, xcix, c, 193 N, 327, 328, 329, 330, 337, 338, 339, 340, 341, 342, 343, 347, 348, 350, 354, 355, 361, 362, 363, 370
- Cabinet committees**
Africa lxxxvi, 190, 191
Colonial Policy lxxix–lxxx, 250, 251, 316
Rhodesia and Nyasaland (Constitutional Review) 284, 303
Southern Rhodesia civ, 419
Defence & Oversea Policy 414 n, 418, 420 n, 429, 432
† **Caine, Sir S** 9
Cairo radio 169
† **Callaghan, J** lxxviii, 193
Cameron, C 333 n
Campbell, A 162 n
Campbell, E R 368 n, 372, 412, 415
Campbell, Sir J 196 n, 207
Canada 59, 71
Capricorn Africa Society 64 n, 394 (4)
Caradon, Lord ciii, civ, 408 n, 419
Caribbean Federation 91
Carstairs, A 162 n
Cartland, G B 7 N,
† **Cartmel-Robinson, H F** 19, 22
Cavendish-Bentinck, Sir F 293 n
Central African Council xxxvii, xli–xlii, xlv, xlix, 1, 2, 11, 12, 44, 49, 79 E
Central African Federation (see Federation of Rhodesia and Nyasaland)
Central Africa Office, creation of (see also administrative arrangements for British Central Africa) xxxi–xxxiv
Central Economic Planning Staff 55 n
Central Intelligence Organisation (Southern Rhodesia) cv, 438 n
† **Chadwick, G W StJ** 365
Chant, A J 113 n
Chapman, Sir H 5
Charteris, Sir M 430 n
Chegwidden, T S 47, 64
Chibambo, R 173 E n
Chiefs of Staff lxxxvi–lxxxvii, 238, 268, 283, 294, 384
Chileshe, E S 33
China (People's Republic) 391, 394, 396–399
Chipembere, H B M lxxv, 173 E n, 174, 186, 195, 201, 211, 214, 219, 293, 391, 398
Chirwa, O E 168 n, 173, 207, 211, 214, 219, 234
Chirwa, W M lxx, 173
Chisholm, R G 95 n
Chisiza, D K lxxv, 211, 219, 311 n, 333, 336, 391, 398
Chisiza, W B 173 E
Chitimukulu, Chief 170 n
Chiume, M W K 173 E n, 186, 195, 201, 214, 231 N, 391, 398

- * † **Churchill, Sir W** ciii, 69
funeral of 413, 414n, 417 (2)
- † **Clark, WA W** 2 n, 8, 11, 31, 74 n, 96, 97
- * † **Cohen, A B** xxxvii, xxxviii, xl, xli, xlv, xlvii, xlvix, liv, 1, 6, 9, 11, 13, 17, 19, 20, 22, 25, 26, 28, 29, 31, 32, 33, 34, 35, 38, 42, 44, 45, 48, 50, 54, 57, 61, 62, 69, 70
- * † **Colby, (Sir) G** xxxviii–xxxix, xlvi, xlvix, li, lxii, lxvii, 32, 35, 38, 50, 72, 73, 76, 79, 80, 86 N, 87, 97, 98, 100, 101, 105, 106, 114, 120
- Cole, D L** 391 n
- Colonial development & welfare allocations** li, 86, 87, 91
- Colonial Office** (see administrative arrangements for British Central Africa)
- Commonwealth**
membership for Federation of Rhodesia and Nyasaland 116, 121, 144–146, 165, 208, 263, 318
membership for Southern Rhodesia 352–353, 368, 404 n
membership for Nyasaland 361
role in Southern Rhodesian crisis 380, 434
- Commonwealth Prime Ministers' meetings** lxiii–lxiv, 35 N, 387, 438
- Commonwealth Relations Office** (see administrative arrangements for British Central Africa)
- communism** 19, 46, 156 (7), 157, 159, 252, 335
- Comrie, W** lvi
- Confédération des Association Tribales du Katanga** (KONAKAT) lxxxviii, 246 N
- Confederation of British Industry** 435 n
- Congo crisis** lxxxi, lxxxvii–xcii, 229, 246, 247–249, 252, 257, 304–306, 308, 315
- Conroy Report** 199 n, 203
- Conservative Party** (UK) 92, 181, 182
- Convention of Associations** (Nyasaland) xxxviii, 7 N, 18
- Cook, N** 23
- Cousins, F** 56 n
- Cranborne, Lord** (see Salisbury, Lord)
- * † **Crech Jones, A** xxxix, xli–xlii, xliii, xliv, liv, 6 N, 7 N, 9 n, 11, 12, 13, 17, 18 n, 20, 23, 33, 35, 38 n, 42, 44, 47, 56 n, 93
- Daily Express** lxxxviii, 229
- Daily Telegraph** lxxiv, 205, 242, 396
- Dale W L** 318
- Dalgleish, A** lvii, 16 n, 22 N
- Dalgleish Report** lvii, 39, 56, 77–78, 90, 94
- * † **Dalhousie, Lord** xxxiii, lxxi, 170, 176, 261, 307, 345
- Danziger, M** 10
- Davenport, G A** 24 n
- Dean, P** 306 n
- Deane, P** 75
- Defence Planning Staff** cii
- de Quehen, B M** 98 n, 102 E
- Devlin Commission** lxxiii–lxxiv, lxxviii, 173 N, 180 n, 182 N, 183, 199–205
- * **Devlin, Lord** lxxiii, 200
- Devonshire Declaration** xxxiv–xxxv, lxxxv
- de Zulueta, P** lxxxix, 246 n
- Dominion Party** (Southern Rhodesia) xciii, 152, 155, 156, 158
- Doughty, Sir C** 19 n
- Douglas-Home, Sir A** (see Home, Lord)
- Driver, D** lxxii
- du Boulay, R W H** 346 n
- Dugdale, T** 60
- Dupont, C** cii, 353
- Economist** 168, 207
- Elibank, Lord** 28
- Elizabeth II** 430
- Emanuel, A** 75
- European Co-operation Administration** 55 n
- European Human Rights Convention** 177
- European Salaried Staff Association** (Northern Rhodesia) lviii, 19
- Evans, A D** 154 n 296
- Evans, E** 367, 406
- Fabian Colonial Bureau** 54
- Federal Intelligence and Security Bureau** lxx–lxxi, 102 N, 173, 219
- Federal Party** 141, 148, 152, 153
- Federation of Rhodesia and Nyasaland** (see also Nyasaland; Rhodesia, Northern; Rhodesia, Southern)
early pressure for amalgamation xxxiv–xxxviii, 1, 2, 12, 15, 24
emergence of federal proposals xl–xlvii, 28–29, 31, 33, 35, 37, 44, 49
African opposition to federation xlvi, 33, 38, 48, 54, 60, 62, 69, 70–74, 79 E, 95, 208, 232
constitutional conferences on establishment:
(Victoria Falls, Feb 1949) xlii–xliii, 38 N
(London, Mar 1951) xlv, 51, 57, 59
(Victoria Falls, Sept 1951) xlvi, xlvii, 65–66, 68, 85 N
(London, Apr 1952) into 1, 81–84
(London, Jan 1953) lii–liii, 88–89, 91, 102 N, 329
HMG's declaration in support of federation 68–69, 70
inclusion of Nyasaland xlix–li, 50, 79, 80, 86–87

