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RHODESIA

(Lord Boyd's Report on
April 1979 election)

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Chapter 2

The nature of the vote - 13

"It is the intention of the voter when he voted that we wished to make and we are satisfied that the election did in fact constitute a kind of referendum on the constitution."

REPORT TO THE PRIME MINISTER on the constitution

ON THE ELECTION HELD

IN ZIMBABWE/RHODESIA

IN APRIL 1979

Continued page 132.

1 a. vi

(take to make)

SIGNED

Boyd of Merton

VISCOUNT BOYD OF MERTON

Colville of Culross

VISCOUNT COLVILLE OF CULROSS

Charles Johnston

LORD ELTON

SIR CHARLES JOHNSTON

Miles Hudson

MR MILES HUDSON

16th May 1979.

THE ELECTORAL SYSTEM USED AND THE LACK OF AN ELECTORAL ROLL

14. The Electoral Act 1979 provided an elaborate system for the determination of 72 Common Roll constituencies and 20 White Roll constituencies. However Chapter XI of the Act fundamentally modified this requirement for the election which we observed, and provided that the Common Roll seats should be dealt with thus:-

- a. The Country is divided into 8 Electoral Districts, with numbers of seats varying according to the estimated number of voters (see Appendix B);
- b. Any party may nominate a list of candidates for one or more of these Districts;
- c. The ballot papers simply show the name and symbol of each party standing in the District with a space for the voter's cross;
- d. Everyone may vote provided that he or she is over 18 and has been resident in the country for at least two years, or who is a returning resident: citizenship is not a criterion.

15. There were 441 static and 244 mobile polling stations, which provided about 2,000 polling places.

16. The electoral system used, was that of the party list by Electoral District whereby seats are allocated in proportion to the valid votes cast by each party in each District with the proviso only that any party receiving less than 10% of the vote in a District receives no seats.

17. A national registration of the population is in process but is complete in certain districts only. We were told that the original intention of the Transitional Government had been to conduct the first elections on the basis of a constituency-based electoral roll, but political and Parliamentary delays had left insufficient time for this to be achieved, even by April 1979. Furthermore, it was thought that an electoral roll would allow the guerillas to victimise those who had registered (see paragraph 21).

18. We do not consider that the lack of an electoral roll automatically invalidates the election. This is no novelty in Africa. The first elections in Mocambique and Gabon were carried out without registration of voters; in Swaziland there was registration but no requirement of citizenship. In Angola there is no registration, but neither has there been an election. The advantages and disadvantages must be weighed.

/Advantages ...

Advantages

19. For a number of reasons, not least the unacceptability to most countries of a Rhodesian passport, many of the ordinary residents of the country of all races are not registered citizens; it was not thought that they should be disenfranchised on that account.

20. All sectors of the population are suffering from a continuing war which brings with it much intimidation and harassment of the rural black population and has driven white farmers, in some cases, into the towns. Very substantial shifts of the black population have taken place, and this continues. Some have even left for Mocambique or Botswana, since a part of each border arbitrarily divides certain tribes; however, such are the privations in Mocambique that black Rhodesians have been returning steadily into Manicaland. It follows that a constituency-based electoral roll could well have disqualified from voting those whom the war had displaced within the country since their registration. Returning residents who had missed the registration would also have been disenfranchised. Moreover, one District Commissioner told us that those who were not allowed to vote for those reasons would not understand it. We note that frustration was thus engendered in voters' minds during the election in Equatorial Guinea, according to the U.N. Mission which observed the constitutional process in that country in 1968; There the problems arose not from a war but from purely administrative causes.

21. Of much greater significance is the weapon for intimidation which registration would have delivered to the guerillas. Since many people in an area have identical names and for other normal reasons a card would have had to be issued. This would have given the guerillas, set on disrupting the elections, four strong opportunities for pressure. They would have intimidated people from registering in the first place; if that failed they could exert pressure to have the cards destroyed; if that failed they could intimidate the voters from going to the polling station; or more simply they could have driven off the voters from the area over a period, knowing that these people could vote nowhere else.

Disadvantages

22. These mainly arise from the political deductions which will be drawn from the percentage of the voters who turned out either by Electoral District or nationally. We do not attach much importance to the more obvious criticism, that voters may have entered Rhodesia for the occasion from neighbouring states. The Zambian border consists of the

/Zambezi river ...

