

THE SALISBURY TALKS

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WHAT was remarkable about the February Constitutional Conference in Salisbury was not its initial outcome, but the fact that it took place at all. It was remarkable that Sir Edgar was so ready to accept delegates from the National Democratic Party. He had directly rejected the representation of the N.D.P. when he was composing his delegation for the Federal Conference. Then he had changed his mind and taken them with him to London. There he excluded them from the abortive territorial talks.

It was also in some ways remarkable that the National Democratic Party leaders were so ready to attend. They ran serious risks in doing so, as we shall see. They refused directly to accept Sir Edgar as chairman of the preliminary discussions before the arrival of Mr. Duncan Sandys. Then, when Sir Edgar was firm, they gave way. They demanded that the detainees still held under the Preventive Detention Act be released before the Conference began and were under the impression that this had been promised them. All the detainees were not released, and Sir Edgar maintained he had never given any assurance that they would be. But the N.D.P. delegation attended nonetheless.

It was remarkable, when you come to think of it, that Sir Edgar should sit down under the chairmanship of Mr. Duncan Sandys to plan the future of Southern Rhodesia with Mr. Joshua Nkomo, President of the N.D.P. and former President of the African National Congress. Mr. Nkomo's predecessor as President of the N.D.P., Mr. Michael Mawema, is at the moment under sentence of four and a half years imprisonment, having been found guilty of continuing to be a member of and to organise an unlawful organisation—a judgement which, unless it is reversed on appeal, can hardly mean anything but that the N.D.P. is a continuation of the African Nationalist Congress under another name, and therefore itself an unlawful organisation. Mr. Nkomo's former lieutenants in the African National Congress are in Marandellas jail coming to the end of their second year of imprisonment—an imprisonment which it is

hard to believe Mr. Nkomo would not be sharing with them, if he had not chanced to be outside the Federation that night two years ago when they were all dragged from their beds. Mr. Nkomo has several times publicly announced that Sir Edgar Whitehead has no right to leave him at liberty, while the men who worked under him are in jail. But Sir Edgar is not likely to arrest the man he has decided to recognise as the real leader of the Africans, however odd that decision appears in the context of Sir Edgar's determined attempts, since he came so unexpectedly to office, to make sure no African party should exist, let alone receive recognition.

That the Conference took place at all then, is clearly remarkable. This is the first time in the political history of the country that the leaders of the African and of the European parties have sat down together to discuss the future of the country. It is not a little thing, that either side had accepted the other thus far.

If the Conference itself was remarkable, however, what has come out of it is not. The constitutional proposals that issued from the Conference are timid, disappointing, complicated and unconvincing. It has been claimed as a great triumph for the Conference that any agreement was reached at all. It undoubtedly would have been if any real agreement had been reached. In fact it was not. The right-wing Dominion Party has completely rejected the proposals. The National Democratic Party made it clear that the proposals were not acceptable, but that their delegates did not vote against them merely because some of the proposals are an improvement on the present situation. This leaves the United Federal Party itself and the now politically nugatory Central Africa Party to congratulate each other on their common acceptance.

The proposals themselves divide easily into those concerned with the abdication of Britain's powers in Southern Rhodesia and the establishment of constitutional safeguards in the Colony itself on the one hand, and, on the other, those concerned with the franchise and representation in the Legislative Assembly. It must be remembered that Sir Edgar Whitehead has for some time made the abolition of the 'Reserve Clauses' and the acquisition of 'complete independence' by Southern Rhodesia an important plank in his political platform. Since Britain's powers in Southern Rhodesia are already very close to a dead letter, this fuss has always seemed somewhat artificial; but here, if nowhere else, was a problem which could perhaps be settled

once and for all and be made to appear some kind of achievement. In the event, even this issue is still far from finally settled by the proposals. The British Government has agreed to remove the 'Reserve Clauses' which allow it to withhold consent from bills passed by the Southern Rhodesian Legislative Assembly, and to relinquish, if certain agreements can be reached, the control that it has in theory over 'Native Department' matters: and it is to empower the Southern Rhodesian Assembly to pass laws which will have extra-territorial effect. On the other hand, Mr. Sandys was noncommittal about abolishing the British Parliament's right to legislate for Southern Rhodesia. Though this right may almost be considered to have lapsed, since it has never been used since the Colony became self-governing, it could in conceivable circumstances still be of importance. As 'Safeguards' in Southern Rhodesia, there are to be a Declaration of Rights, a Constitutional Council, appeals to the judiciary open to any person who is affected by a law he thinks contrary to the Declaration of Rights, and final appeal to the Judicial Committee of the Privy Council. It is not possible to examine these provisions in detail because their details have not yet been established. It is just worth pointing out that it is only new legislation that can be challenged when it contravenes the Declaration of Rights. With the laws he already has on the statute book, Sir Edgar need hardly feel himself circumscribed in consequence. In his broadcast after the Conference, Mr. Nkomo dwelt at length and with satisfaction on these and the other safeguards. They were thus contrasted with the proposals for the franchise and representation, which Mr. Nkomo declared to be quite unacceptable.

To understand the attitude of the N.D.P. to the Constitutional Conference, two things must be borne in mind: first that it was something of a triumph to get the franchise, which is not itself strictly a constitutional matter, onto the conference agenda at all; secondly, that for the N.D.P. this sort of Constitutional Conference, held under the chairmanship of a representative of the British Government, has almost since the creation of the party been the great immediate goal to which it has moved. Any radical party which has no power or means of exerting influence through the established constitutional framework is always liable, when it expounds its aims, to the questions—"How are you going to bring these things about? By bloody revolution and the overthrow of established authority?"

or what?" The N.D.P. had answered, conveniently but also with conviction, that it would insist on being present at the Constitutional Conference called to settle the future of the country which the Prime Minister was always talking about, and then it would convince the British Government that very great changes had to be made.