- economic and fiscal implications of
 federation xlix–li, 75, 86, 87, 91
 African Affairs Board xlvi, lii–liii, 57,
 66, 89, 149, 152
 defence forces li, lxxxv–lxxxvii, c, 152
 (13–14), 162, 174–176, 238, 245, 268,
 272, 274, 281, 283, 294 A, 357, 363–364
 intelligence system (see also Federal
 Intelligence and Security Bureau)
 102, 331–332
 Kariba/Kafue dispute lix–lxii, 103,
 107–108, 112, 114, 117
 migration to 114 (2–10)
 civil service 114 (19–22), 142–144
 right of secession of federal territories
 liii, lxxviii, xcii–xciv, 144, 194, 196–197,
 216, 217, 255, 259–260, 263, 318, 320,
 327–329, 342–343
 federal capital lxi, 188
 race relations lxii, 111
 federal franchise and citizenship lxiii–lxiv,
 lxvi, 109, 111, 115–116, 140, 149
 independence/dominion status lxiv–lxv,
 116, 118, 121–124, 126, 136, 140–141,
 144–146, 152 (22–23), 162, 172
 centralising tendency of federal
 government 124
 federal press 140
 1957 communiqué on future of federation
 xxxi–xxxii, lxv–lxvi, 144–145
 Constitutional Amendment Act, 1957
 lxvi, 146, 149–152
 Federal Electoral Act, 1958 lxvi, 149–152
 economic performance 114 (11–18),
 152
 creation of United Federal Party 152
 film censorship 154
 federal general election, 1958 liii
 ‘Boston Tea Party’, threat of xxxii, lxxxv,
 88, 162, 223, 261, 280, 326, 330
 possible withdrawal of British protection
 from the northern territories 164–165
 jamming of radio broadcasts 169
 governorships 170
 unrest, 1959 (see also Nyasaland and
 Rhodesia, Northern & Southern) 176
 Advisory Commission on the Review of the
 Constitution of the Federation of
 Rhodesia and Nyasaland, 1960
 (Monckton Commission) lxxiv, lxxv,
 lxxvi–lxxix, lxxx, lxxxii, lxxxiii 182–185,
 189, 191–193, 198, 207–208, 211, 213,
 218, 224, 230 N, 232, 235, 250–251,
 253–256, 258, 259–260
 European settler concerns 261
 Federal Review Conference xcii, 146,
 187, 263–264, 312–313, 320
 British plans for military intervention
 lxxxv–lxxxvii, 162, 245, 247, 268,
 272–274, 281, 283, 294 A, 326
 possible use of economic/constitutional
 sanctions against 162, 326
 United States’ attitude towards 311, 314,
 346
 plans for future of, 1961–1963 xcii–xciv,
 292, 318, 320–325, 327, 328, 337–338,
 341, 345
 negotiations on dissolution, 1963 xcix,
 c, 347–350, 356, 357, 362–364, 366
Festing, Sir F lxxxvi–lxxxvii, 273 n, 283
 * † **Field, W** xcvi–ci, 156 (11), 234, 260,
 324, 347, 349, 350, 351, 352, 353, 363,
 368, 369, 370, 372, 374, 375, 376, 380 N,
 382, 403
Finney, P lxxi
Fisher, A C 19 n,
Fletcher, P B 24 n, 64
Flower, K cv, 438 n
Foot, D lxxv–lxxvi, lxxxiv, 97 n, 219, 298,
 299, 300
Foot, Sir H (see Caradon, Lord)
 † **Footman, G W F** 222 n
Force Publique lxxxviii, lxxxix
Forster, Sir J lvii, 3 n, 22 N
Fowler, R W D 102 n, 125
Fox-Strangways, V 71 n, 73
Franklin, H 160 n