Zambezi river (with only three crossing points since the Kazungula ferry was disabled); about a third of the Botswana border is an uninhabited Park, whilst for the rest and for the South African border we were told that the people were leaving Rhodesia to join their tribal kin rather than entering the country, and in North Matabeleland there is no cross border tribal connection. This leaves the Mocambique border which is largely unmarked and is only mined around Umtali. While we were merely able to check the central part of this border, neither officials, the local party members nor the public said that they had heard of Mocambiqueans entering Rhodesia, though Rhodesians who had fled or been abducted had been returning with the blessing of President Machel whose food supplies are low. Moreover in other parts of that border are several areas where the Security Forces have excluded all civilians, and another large Park.

23. The real difficulty derives from the exercise carried out by Dr. Myburgh in estimating the 1979 voting potential from a base of the last national census in 1969. We are no experts in demography, whereas he is accepted as such. Appendix C is the official statement which he has published, and we asked him questions in elucidation. Whilst his estimated voting population of 2.8m blacks and 100,000 whites may have no specific rival figure except that produced by the World Bank (3.5m), we were bound to conclude that Dr. Myburgh had had to make certain assumptions, particularly in relation to women and repatriation of foreign men who became unemployed in Rhodesia. As to women, there appears to be no empirical material as to migration and Dr. Myburgh had not sought information or opinions from other African countries. Accordingly, we conclude that it would not be safe to form any exact judgement based solely on a percentage turn-out of voters using a precise national figure of 2.9m potential voters.

24. The subdivision of the electorate among the eight Electoral Divisions also causes problems. A timely Press Statement was issued on Day 4 of the election by the National Electoral Directorate, which is in Appendix D to this report. It explains that the subdivision was calculated without regard to the movement of population in recent years as a result of the guerilla war. This, in our view, is true. Quite independently of Dr. Myburgh's calculations, District Commissioners outside the larger urban areas had also been keeping a tally on the population within their areas; as a result of our questions substantial differences appeared between Dr. Myburgh's "normal times" estimates and the population actually estimated to be in many of the districts in April 1979. This also accounts for the two Electoral Districts where the votes cast exceeded the estimated electorate.

/Two further points ...

25. Two further points should be made about these differences:-

26. Certain parts of the country, notably those where the guerilla influence of ZANLA or ZIPRA (or both) is at its greatest, are liable to be over-represented in the new House of Assembly, at least until the war ends and the population return to their normal homes.

27. Both the turn-out and the percentage of spoilt papers may be presented as possessing a significance in the assessment whether or not the elections were free and fair. These two matters need separate discussion:-

a. The low turn-out in Matabeleland may indicate the success of guerilla intimidation by both guerilla armies, and/or deliberate abstentions, because of the absence from the ballot paper of a party led by Mr. Nkomo. Such conclusions may be misleading if the available electorate was smaller than estimated.

b. The figures of spoilt papers, by contrast, are expressed as a percentage only of the voters who actually presented themselves to vote and need not similarly be vitiated.

SUMMARY

28. The lack of an electoral roll is not unprecedented in Africa.

29. On balance its absence enabled more people to vote, because of population shifts away from their normal homes.

30. The black electorate of 2.8m is an estimate based upon a ten-year-old census and certain assumptions. Some of the assumptions are uncheckable, we think there could be a considerable margin of error.

31. The break down of that total among the Electoral Districts (which forms the basis of numbers of Common Roll seats for each District) bears little comparison with the numbers actually on the ground during the election. There had been a substantial shift of population from the Tribal Trust Lands into towns and cities.

32. Whilst some of this shift may have nevertheless resulted in people remaining within their Electoral District, others certainly migrated across these boundaries.

33. Some tens of thousands of Rhodesians were, voluntarily or not, abroad in Botswana, South Africa and Mocambique; only from the latter country, we were told, had they been returning in any number in time for the election. On the other hand there was no evidence of an influx of foreigners seeking to vote.

/There were also

34. There were also active guerillas, most of whom are Rhodesian, in Zambia, to a lesser extent in Mocambique and at large in Rhodesia.

35. In these circumstances it would be unwise to draw political conclusions from the percentage national turn-out based on the authorities' figures, let alone from turn-out in individual Electoral Districts.

36. However, even if the figure of 2.9m was indeed an under-estimate - and we do not necessarily accept that it was since there is no conclusive evidence either way - the turn-out was impressive against any reasonable estimate of the total electorate so far produced: even if the figure of 3.5m was right, more than 50% of the electorate voted.