If we examine what the party has secured, we find it is very little. At present the Southern Rhodesian legislature has 30 members, all elected by an overwhelmingly European upper roll, and a lower roll of special voters for which there are no exacting qualifications and which is mainly African, but which is closed whenever the special voters number *one-sixth* of the whole registered electorate.

Under this system and the systems which preceded it, no African has ever been elected to a seat in the House. Now, under the new proposed constitution, the House will be enlarged to 65 members. 50 will be elected by the old upper roll, now called the 'A' roll. The old lower roll, now called the 'B' roll, will also be allowed to vote for these seats, though the 'B' roll votes will be scaled down until they amount to only a quarter of the 'A' roll votes cast. 15 will be elected by the 'B' roll, but 'A' roll voters will be allowed to vote for these seats—though here again their votes, whenever they exceed one quarter of the 'B' votes cast, will be reduced to that fraction. In practice this would provide for 15 African seats—but even if one or perhaps two of the 'A' roll seats went to African nationalist candidates (and this is the very most they could hope for) there would still be not only a majority but a *two-thirds* majority for the European parties; a majority which would remain, as far as one can see, short of a real revision of the franchise, indefinitely. After all, it is the franchise and not special representation which carries power. Under the new proposals the 'A' roll franchise remains unchanged, except for the insignificant addition of five hundred African chiefs and headmen. It is true that the qualifications for the 'B' roll have been widened, and probably many new thousands of Africans will now be able to vote. Indeed, the 15 'B' roll members will almost certainly represent real African opinion. They will still, however, be a powerless minority in the House.

For anyone unused to the Central African game of paper constitutions, all this will seem fantastically complicated. It is not difficult, however, to see the drift of the U.F.P. in this

proposed system of double rolls and cross voting. Sir Edgar Whitehead said quite directly in his broadcast on the proposals that the say of the 'B' roll in the 'A' roll elections, and the say of the 'A' roll in the 'B' roll elections, will make it difficult for extremists of either side to be elected. Mr. William Harper, leader of the Dominion Party, rejecting the proposals on behalf of his party, pointed out how the voting system must always favour "a left-wing party" i.e. the U.F.P. against the D.P.

Will the Europeans accept the new constitution? Sir Edgar Whitehead clearly seems more concerned to avoid the accusation of pushing his electorate, of acting before European opinion has had a chance to form and express itself, than he is to get the constitution approved. The constitution is first to be drawn up in detail and then published in numbers large enough to allow every voter to have his own copy, and finally time is to be given for study and discussion before the referendum (upper roll voters only, of course) is held. When he broadcast to the country, Sir Edgar cynically directed his speech towards the European voter. He stressed how little was really being given away, how the 'A' roll which is the real key to power remains virtually unchanged.

On the other side, the Dominion Party has decided that its hope for the future depends entirely upon winning a referendum result against the new constitution. It is probably right in this. One wonders whether it is right also in counting on a massive swing against Sir Edgar and his policy among Europeans. Certainly there are signs that opposition to Whitehead from the right is growing. His opponents can point out, on the one hand, that since he came to office there have been disturbances, rioting, bloodshed, and on the other, that he has been ready to sit down and talk with African nationalist leaders. New right-wing groups have emerged, and there is now a right-wing newspaper 'The Dominion Times' bulging with hostile comment upon both Sir Edgar Whitehead and Sir Roy Welensky. The Dominion Party, having taken an extreme stand by playing on fear and hatred, has an easier campaign until the referendum than has the U.F.P.

Finally, what of the N.D.P.? The delegates and indeed the whole party leadership must have known that there was no chance of their securing from the Conference either their demand for "one man, one vote" or anything near to this—although even while the Conference was proceeding, the party reaffirmed

its determination to stand by this demand and nothing less. The problem the delegates faced, therefore, was to accept whatever they could get and as much as they could get without giving any members of the party the impression that they thought it was adequate. Obviously many members of the party were shocked by the failure to gain anything substantial in franchise and representation. The cable from Mr. Leopold Takawira, the party's London representative, condemning the proposals and declaring the "outside world shocked by N.D.P.'s docile agreement", found seconders inside the party in Southern Rhodesia. Mr. Takawira and Mr. Mawema were suspended, and Mr. Nkomo flew directly to London.

On February 17 Mr. Nkomo announced his party's complete repudiation of any constitutional agreement. "My delegation", he stated, "made it perfectly clear that they did not accept the franchise system and representation in the agreement. My party has endorsed this rejection and sees nothing else to support, when the means of effecting their political influence are denied them through a clever fancy franchise and a white-dominated parliament". At the same time he announced that he would recommend the rescinding of the suspension order against Mr. Takawira and Mr. Mawema. The Secretary of State for Commonwealth Relations, Mr. Sandys, continued to claim that the N.D.P. had accepted the agreement. As Mr. Nkomo announced, however, "A leader is he who expresses the wishes of his followers; no sane leader can disregard the voice of his people and supporters".

The Times commented on February 18: "The implications are grave. The Southern Rhodesia agreement which the right-wing European Dominion Party refused to accept from the start, now lacks also the support of the only African nationalist party represented at the conference table. It is in short a dead letter, and it will not be surprising if Sir Edgar Whitehead, Prime Minister of Southern Rhodesia, sees in this a strong argument for Southern Rhodesia's secession from the Federation."