Gaitskell, H lxxvii, 191 n, 192, 193, 203,
 207, 230, 231
Gardiner, Lord civ, 417, 419
 * † **Garner, Sir S** xlv, 59, 318, 326, 388,
 389, 411
 † **Gater, Sir G** 1, 11, 16, 17
general elections (UK) (1950) 47; (1951) 66,
 67
Ghana lxxxix, xciv
 * † **Gibbs, Sir H** cii, 381, 383
Gilbert, Sir B 9
Gizenga, A xc, xci
Gold Coast (see also Ghana) lxiii, lxiv, 30,
 54, 64, 71, 111, 113, 121, 122 N, 126, 136
Gomani, P 97
Goodenough, K M 44 n, 65
Goodwin, B lvi, 19, 39
 * † **Gordon Walker, P C** xli, xlv–xlvii, 32,
 47, 51, 53, 55, 60, 68, 403 n
Gore-Browne, Sir S xxxvii, xxxix, 11 n, 13,
 15, 17, 20, 23, 25, 29, 30, 33, 38, 45, 54, 62
 * † **Gorell Barnes, W L** 1, li, lviii, lxii, lxiii,
 lxiv, lxvii, 72, 75, 78, 86 N, 87, 105, 106,
 107, 112, 113, 115, 120, 121, 122, 123,
 124 N, 127 N, 130, 135, 136, 146, 150, 151,
 164, 168, 185, 187, 189, 196, 197

- * **Greenfield, J M** xcvi, 64 (5), 144 N, 176, 309, 325
- Greenidge, C W W** 62
- Grenfell, H** xc
- Grey, W H** 62
- * † **Griffiths, J** xlv–xlvii, xlviii, 52, 60, 62, 68, 193
- Grimond, J** lxxvii, 194 n
- Guest, Sir E** 10, 20, 89 n
- Hailey, Lord** xxxvi, 12
- † **Hall, G H** 7 N, 14, 18 n
- Hammarskjöld, D** xc, xci, 247 n, 306, 308
- Harlow, V** 196
- Harper, W J** 234 n, 260
- Harris, F E** xl, 24, 29
- Harrison, J A** 259 n
- Haskard, C D P T** 155 n
- Hazlewood, A** 344 n
- Heath, E** 257 n
- Hemingford, Lord** 301
- Hendricks** 28
- Hennings, J D** 311 n
- High Commission Territories** xlv, xlviii, 59, 74
- Hinden, R** 12 n, 48
- Hodgson, G** 155 n
- Hola detention camp** (Kenya) lxxiv, 199 n, 200, 202
- Hollis, Sir R** 332 n, 335
- Holmes, Sir S** 68 n
- * † **Home, Lord** (Sir A Douglas-Home, 1963–1974)
- federal franchise and citizenship lxiii, lxvi, 116
- dominion status for federation lxiv, 118, 121, 126–127
- Sir A Benson's attack on Lord Malvern, 129, 130
- Sir R Welensky's administrative proposals (1957) 142 N, 143
- 1957 communiqué on future of federation 145
- constitutional amendment and federal franchise bills 149–150
- Northern Rhodesian constitution, 1958 lxix, 160–161, 166–167
- federal governorships 170
- Devlin Commission lxxiii, 200, 202
- release of H K Banda and Congress leaders lxxiv–lxxv, 212–214, 221, 224, 226–228, 230–231 N
- Monckton Commission, lxxvii, 182, 191, 193, 198, 218
- right of secession for federal territories 216
- Southern Rhodesian constitution, lxxix, lxxx, 209, 224, 227, 233, 237
- Northern Rhodesian constitutional proposals, 1961 lxxxiv
- maintaining federation by force xciii
- future of Southern Rhodesia c–ci, 368, 369, 370, 372, 374–375, 380–381, 383, 385 n, 388, 393, 395
- Chinese subversion in Malawi 391 n, 396 N
- * † **Hone, (Sir) E** lxxv, lxxxii–lxxxiii, lxxxvi, 147, 170, 187, 232, 236, 242, 256, 258, 280, 281, 295, 297, 309, 378, 379
- Hone, Sir R** 146 n, 282, 287
- Howitt, Sir H** 8, 14 n, 20
- Hudson, R S** xcvi, 13 n, 22, 33, 40, 356 N, 373
- * † **Huggins, Sir G** (Lord Malvern of Rhodesia and Bexley from 1955)
- Bledisloe Commission xxxv
- Central African Council xxxvii, 1–2, 11
- unrest on Copperbelt 3 (9),
- general election, 1946 10
- support and pressure for amalgamation/federation xl–xlv, 24, 29, 35, 37, 79 E
- nationalisation of Rhodesia Railways lv, 20
- African advancement 46
- negotiations on federation xlviii, lii, 64–65, 70–72, 76, 78, 81, 88, 89 n
- coal supplies for Copperbelt 55
- Afrikaner immigration 59
- referendum on federation 90
- Kariba/Kafue dispute 103, 107–108, 112, 117
- Nyasaland constitution 105–106
- dominion status for Federation lxiv–lxv, 116 N, 118, 121–124, 126–127
- Sir A Benson's attack on lxv, 124–125, 129–130, 135, 139
- threat of 'Boston Tea Party' lxxxv, 88, 162, 223
- federal capital 188
- † **Hunt, D W S** 217 n
- Hynd, J B** 48
- Ibbotson, P** 4, 5
- Ileo, J** xc, xci
- India** (Government of India Bill, 1935) xcix, 185 n, 213, 347
- Information Research Department** (IRD) 396 n
- † **Ismay, Lord** xlvii, 67, 70
- † **Jamieson, G W** 356, 399, 401
- Jaspar, R L D** liii, 81 n, 92, 93