37. We therefore conclude that the lack of electoral roll did not invalidate the election. /

/GENERAL BACKGROUND

GLOSSARY

● Parties taking part in the election

- UANC United African National Council
leader: Bishop The Hon. A.T. Muzorewa
- ZANU Zimbabwe African National Union
leader: Rev. The Hon. N. Sithole
- ZUPO Zimbabwe United Peoples' Organisation
leader: Senator Chief The Hon. J.S. Chirau
- UNFP United Peoples' National Federation Party
leader: Senator Chief K Ndiweni
- NDU National Democratic Union
leader: Mr. H. Chihota (This Party only
contested one province).

Parties based externally

The Patriotic Front embraces two parties:-

- ZAPU Zimbabwe African Peoples' Union
leader: Mr. Joshua Nkomo
- ZANU Zimbabwe African National Union
leader: Mr. Robert Mugabe (this
party is not to be confused with
Mr. Sithole's ZANU).

The military wing of ZAPU is ZIPRA - the Zimbabwe Peoples'
Revolutionary Army.

The military wing of Mr. Mugabe's ZANU is ZANLA - Zimbabwe African
National Liberation
Army.

INDEX

	<u>Paragraphs</u>
Our Task and Itinerary	1 - 7
The Nature of the Vote	8 - 13
The Electoral System and the Lack of Electoral Roll	14 - 37
General Background	38 - 46
The National Electoral Directorate Campaign	47 - 52
The Political Parties' Campaign	53 - 56
Transport of Voters by Employers and the Security Forcés	57 - 64
Protected Villages	65 - 67
Security Force Auxiliaries	68 - 71
Censorship	72 - 75
Martial Law	76 - 85
Intimidation by Guerillas	86 - 97
The Absence of Mr. Nkomo's and Mr. Mugabe's parties	98 - 106
The Poll	107 - 119
The Count	120 - 125
The Result	126 - 131
Conclusions	132

OUR TASK AND ITINERARY

1. You sent us to observe the elections in Zimbabwe/Rhodesia and to report to you the circumstances in which they were held. Polling for the 72 common roll seats took place from 17-21 April. The count took place on 23 and 24 April. The election for the 20 white seats had already taken place, only 4 being actually contested.
2. We all arrived in Salisbury on 13 April (preceding all other observers). Lords Colville and Elton had to return to the UK on 22 April, the remaining three staying until 29 April.
3. On our arrival in Salisbury, we were offered a series of detailed briefings by the administration. These we accepted. We received explanations of the arrangements for polling and the preparations which had led up to it. The security situation was very frankly disclosed. Our many questions were readily and fully answered, and extra material supplied whenever requested.
4. We were already aware of the criticisms of the election which were current throughout the world. As well, therefore, as testing these with the authorities wherever and whenever the opportunity occurred, we pursued our own informal inquiries among those holding as wide a range of opinion as we could muster. In the course of our inquiries within Rhodesia we travelled over 2000 miles, visited 66 polling stations and two prisons, and observed the counting of votes in 17 centres. (See Appendix A). We talked to the leaders of all the political parties except Mr. Chihota, whose party only contested one electoral district, and whom despite all our efforts we failed to contact. We also had a talk with Mr. Ian Smith. We were given comprehensive briefings by the security forces and the District Officers in four electoral districts. We had meetings with many individuals and organisations under arrangements not made by the authorities. A number of the individuals were people chosen for their known dissent from the administration. We examined exhaustively the entire membership of the National Election Directorate as well as the statistician to whom they had entrusted the calculation of the size of the electorate. In the field we talked with countless individuals including members of all the services, all branches of the civil service, prisoners, detainees, clergy and private people both in the towns and in the countryside. We also used our eyes and our cameras.
5. The lack of easy communication between the UK and Rhodesia had led the authorities to make their own arrangements for the international observers and press to travel as widely as possible during the elections; we were invited to join this itinerary. This we felt to be unsatisfactory; not only would there be doubt whether our steps might have been guided so that we would only see what we were meant to see, but we also feared that the size of the proposed groups would tend to create an artificial atmosphere and obscure accurate observation. Since we made this known at once, the authorities, with very good grace, offered an alternative for our group alone. In the larger towns we would split into pairs and travel by car, and for the four days when we were not in Salisbury we would be taken by air

/to a centre ...

to a centre where, after local briefing, we could choose our own tour of the country areas. We were given the use of a Dakota for longer trips, and more importantly a Cheetah helicopter of the Rhodesian Air Force which could carry our party wheresoever was desired. Only by this method could we have visited the Tribal Trust Lands. At times we were able to travel by air in three separate parties. For the count we were provided with light aircraft.

