

servative Government in Britain during 1971. Lord Goodman's visits to Salisbury revealed that there was sufficient "give" in the attitude of the Smith regime to justify a further attempt at negotiation. Sir Alec Douglas-Home accordingly flew to Salisbury in November last and agreed with Mr. Smith on proposals for the settlement of the dispute.

The terms of the proposals are detailed and complicated and are at times expressed in legal jargon. Moreover, there is much fine print which requires to be studied. There is no substitute for the full text, but, in summary form, the proposals contain the following:

Franchise

The present House of Assembly consists of 50 Europeans and 16 African Members (eight directly elected and eight elected by tribal authorities). Under the proposals more Africans will be eligible to vote on the existing roll; in addition a new African higher roll will be created with the same qualifications as those for the roll of European voters. Two additional African seats will be created when the number of voters on the African higher roll equals 6 per cent of the number of those on the European roll and two further seats will be added for each additional 6 percent increase until 34 additional African seats have been created, when the number of African and European Members will be equal. Provision is made for the position when parity is reached, including the creation of ten common-roll seats for which the two races will vote together. As the number of African voters increases, they will be able to secure a majority of these seats.

Comment — These provisions are designed to meet the requirement in the Third Principle for an immediate improvement in the political status of the African population and in the First Principle for guaranteeing unimpeded progress to majority rule. The fact that no one can authoritatively forecast what the rate of progress is likely to be shows that parity is not likely to come about speedily and its attainment must be measured in decades rather than years. Moreover, on the percentage formula, an increase of African seats would be delayed if there were to be large-scale European immigration. In any case, nearly half the African seats will be held by Africans indirectly elected by the tribal authorities (24 out of 50 when parity is reached, though at that point the Africans can decide in a referendum that all the African seats should be filled by direct election).

The provisions in the constitution which affect African political advance will be specially entrenched. Any change will require a two-thirds majority of all Members both in the House of Assembly and the Senate and also, until parity, a simple majority of the African Members and the European Members in the Assembly voting separately.

Comment — This meets the requirement in the Second Principle that there shall be guarantees against retrogressive amendment of the constitution and indeed provides that the blocking mechanism will rest in the hands of the directly elected African Members. But it can be argued that the safeguard is a paper one and there is no external safeguard to prevent breach of the constitution, as had been previously contemplated. This is an obvious weakness; on the other hand, it is understandable that a country, after independence, would resent any external limitation on its sovereignty; indeed any external safeguard (except force) must rest on co-operation.

Declaration of rights: land

A new Declaration of Rights will protect the fundamental rights and freedoms of the individual and give a right of access to the High Court. There will also be special protection against discrimination in new legislation. An independent commission will be set up to examine racial discrimination in existing legislation with special duty to consider problems involved in land tenure. An African will be one of the three members of the commission.

Comment — These provisions meet the requirement in the Fourth Principle for progress towards ending racial discrimination. But the Declaration of Rights itself does not cover existing laws. As regards land, everything will depend on how things work out in practice — particularly the recommendations by the commission and the interpretation by the Rhodesian Government of the qualification in its undertaking to carry out the commission's findings "subject only to considerations that any Government would be obliged to regard as an overriding character".

Development

The British Government will provide £5 million a year for a period of five years to be matched by sums provided by the Rhodesian Government for a development program, aimed in particular at increasing African educational and employment opportunities and stimulating economic growth in the Tribal Trust Lands.