- Jehovah's Witnesses** xcvi, 377
- Johnson, J** 186 n
- * † **Johnston, J B** ci, civ, cvi, 382, 387, 394, 400, 404, 405, 417, 421 n, 440
- Joint Intelligence Committee (JIC)** 599 (4)
- Joint Planning Staff** lxxxvii, 283
- * † **Jones, (Sir) G** xciii, xcv–xcvi, 291, 297, 328, 332, 333, 365, 377, 424 N
- Kaberry, Sir D** 347 n
- Kafue hydro-electric scheme** lx–lxii, 103, 107–108, 112
- Kapwepwe, S** 147 n, 176 n, 236 (5)
- Kariba Gorge hydro-electric scheme** lix–lxii, ciii, civ, cv, 103, 107–108, 112, 117
- Kasavubu, J** lxxxviii, xc, 246 N
- Katanga** (see Congo crisis)
- Katilungu, L** 131 n, 138, 241 N
- * † **Kaunda, K** lxxxi–lxxxii, lxxxiii, lxxxiv, xcv, xcvi, xcvi, 147 n, 206, 207, 234, 239, 240, 241, 242, 258, 290, 301, 302, 303, 316, 345, 367, 386, 392, 397, 399, 406, 407, 408, 414, 415 n, 421
- Kellar, A J** 331, 332
- Keller, L J W** 94 n
- Kelly, J** 22 N,
- † **Kennedy, Sir J** 24, 36, 46, 47, 53, 67
- Kennedy, President J F** xc, xcii
- Kettlewell, R W** 333 n
- Khama, S** 74 n
- Killick, J E** 390 n
- Kilmuir, Lord** lxxxiv, 203 n, 278, 279, 316
- King, R B M** 401 n
- Kirkness, D J** 171 n, 213, 259, 289
- Labour Party (UK)** xlvi, lxviii, lxxvii–lxxviii, 181, 182, 183, 231, 376, 402 n
- * † **Laithwaite, Sir G** lxxv, 119, 125 N, 139
- * † **Lambert, C E** 27, 33, 34 N, 38, 49, 54, 61, 62 n, 70, 71
- Lambton, A** lxxxiv, 298 n, 299, 300
- † **Lansdowne, Lord** xci, 308 n
- Lardner-Burke, D** 372 n
- Lawther, Sir W** 56 n, 138 n
- * † **Lennox-Boyd, A T** lxiii, lxiv, lxix, lxx, lxxiii, 82, 83, 106 n, 110, 116, 124 N, 125, 126, 127, 131, 132, 133, 144, 148, 149, 160, 161, 163, 166 N, 168, 170, 178, 179, 180 n, 182, 184, 186, 195, 200, 201, 202, 203, 205 n
- Le Quesne, C M** 405 n, 428
- Lewanika, G M** 23 n, 48, 309
- '**Lewanika Concession**' (1900) 40, 373
- Liberal Party (UK)** lxxvii, 194
- Liberal Party (Southern Rhodesia)** xl, xli, 10, 24, 64 (2)
- † **Liesching, Sir P** 44, 46, 47, 64, 72, 93
- † **Lintott, (Sir) H J B** 142
- † **Lloyd, Selwyn J** 248 n
- † **Lloyd, Sir T** 26, 31, 54, 63, 72, 80 n, 87, 106, 119, 124 N
- Lomax, D** 424 N
- Long, P** 424 n
- Long, R** 245 n, 268, 297
- Lozi** (see Rhodesia, Northern: Barotseland)
- Lumumba, P** lxxxviii, xc, 246 N, 257
- † **Luyt, Sir R** 345 n
- † **Lyttelton, O** xlvi, liii, 70, 79 N, 82 N, 85 N, 90, 98, 105 n, 329
- MacColl, R** lxxxviii, 229 N
- MacDonald, M** liv, 6
- McLachlan, D** lxxiv, 205, 207 n
- † **MacLennan, I M R** xlvi, 47 n, 94, 102, 107, 109
- * † **Macleod, I**
negotiations with Welensky xxxi
release of H K Banda and Congress leaders lxxiv–lxxvi, 211–213, 215, 219–222, 224 N, 225, 226, 228, 230
visit to Federation, 1960 234–235
Nyasaland constitution 250–251
Northern Rhodesian constitution, 1960–1962 lxxxi–lxxxiv, 234, 236, 239–240, 254, 265–267, 270–271, 276–277, 279, 290, 292–293, 295–296, 304, 317 N,
plans for military intervention in the Federation lxxxvi–lxxxvii, 245, 272 N, 281
Congo crisis 248
views of Lord Dalhousie 262
federal review conference 264
activities of Lord Lambton 298–300
Barotseland xcvi
independence for Southern Rhodesia 354 n
- * † **Macmillan, M H**
1957 communiqué on future of federation 145
proposed African defence pact 157, 159
possible withdrawal of British protection from the northern territories 165
Northern Rhodesian constitution, 1958 lxix, 165
Nyasaland emergency 178–179
Devlin Commission lxxiii, 200, 202–204
release of H K Banda and Congress leaders lxxv–lxxvi, 211–212, 219–222, 224, 226–228
Monckton Commission lxxvii–lxxxii, 191–193
African tour, 1960 210, 216–217, 224 N