6. The area of Rhodesia is 151,000 square miles. We were thus constrained by the time involved even in air travel; and we could not but cooperate with the extreme care which was being taken by the Security Forces for our personal safety. These two factors did limit the places we could visit. Although we never arrived at any rural polling station without someone knowing it at least briefly in advance, this was not the case in urban areas. We are certain that people or events were not manipulated for our benefit. We were alert to this possibility and selected the people with whom we talked in a way which we believe produced for us a true sample. For instance, one of our number who visited a prison was able to select detainees for interview at random and use one of them as an interpreter in speaking to those whose English was poor. He was thus able to require all officials to withdraw out of earshot. He is confident that the available assembly had not been deliberately selected and that those who spoke to him did so freely.

7. We also interviewed officials at the polling stations; the local party representatives whenever present, members of the Security Forces on duty in each place, and above all the bystanders and the voters. It is true that by these means we are unlikely to have had contact with many who did not wish to vote, and if there had been a very low turn-out we would have had to concede this to be a serious flaw in our investigations. It is in any case a defect, but one which we found no means of overcoming consistent with observing the poll itself where it was taking place. Any language difficulties were easily overcome by interpreters we found we could trust; many people speak English anyway. We can emphatically say that colour was no bar to free and friendly conversations. Indeed we were struck by the evident frankness and goodwill which had been established between the races.

8. It soon became clear that this election was different from the normal one in which the voter is asked simply to express a preference between candidates or parties within the frame-work of a generally agreed constitution. The first decision an elector was asked to make was whether he would vote at all. There were many pressures exerted on him by both sides on this matter which we deal with later, and his response had a profound meaning of which, in general, he was aware. The question which he thus answered one way or the other was whether or not his country should proceed on the broad principles of the constitution under which the election was operating.

9. This point was brought home to him in a number of ways. The election manifestos of the UANC, ZANU and ZUPU all made clear that they would, if elected, uphold the 1979 constitution (see note below). All the propaganda supplied by the authorities, which we deal with later, implied that a vote would give support to the concept of a majority rule government on the basis of the arrangements agreed. The political parties based outside Rhodesia - the Zimbabwe People's African Union (Mr. Nkomo) and the Zimbabwe African National Union (Mr. Mugabe, and not to be confused with the Reverend N. Sithole's ZANU inside the country) made it clear from the start that they were opposed to the election primarily because they had not been involved in framing the constitution and that they would try by every means possible to disrupt the elections for this reason. The often used phrase - "We voted for peace" - implies a view, right or wrong, that if the new constitution was accepted, this would lead to an end to the war. Those who made this remark were, therefore, in effect, voting for the new arrangement by the very fact of going to the poll. A typical remark made by an ordinary black farmer at Protected Village 6 at Madziwa was - "This election is for one Zimbabwe for you and for me".

10. We have had to bear in mind that no coherent and legal campaign took place to persuade people to express dissatisfaction with the constitution by refraining from voting. We believe that the administration might actively have discouraged such a campaign. There was, we heard, a demonstration at the University at Salisbury with such an intent, but the demonstrators were prevented by the Police from leaving the campus.

11. Yet, the great jubilation among blacks and whites when the high poll was announced before the count had even started must lead to the conclusion that the election was not merely about which party would win but contained within it a further, and perhaps more profound, question.

/Whether or not ...

12. Whether or not the constitution would lead to the benefits claimed for it was beside the point for our purposes. We were not called upon to make political judgements of that nature. It was the intentions of the voter when he voted that we wished to probe and we are satisfied that the election did in fact constitute a kind of referendum on the constitution.

13. The second question the voter was asked was, of course, which of the parties shown on the ballot paper he supported. We will examine the validity of the answer to this question at a later stage.

NOTE:

The manifestos put out before the election included the following remarks:-

UANC - "The UANC Government will uphold and protect the constitution of Zimbabwe."

ZANU - "ZANU shall uphold the constitution of Zimbabwe and shall protect it against any arbitrary or unconstitutional government of the day."

ZUPO -- "ZUPO will uphold the spirit and integrity of the 1979 constitution without adding to, or detracting from, it."

The UNFP manifesto does not assist on this point since this party advocated a federal system.

GENERAL BACKGROUND

38. It was at once clear to us that the legislation passed by the Transitional Government and the way in which it was being implemented under the guidance of the National Electoral Directorate would produce election machinery of a sophisticated nature. The poll and the count, and the behaviour of the officials concerned were intended to be of the calibre of what we expect in the United Kingdom. We have therefore not hesitated to judge those matters according to the strictest standards. An additional feature not normal in this country was the need to keep safe that most precious commodity, the ballot papers, until they could be counted; since a ballot box blown up or burnt could have had a disproportionate effect on the result for a whole Electoral District. We found the authorities equally aware of this, and their precautions were successful.

39. It is much more difficult to form any judgement about the effect of the various pressures which have been exerted on the black population. All electioneering involves persuasion, and all electorates might be said to need political education, but it is no help to assess what we have seen and heard in Rhodesia by reference to the effect it would have had on the British voters.

40. In the Tribal Trust Lands the black population in normal times live in kraals (or villages) of various sizes; in each the people are largely interrelated, and authority consists of the kraal headman, and through him ultimately the chief. There is no question of women taking part in any decision-making process. When in their villages, the young men would normally work in the fields or with the cattle since they lead (or led) a basic subsistence agricultural life. Prosperous African farmers growing cash crops are the exception. Many of the men work in the towns or at European farms or mines, and, if they do not have their families with them, return for holidays and sometimes weekends to their kraals.

41. The customs and beliefs of the African people are at least as complex as those added to them by western Christian culture. Many people believe in the existence of spirits which have a profound influence on every aspect of life or death. Indeed a leading figure in the UANC (Mr. Chikerema) referred, at a press conference after the election on 27 April, to the help that the spirits had given him. Furthermore, apparently innocent phrases are widely recognised as carrying the implicit and inescapable threat of death. It must always be remembered that this can be used to induce terror by those who seek to influence the conduct of others by the use of threats.

42. The guerillas (to use the most neutral phrase we can find) know these characteristics well, of course, and their training is directed to making use of them. If the tribal authority of the kraal headman is removed, or subverted, the kraal is at a loss; in particular there is nothing to stop the young men from doing exactly as they please. In addition to breaking down the tribal structure,

/the guerillas ...

[See separate letter from Bishop (Talenti)]

the guerillas have also driven back the manifestations of Government administration, and consequently the Government's authority. It is not therefore surprising that, in some cases, we were led to expect nothing much to be left but fear and superstition, and blind obedience. This would be the more pronounced since in the course of the guerilla war the Security Forces have done some unpleasant things to the rural population which undoubtedly have been interpreted as retaliation. Where the villagers had been made to collaborate with the guerillas, such as by growing or providing food for them, crops and cattle have been destroyed. Of course, both sides want information about the other and threats may be used to ensure silence, or to elicit answers.

43. What we have said might lead to the conclusion that the people we saw were cowed, surly and unable to take any initiative. Even those in the towns should not be exempt since most have families in the Tribal Trust Lands through whom intimidation can be brought to bear. No doubt such thoughts lay behind the forecasts or fears of a miserably low poll.

44. On the contrary the people we saw at country polling stations gave no appearance of being under threat. Many had dressed up for the occasion; none refused to talk to us though some of the women were shy. At one village in the North East we spoke to a group of farmers sitting under a tree: they were the heads of family of a kraal who had been moved en masse by the guerillas a substantial distance to the Mocambique border and had been ordered to grow crops for the guerillas; their own crops and clothes other than what they carried with them were burnt, and so were their huts. They had just been found and brought back by the Security Forces after six weeks' absence and were awaiting debriefing. They had all just voted and we asked them why: they said they were sick of the war, of having no clothes and no food, and wanted a return to normality. Two days later, a young country-woman when asked the same question replied promptly and firmly that she had voted because her vote would help the man she had chosen to be Prime Minister. The great majority of the countless people whom we asked said that they had "voted for peace".

45. We think that in the rural areas the pressures of the war may actually have strengthened the determination of people to vote, except where they were terrorised into staying away. We believe that in general they knew the object of casting their vote. We certainly did not receive an overall impression that people had voted because they had been forced to do so.