- Northern Rhodesian constitutional proposals, 1961–1962 lxxxi–lxxxv, 254 n, 271, 274–279, 285, 290, 304, 312, 316–317
- plans for military intervention in the Federation lxxxvi–lxxxvii, 245 n, 247, 272–273
- Congo crisis lxxxviii, lxxxix, xci, 246–247, 252 n, 305–306
- unrest in Southern Rhodesia, 1960 260 n
- activities of Lord Lambton 298–300
- future of federal association 325, 330 n
- creation of Central Africa Office xxxiii
- Nyasaland constitutional conference, 1962 339 n
- future of Southern Rhodesia 352
- Macmillan, W M** 12 n
- McNair, Sir A** 6 n
- * † **Macpherson, Sir J** 113, 130 n, 164, 177
- † **Machtig, Sir E** 8, 10, 20, 24, 29, 31
- Magan, W** 102 n
- Malan, D F** xl, 26, 59, 74
- Malawi** (see also Nyasaland)
- Cabinet crisis, 1964 391, 396, 398
- military cooperation with Southern Rhodesia 424, 426, 433
- Malawi Congress Party** xxxiii, lxxvi, xcv, xcvi, 235, 244
- Malcolm, Sir D** 20, 42, 90 n
- Malvern, Lord** (see Huggins, Sir G)
- † **Marnham, J E** 85 n, 87
- * † **Martin, Sir J** 292 n
- Matoka, P** 406 n
- Mau Mau** lxxiii, 147 n
- Maud, Sir J** ciii, 408 n
- * † **Maudling, R** lxxxiv–lxxxv, 312 n, 316, 317 N, 319, 325
- Maybank, F** 3 n, 16, 19, 22, 77
- Melville, E** 86
- Menzies, Sir R** c, cv, 352 n, 434, 437
- † **Metcalf, M R** lxv, 139, 152, 156, 158, 206, 224 N, 282, 310
- MI5** lxxii, 98, 102 N, 257 n, 331, 332, 335
- MI6** lxxxviii, xci, 308 n
- Millard, G E** 390 n
- Mills, F** 318 n
- Mine Workers' Union** (Northern Rhodesia) lvii, 3, 16, 19, 22, 39, 56, 77, 99, 110
- Mines African Salaried Staff Association** (Northern Rhodesia) 131 N, 133, 138
- † **Mitchell, D J** 395 n, 407, 430
- Mobutu, J** xc, 257 N
- Moffat, J** lxxxii, 54, 71 n, 73, 150, 279, 301, 302, 304, 316
- Moffat, M** 54 n
- Molyneux, J A** xcv, 386 n, 401
- Monckton Commission** (See Federation of Rhodesia and Nyasaland: Advisory Commission on the Review of the Constitution of the Federation of Rhodesia and Nyasaland)
- * **Monckton, Lord** lxxiv, lxxvii, 207, 219, 228, 233, 235, 251
- † **Monson, W B L** 205, 292, 320, 406 n
- Moreton, J O** 130, 136, 203
- † **Morgan, J C** xxxii, 108, 127, 137, 140, 141, 146, 162, 168, 172, 186, 194, 196, 199, 205
- Morris, O H** 199
- Mountbatten, Lord** lxxxvii, 268 n
- Movement National Congolais** (MNC) lxxxviii, 246 N
- Mubitana, M** 33
- Mugabe, R** 394 n
- Mutesa, E** 412 n
- Mwanza, D C** 147 n
- National Democratic Party** (Southern Rhodesia) lxxx, 282, 288, 297
- National Party** (South Africa) xl, 26, 37 (5)
- † **Neale, K J** 311 n, 358
- Nicholas J W** 424
- Nicholls, Sir H** 347 n
- Nicholson, R A** lxi, lxv, 107 n, 108, 119, 130, 139
- Nicol, K** 32 n
- Nigeria** 111, 113, 121
- Nightingale, E G** 23, 54
- Nkoloma, M** 131 n, 132, 133
- * **Nkomo, J** lxxx, cvi, 282 (10), 297, 349, 417, 437, 438
- Nkrumah, K** 191
- Nkula Falls hydro-electric project** 313
- Nkumbula, H** 168, 176 n
- * † **Noel-Baker, P J** 37, 44
- Norton, E A** 34 n
- Nyandoro, G** 173 E, 174
- Nyasaland** (see also Malawi; Federation of Rhodesia and Nyasaland)
- constitution (1946–1949) xxxviii–xxxix, 7, 12, 18, 32; (1954) 101, 105; (1955) 106; (1956) 120, 137; (1959) 168, 171–172, 186, 195; (1960) 225, 250–251; (1961) 291; (1962) xciii–xciv, 333, 336, 339; (1963) 360–361
- land 12, 21, 41, 100–101
- education 12
- African Protectorate Council 18
- inclusion in federation xlix–li, 38, 50, 79–80, 86, 87, 91
- policing 79 E (36), 334, 336
- defence forces 91
- unrest, 1953 97–98

- impact of federal government policies
 114, 128, 155
 Emergency, 1959 lxxix–lxxiv, 173–181
 Nkata Bay deaths 181 N
 Devlin Commission lxxiii–lxxiv, lxxviii,
 173 N, 180 n, 182 N, 183, 199–204
 release of H K Banda and Congress leaders
 lxxiv–lxxvi, lxxix, 205, 207, 211–215,
 219–222, 224, 226, 227, 228, 230
 negotiations with H K Banda, 1960 235
 reinforcement plans, 1960 238, 245, 268
 general election, 1961 lxxvi, xcii, xciv
 right of secession from and future
 relationship with Federation xcii–xciv,
 194, 196–197, 216–217, 313, 320–323,
 327–329, 337, 338–339, 342–343
 MI5 representation 331–332
 economic implications of leaving
 Federation 344
 transfer of power xciv–xcvi, cii, 333, 336,
 361
 violence, 1963–1964 358, 377
 republican status 360–361, 365
 governor-general 365
- Nyasaland African (National) Congress**
 lxx–lxxi, 7, 12, 79, 137, 152, 171, 173, 174,
 175, 176, 177, 180
- Nyasaland Chamber of Commerce** xxxviii,
 7 N, 18
- Nye, G W** 41 n
Nyerere J 331
- O'Brien, C C** xci, 305 n, 306, 308
Obote, M 331, 421
Observer 201, 241 N
Oliver, Sir W 169 N
Olley, C 94 n
Oppenheimer, H 293 n, 392
- † **Parry, H N** xli, xlvi, xlvi, 37, 49, 70, 71,
 72
- paramountcy, doctrine of** xxxv, 48, 62
Passfield Memorandum xxxv, 62
Pearson, L 437 n
- * † **Perth, Lord** lxx, lxxi, lxxii, lxxiv, 164,
 172, 189 n, 193, 194 n, 196, 199, 200, 203,
 205, 207 n, 301, 302
- Phillips, H** 155 n
Portugal 20, 405
Posnett, R 199 n
- * † **Poynton, Sir H** 75, 223 n
- Prain, R** lviii, lxxxi, xc, cxiii, 16 n, 22, 77,
 90, 92, 99, 110, 132, 133, 206, 211, 234,
 243, 248, 254, 293, 345, 397, 408, 413
- Pretorius, G D** 85 N
Pretorius, J L lxxxi, 234 n
 † **Profumo, J** 249 n
- propaganda** 92, 95
- Radcliffe, Lord** 184 n
Raisman, Sir J 86 n
Redmayne, M 295 n, 299
Rednall, J E 41 n
Rees-Williams, D 26
- * † **Rennie, Sir G** xxxix–xl, xliv, xlvi, xlvi,
 xlix, li, lii, 23, 25, 27, 28, 29, 30, 33, 38, 40,
 43 N, 45, 52, 70, 72, 73, 76, 85 N, 90, 93
- Rhodesia Labour Party** (Southern Rhodesia)
 10 n
- Rhodesia, Northern** (see also Zambia;
 Federation of Rhodesia and Nyasaland)
 constitution (1946) xxxvii, 13, 17; (1948)
 xl, 23, 25, 27–28, 30; (1950) 54; (1958)
 xxxiv, lvxii–lxix; 148, 153, 160–161, 163,
 165–167; (1960–1962) xxxiii, xxxiv, lxxx,
 lxxxi–lxxxv, 234, 236, 239–243, 254,
 256, 258, 265–267, 269 270–271,
 274–277, 279, 284–285, 290, 293, 295,
 297, 302–304, 312, 316–317, 319;
 (1963) 359, 361; (1964) 378–379
 Barotseland li–lii, xcii, xcvi–xcvii, 23, 30,
 33, 40, 48, 93, 210, 286, 289, 290, 309,
 312, 356, 373
 BSAC mineral rights liv, xcvi–xcviii, 6,
 9, 42, 367, 392, 399, 406
 labour relations: railways 4
 labour relations: Copperbelt lv–lix;
 (1945) 3; (1946) 16, 19; (1947) 22;
 (1948) 39; (1949) 39; (1951) 56; (1952)
 77; (1953) 90, 94; (1954) 99; (1955) 110
 (1956), 131–134, 138
 Copperbelt: coal supplies 55
 nationalisation of Rhodesia Railways 20
 immigration legislation 58, 61
 race relations 85, 111
 native authorities and the chiefs 113
 hostility of British officials towards federal
 government 119, 124–125, 129, 130,
 135 139
 Action Group activity, 1957 147
 unrest, 1959 176, 199
 impact of Congo crisis 252
 implications of Monckton Report 254,
 256
 unrest, 1961 301, 303
 general election, 1962 xciii
 threat of economic retaliation from
 Southern Rhodesia 371
 preparedness for independence and
 transfer of power xciv–xcviii, 378–379,
 386, 401
- Rhodesia, Southern** (see also Federation of
 Rhodesia and Nyasaland)
 labour relations 4–5, 8, 14

- general election, 1946 xxxviii, 10
 nationalisation of Rhodesia Railways 20
 general election, 1948 xlii
 migration into 36, 46, 53, 61, 104
 public opinion 46
 UK representation in 47
 economy 53
 coal supplies for Copperbelt 55
 referendum on federation liii, lviii, 64
 (16), 90, 94, 95 N
 ousting of Garfield Todd 156, 158
 general election, 1958 156, 158
 emergency, 1959 176
 constitution, 1960–1961 lxxix–lxxxii,
 ci–cii, 209, 224, 227, 233, 237, 282,
 287–288, 297
 Land Apportionment Act lxxix, ci, 372
 unrest, 1960 260
 possible secession from Federation 292
 referendum, 1961 lxxxii, 297 (14), 302
 general election, 1962 lxxxv, 340, 341
 British expectation of demand for
 independence 341
 character of Field's government 353,
 374
 pressure for independence under Winston
 Field, xcvi–ci, 349, 350–352, 354, 355,
 368, 370, 372, 374–376
 relations with South Africa 353 (19),
 403, 405
 future of federal armed forces and military
 relations with the UK 357, 363–364
 ousting of Field 382
 character of Ian Smith 387
 pressure for independence under Smith
 cii–cvii, 380–382, 385, 387, 388–389,
 393, 400, 412, 415, 417
 threat of unilateral declaration of
 independence (UDI) ci, cii, ciii, cv, cvi,
 cvii, 381, 404, 407–409, 413, 417, 419,
 422, 425
 economic and political sanctions against
 in event of UDI ci, ciii, 369, 371, 410,
 416, 427, 431–432, 439
 use of force against in event of UDI cii,
 ciii, cv, 384, 434 n, 436
 African nationalists cii, cvi, 152, 282,
 288, 297, 380 N, 382, 394, 415 (7), 417,
 420, 437, 438
 position of governor and the Crown in
 event of UDI 381, 383, 411, 430
 United States' attitude towards threat of
 UDI 390, 428
 economic sanctions against Zambia
 407–408, 413–414, 418, 420, 423, 428
 visit by Mr Bottomley and Lord Gardiner
 414, 415 n, 417
 attitude of chiefs to independence and use
 of indaba 395, 415, 417
 'five principles' civ, 421 n, 432
 general election, May 1965 cv, 421 N
 London talks, Oct 1965 cv, 427, 429, 432
 Mr Wilson's visit, Oct 1965 cvi, 437–438
 proposal for a Royal Commission 440,
 442
 provision of cypher equipment 441
Rhodesia and Nyasaland Committee 155 n
Rhodesia Party (Southern Rhodesia) cii
Rhodesia Railways lv, lvi, 4, 5, 14, 20, 55,
 79 E
**Rhodesia Railways African Employees'
 Association** lvi
Rhodesian Front (Southern Rhodesia)
 lxxxv, xcvi, 341, 353, 382, 400
Rhodesian Selection Trust liv, lviii, lxxxii,
 xc, 77, 94, 110, 140, 206, 367
 † **Richards, Sir E** xxxvii, 7 N, 11, 18
Ridley, N A C 199
Ritchie, N xci, 308 n
Roberts, Sir B 424 n
Roberts, J lxxvii, lxxviii–lxix, lxxxii, 148 N,
 153, 160, 163, 167, 254
Robinson, Sir A 337 n, 343, 347
Rogers, P 389 n, 422
Ross, A D M 257 n
Rostow, W W (USA) 311 n
Royal Rhodesian Air Force lxxxvii, c, 283,
 294 A, 297, 363 A, 364, 441
Royal Rhodesian Regiment lxxxii, 176, 180
Runge, Sir P 435 n
Rusk, D (USA) 390 n