46. Nevertheless the pressures expressly related to the election were by no means the monopoly of the guerillas. First we will describe these other pressures.

THE NATIONAL ELECTORAL DIRECTORATE CAMPAIGN

47. The Directorate, under Mr. Malcolm Thompson, consisted of seven members and a secretary, including the Registrar-General and representatives from the Ministries of Information and Internal Affairs, Army and Police. They were appointed in January 1979 and had been told to organise the Common Roll election. There had been no political interference. They told us that they had four objectives:-

- a. To educate and motivate 2.8m largely illiterate Africans into a democratic process which was alien to their culture and tradition;
- b. To organise an election in a time of war;
- c. To keep the polling stations and the voters safe;
- d. To convince reasonable opinion outside the country that the elections were free and fair.

48. It was clear to us during our stay in Rhodesia that the whole apparatus of Government was available for those tasks. Although we are certain that the election was run in a way which was impartial as between the parties, we also have no doubt that there was a high degree of motivation to ensure that there was the largest possible turn-out of voters and that they should be sufficiently educated to cast valid votes. NED members variously said, "Our prime aim is to get the maximum number of papers in the boxes"; "Our survival depends on persuading the world that the election is free and fair, and so we can gain recognition".

49. We would not wish to criticise most of the educative work of the Directorate. From what we saw at the polling stations, they and the parties had instilled a substantial degree of political awareness, which even included the implications of the UK General Election. The mechanism of voting was almost universally understood, the women of all ages were as assiduous to vote as were the men. Nor can we find fault with the two slogans adopted: "We are all going to vote", and "That is what the people want".

50. The range of leaflets and strip cartoons used in the campaign appear as Appendix E. We put it to the Directorate that some of these appear to have promised too much. They did not accept this. A group of senior black policemen whom we met denied that the campaign amounted to intimidation, because, they said, to the words of encouragement to vote there was not added "... or else". Mr. Ian Smith did agree that there was a point in our criticism.

51. The authorities were clearly in a dilemma. On the one hand they were dealing with a largely illiterate electorate, the vast majority of which had never voted before. Certainly in the Tribal Trust Lands, the women had never been included in any decision-making process and they were being called

/upon to take ...

upon to take full part in a sophisticated election. There were the obvious and considerable pressures of the guerillas directed to preventing any vote at all. There was a great deal of explaining to be done. On the other hand it was certain that if too much pressure was brought to bear, it would be said that the election was "rigged". We are clear that in no case did the authorities attempt to direct the vote towards any political party; that was left to the political parties themselves. But it is true that the whole weight of the administrative machine was exerted in order to try to get as many people to the poll as possible. We are satisfied that no actual threats were used by the authorities. It is interesting to remember that in Australia voting is compulsory.

52. We are of the view that the authorities went to the limit of the permissible in its propaganda and in a few cases beyond it. But in the circumstances of the time, with intimidation and murder rife throughout the country, we conclude that on balance the pressures exerted by the Directorate in its propaganda were not of such a nature that the result of the election should on that account be described as invalid.

THE POLITICAL PARTIES' CAMPAIGNS

53. After a short time at the beginning of the election campaign when, in a limited number of areas arrests were made for minor thuggery and intimidation, we were told on all sides that the parties did not indulge in intimidatory tactics. Political parties had to obtain permission from the police to hold meetings. In the event this was in the nature of a formality and we were told that in no case was a meeting not allowed to take place. No complaints were made to us by any political party on this point. We accept that there was no question of the authorities trying to prevent a political meeting. If anything, the authorities tried to see that there was maximum political activity.

54. There was no repetition of the clashes which attended political activities in the early 1960's. Certainly the authorities advised moderation, and we heard of no incidents which had caused the parties to complain about each other. Considering that the UANC appeared to have far superior badges, flags, posters, hats and other accoutrements we were agreeably surprised that the other parties expressed so little envy.

55. This is not to say that the opposing policies were not advocated to the public. There were many political meetings (see Appendix F) and heavy canvassing in urban areas. In the countryside, however, the candidates had, not surprisingly perhaps, needed encouragement to venture forth, because of the guerillas. It was clear that the war did have an effect in reducing normal party activity in rural areas.