 * † **Salisbury, Lord** (Lord Cranborne until
 1947) xxxvi, lxxviii, 67, 79 N, 82, 88
 * † **Sandys, D E**
 European settler concerns 261 N
 Northern Rhodesian constitutional
 proposals, 1960–1962 lxxxiii–lxxxiv,
 256 n, 269–271, 276, 278–279, 285, 304,
 312, 316
 Southern Rhodesian constitution, 1961
 lxxx, 282, 287–288
 Congo crisis 315
 independence for Federation xcii, 318
 right of secession for Nyasaland xciii,
 321–322
 future of federal association 325
 future of Southern Rhodesia ci, 368, 370,
 372, 393, 395
Scott, D A 287 n, 288
Scott, I 257 N,
Scott, M 97 N
Security Liaison Officer (MI5) lxxxii, 98 n,
 102, 162, 174, 331–332, 335

- † **Seel, G F** 16, 17
Selwyn, P 75
Shannon, G B 287 n, 288
Shaw, J 98 n
Shaw, J D B 314 n
Shawcross, Lord lxxviii, 218 n, 219, 232
Simon Commission 185 n
Sipalo, M K 147 n, 176 N, 234, 397
Sithole, N 394 (12)
Skeen, A cv
Smit, J 10 n, 24
Smith, H F T 257 n
Smith H O 22
 * † **Smith, I** xlvi, ci–cvii, 380 N, 387, 388, 389, 393, 395, 400, 402, 403, 407, 412, 413, 414, 415, 417, 419, 421, 422, 423, 426, 427, 429, 430, 432, 433, 434, 435, 437, 438, 440, 442
Smuts, J 26
 † **Snelling, Sir A** 378, 379
Sorensen, R 85 N
Soskice, Sir F 183 n
South Africa (see also *Afrikaner immigration*) xl, xlv–xlvi, lxiii, 26, 37 (5), 59, 74, 75, 79 E, 169, 353, 374, 403, 405
Soviet Union lxxxix, 156 (7), 157, 159, 165, 169, 394, 397, 399
Special Branch
 Northern Rhodesia 43, 199
 Nyasaland lxxi, 173, 180
Spurling, B G 219 N
Stanley, O xxxvi, xxxvii, xlii, 1 N, 12
 † **Stanley, R C S** xliii, 37
Stephen, D R J 238 n
Stephenson, Sir H 403 n
Sterling Area 55, 371 A, 433, 439
Stevens, Sir R xcvi, 257 n, 338, 341
Stewart, M cv, 419 n
Stirling, D 64, 191
Stockil, R O 64, 65, 89
Stonehouse, J 173 n, 176
Stourton, Sir I 334 n
Strachan, Sir A 103 n
 * † **Swinton, Lord** lxiii, lxiv, 83 n, 84, 88, 89 N, 329
Switzerland 71

 † **Tait, Sir C** 4, 5, 10, 11
Tanganyika Concessions ('Tanks') lxxxviii, 249 n
Tanzania (threat to Malawi) 426, 433
Tapscott, H 62
Tembo, J Z U 391 n
 † **Tennant, Sir M** 373
Thomas, F M 286
Thomas, I 20

Thomas, Sir M 38 n
Thomson, G 408 n
Thorneycroft, P 364 n
The Times xlix, liii, 75, 99, 301
 * † **Todd, R S G** lxiii, lxvi–lxvii, 103, 128, 149, 150, 156, 158
Tomberlaine, M 305
Trades Union Congress (UK) 22
Treasury
 BSAC royalties 9
 nationalisation of Rhodesia Railways 20
 coal supplies for Copperbelt 55
 financial implications of federation 91
 Kariba/Kafue dispute, 103, 117
Tredgold, R C lvii, 4, 5, 64, 150, 170, 283
 * † **Trend, Sir B StJ** lxix, xciv, cv, 165, 170, 208, 253, 263, 266, 296, 303, 369, 375, 380, 388, 389, 397, 409, 410, 413, 414, 416, 420, 421, 422 n, 423, 427, 431
Tshombe, M lxxxviii, lxxxix, xci, xcii, 246 N, 249, 305, 306, 308
Turnbull, Sir R 365