56. We do not consider that the parties provided the electorate with any more than the normal political persuasion; neither do we believe that, in the event, rural voters, informed at least by word of mouth and radio, suffered from any significant lack of knowledge upon which to choose the party which they preferred. It may be worth noting that, where people were voting for "peace", this could have been just as much the result of the politicians' campaign, all of whom promised a policy for peace, as of the National Electoral Directorate's propaganda to the same effect.

(a) By Employers

57. There had been encouragement by the Directorate for employers to assist in the electoral process: A number of different methods were used to convey employees to the polling stations, and we sought to discover whether it would have been practical for an employee to have remained behind. Some employers arranged transport for their workforce department by department, and we think it would have been a brave person who did not join the rest on the truck. One Government workshop in Salisbury had arranged for the vehicle to go at given intervals, so that the employees had several chances; and some were encouraged each time to stay in each department so as to keep the work going. A small butcher had been asked by his employees to take them to the poll, and all had been on the truck. In European farming areas transport was arranged by the farmers, and at one place we were told that only the most pregnant women, the sick and the infirm were left behind - but it was pointed out that with the numbers at the polling station a person could dodge round and avoid the voters queue. And, of course, anyone could spoil their paper, or leave it blank. Both the African and the White Farmers Unions denied bringing pressure to bear.

58. Where we do have our doubts are the instances where mobile stations visited, by arrangement, European farms to collect the votes; we observed one such exercise, with the workforce and families already assembled and waiting. We cannot see how they had any option but to vote. This was the only place where the arrival of the helicopter produced no noticeable signs of enthusiasm.

59. But it would be wrong to judge this aspect of the election purely by European standards. It is the African-Rhodesian tradition to proceed by consensus. In the Tribal Trust Lands, decisions are arrived at by the gradual emergence of such a consensus which is then enunciated by the chief and adhered to by all. The fact that the whole of the workforce of a farm goes to the poll is not, therefore, surprising if the general view is that they should vote. Furthermore, in the rural areas it was often necessary for the farmer to provide transport and time-off so that the workers could vote. If the farmer had not done so no one could have voted at all. The same was often true in the mining and industrial areas.

60. It is extremely difficult, therefore, to give a final judgement on the issue of whether undue pressures were exerted by employers to get their workers to vote. It is also possible, of course, that undue pressures were not in fact brought to bear, but that in the minds of the workers they were. It was said that in some cases employers threatened workers with dismissal if they did not vote but we saw no evidence of this. All we can say is that in our widespread programme of visits we saw no signs of reluctance to go to the polling stations.

/(b) By the Security Forces

(b) By the Security Forces

61. A certain amount of transport, led by mine-proof vehicles was provided, although vehicles were in short supply. That this was wise is proved by several incidents of civilian transport taking people to vote, thereby detonating land-mines with the deaths and horrific maiming and injuries which these devices can cause. We do not consider that military transport so used amounted to intimidation. The vehicles were too precious to be sent unless a request was received, and all that they did was to collect those who were waiting beside the road. We saw one truck arrive from a village 7 km away, in an area where guerillas were present. Some of the villagers had made their own way to the polling stations the previous day, and this truck contained all of the rest of the village's voters who, evidently, had been encouraged by what the others had told them. They did not look like people voting as a result of pressure, nor did they say anything of the kind. Indeed, at Victoria Falls we heard that some voters from the Tribal Trust Lands had preferred to vote in the town rather than at the local polling stations provided for them. They had waited by the road, but there was not enough transport to bring them all in, even though the parties helped with their own vehicles.

62. Escorts were also provided on foot by the Security Forces; one such group of 100 would-be voters was ambushed by 20 guerillas; they lay down, as they had been told, and the guerillas were driven off. Everyone then proceeded on their way with the escort and cast their votes (and one slight casualty was given treatment). Without the escort they would, we are sure, have run away, and we incline to think that this was (as claimed) an example of protection being granted to voters rather than any form of coercion.

63. We were also told that in a number of cases people asked to be taken to the polling stations by the Security Forces so that they could give the excuse to the guerillas afterwards that they were forced to go. We believe this to be true.

64. It is also worth noting that the UN Mission which observed the referendum and election in French Somaliland in 1977 said the following,

"All transportation was provided free and, in addition, free food was made available in some areas for nomads coming from long distances. Both of these facilities - transport and food - were essential if the voters were to exercise their voting rights."