UDI (see *Southern Rhodesia*)
Uganda c, 367 n
Union Minière du Haut-Katanga lxxxviii, lxxxix–xc, 246 n, 249
United Central Africa Association xl, 29
United Federal Party lxvii, lxix, lxxvi, lxxxii, lxxxiii, lxxxv, xcvi, 152, 156, 158, 185, 206, 232, 235, 242, 258, 266, 270, 276, 279, 282, 284, 288, 290, 292–293, 297, 302, 304, 316, 337, 434, 436
United National Independence Party (Northern Rhodesia) lxxx, lxxxv, xcvi–xcvii, 234, 236, 239, 240, 241, 242, 243, 297, 309
United Nations lxxxix, xc, xci, xcii, cv, 247, 249, 257, 305–306, 308, 315, 318, 327, 352, 374, 409, 413, 419, 423, 427, 429
United Party (Southern Rhodesia. See also *United Rhodesia Party* and *United Federal Party*) xxxviii, 24
United Rhodesia Party (Southern Rhodesia. See also *United Party* and *United Federal Party*) lxvii, 152, 156, 158
United States of America xc, xci, xcii, 311, 314, 346, 390, 420, 428, 441
Unsworth, E I G lxxv, 16, 113 N, 119, 130
Upton, S J H 85 N
Ure, J B 396 n

Van Eeden, G F M 111 n
Verwoerd, H 374 n, 403
Vile, R J xliii, 37 n
Vincent, Sir A 63
Voice and Vision 337 n

- † **Waddington, Sir J** xxxvii, xxxix, 1, 3, 11, 13, 17, 20, 23
- Walker, G** 10 n
- Wall, P** xcvi, 346, 373 n
- Walston, Lord** 408 n
- Watching Committee on Central Africa** lxxix
- Waterhouse, C** lxxxix, 249 n
- Watkinson, H A** lxxxvi, lxxxvii, 272 n, 273 n
- * † **Watson, N D** 15, 16, 17, 18, 20, 21, 56, 77, 162 n, 177, 239 n, 241, 258, 286, 292, 324, 333, 336, 386 n, 424, 425
- Webster, A M** 239
- * † **Welensky, (Sir) R**
papers of xxvii–xxviii
negotiating style xxxi, 34
personality 23 (5)
Central African Council xxxvii, 2 A, 15
Northern Rhodesian constitution, 1946–1950 xxxix, 13, 17, 23, 30, 54
BSAC mineral rights liv, 42
labour relations lvi, 16, 77, 90
Rhodesia Railways 20
pressure for amalgamation/federation xli–xlv, 2 A, 15, 24, 28–29, 31, 33, 35, 37, 49
Afrikaner immigration 43 N, 45, 52
British attitudes towards European settlers 63
threat of ‘Boston Tea Party’ 88, 162, 261, 280–281, 326, 330
Kariba/ Kafue dispute 108
right of secession for federal territories liii, xcii–xciv, 329
administrative responsibility for Federation xxxiii, 310
federal franchise and citizenship lxiii, lxvi, 116
dominion status for federation lxiv, 116
relations with Sir A Benson lxxv, 124, 135 n, 139
federal press 140
administrative proposals, 1957 142–143
1957 communiqué on future of federation 144 N, 145
Northern Rhodesian constitution, 1958 xxxiv, lxviii–lxix, 153, 160, 163, 166, 167
ousting of Garfield Todd 156
Southern Rhodesian general election, 1958 158
Soviet penetration of Africa 156 (7), 157, 159, 165, 335
Nyasaland constitutional proposals, 1959 171–172
Nyasaland Emergency lxx–lxxii, 173–174, 176, 180
- Federal capital 188
release of H K Banda lxxv–lxxxv, lxxxix, 207, 224, 226
Monckton Commission lxxvii–lxxxix, 182–183, 185, 189, 198, 255, 259–260
British military intervention in Federation 245, 247, 268, 272–273, 294 A, 297
Federal review conference, 1960 197
European settler concerns 261
Northern Rhodesian constitutional proposals, 1960–1962 lxxxii–lxxxv, 265–267, 269, 271, 274–279, 283–285, 290, 295–297, 301–304, 312, 316–317, 319
possible secession of Southern Rhodesia from the Federation 292
Congo crisis lxxxviii, lxxxix, xci, 229 N, 246, 247, 304–306, 308, 315
Southern Rhodesian constitution, 1961 282 (8)
activities of Lord Lambton 298–300
future of Federation, 1962–1963 320–322, 324–325
dissolution of Federation xcvi–xcix, 366
post-federal activities cii, 382, 394, 400, 404
- Wheare, Sir K** 57 n 318
- White, F** 62
- * † **Whitehead, Sir E** xlvi, lxxi–lxxii, lxxv–lxxvi, lxxvii, lxxix, xciii, xcvi, 64 (18), 76, 156 n, 158, 176, 209, 224, 226, 227, 233, 234, 237, 260, 263, 264, 269, 270, 271, 276, 279, 282, 287, 288, 337, 338, 340, 385, 395
- † **Whitely, S P** 356, 367
- Wightwick, H D** 156
- † **Williams, A T** lxi, 85 n, 131, 132, 133, 134, 139
- Williams, D** 38 n, 55, 77, 95, 96, 97
- Williams, G M** (USA) 311, 314, 346
- Williams J R** 105
- * † **Wilson, H** cii–cvii 376, 402, 407, 412, 413, 414, 415, 416, 419, 420, 421, 434, 435, 437, 438, 442
- Wilson, R J M** 396 n
- Wilson, W G** 117 n
- Wina, A N L** 401 n, 406
- Wright, J O** 433 n, 434, 438 N
- Yamba, D** 241 N
- Youens, P** 391 n
- Young, Sir H** 64
- Zambia**
BSAC royalties 406

- threat of economic measures by Southern Rhodesia 407, 408, 413–414, 418, 420, 423
- use as a base for Southern Rhodesian opposition forces 415 n
- Zambia African National Congress** lxxii, 176
- Zanzibar** c, 364 n, 390 (4)
- Zimbabwe African National Union (ZANU)** 380 N, 394, 438 n
- Zimbabwe African People's Union (ZAPU)** cvi, 380 N, 394, 438
- Zukas, S B** 73 n