PROTECTED VILLAGES

65. The collection of the rural population into large settlements behind wire and with a permanent guard force pre-dated the 3 March Agreement by some time. It had, as its purpose, keeping the farmers and villagers free of guerilla intimidation and denying the latter the food and solace which they could otherwise easily obtain. Its disadvantage, from the administration's point of view, was that intelligence became much harder to acquire.

66. The Transitional Government decided to take action on protected villages, since these were an emotional issue and a matter for hostile propaganda. Some were dispersed, with the result, we understand, that the inhabitants tended to go to another such village still existent, and ask for admittance. Having visited several such villages and talked to their inhabitants we are sure that they are no "concentration camps". To the families who live there the system has its inconveniences. The main one is the distance which lies between the village and families' farm land which they continued to cultivate unless they had been given other land closer by. Apart from that these protected villages were, we heard from their inhabitants, a haven.

67. If the war ended, said some old men in such a village in Manicaland, they would wait a while and then go back to their kraals. They had all voted, but they said that nobody had come in from the Tribal Trust Lands to do so, because of fear. The vast majority of those living in protected villages voted on the first day. We talked to many of them after they had voted. We are quite clear that they do not look upon their residence in such villages as an imposition, but as a relief; and that the system of protected villages did not constitute intimidation by way of forcing people to vote.

SECURITY FORCE AUXILIARIES

68. These started as private armies owing allegiance to UANC or ZANU: Chief Chirau had none. There is no denying that in their early days, they were out of control and were intimidating people on their respective party lines.

69. There has been a rapid and very recent development whereby most (but not all) of the units are being integrated into the Security Forces. Where this is so, they have their own section commanders but are effectively under the control of army, police or special branch. They are having their successes, but leadership is a problem. They include among their numbers former guerillas who have been converted, and captured guerilla diaries show that the Auxiliaries are depriving the guerillas of food and local contacts. The Security Forces say that they have weeded out almost all of the riff-raff who had at one time been on strength; and the contingents which we saw were plainly an integral part of the more traditional force providing protection for a polling station. There are still a few units, which have a primarily political allegiance, operating in areas of intensive guerilla activity. The most we could discover about their behaviour was from a Brigadier in command of a Joint Operations Committee, who hesitantly guessed that they provided reassurance to the population rather than the reverse.

70. There was a reason why we saw little of them: they had not usually been deployed in the close guarding of polling stations lest the suspicion, or perhaps the actuality, of political party influence might have emerged.

71. It is not for us to criticise the growth and development of these forces; it does appear to us that they have been mostly brought under control, that they offer a useful role for the converted guerilla and that they add to the numbers of anti-guerilla forces, with a particular suitability for deployment in the Tribal Trust Lands. That is where they have been during the election and on balance we would estimate that they have helped to counter-act guerilla intimidation without replacing it with an equal pressure in another direction; but we could not be certain that in some cases the SFAs did not pressurise people to vote for their particular political party.

CENSORSHIP

72. We investigated the matter of censorship. We were told that there were two kinds in operation:-

- a. Military Censorship. During the election this only applied to the internal press and all restrictions on the external press had been lifted. The internal press was required to submit copy in terms of Section 42a of the Law and Order Maintenance Act. This only applied to military matters. Editors could publish copy on anything else as they pleased.
- b. D Notices. These had been issued to cover mention of the names of Mr. Nkomo and Mr. Mugabe and their parties. Photographs of them were not allowed. The National Security Committee, however, could give permission for publication.

73. It was, however, true that a number of publications had been banned. It was impossible for us to be certain whether this had happened purely on military grounds or whether there may have been other political reasons for the banning. It was certainly true that the media - press, radio and television - were clearly in favour of the holding of the election and hoped for a high turn-out. We saw no articles, for instance, urging people not to vote. We were told that this would have been possible but we are by no means certain about this. Very wide powers were available.

74. We can understand the necessity for military censorship but we had to address our minds to the problem whether a free and fair election could be held in this environment. There were, of course, frequent broadcasts from outside the country aimed at disrupting the whole election and hoping to influence people not to vote. On top of this there was, of course, guerilla activity with the same purpose in mind.

75. On balance we believe that, although censorship certainly did not operate so as to give any preference to any party competing in the election, it may well have prevented the mounting of a campaign against voting at all. This has to be set against the other pressures to which we have referred. We therefore conclude that censorship in itself did have an effect on the election although not to the extent that it invalidated the results.

MARTIAL LAW

76. By way of suggestion that the elections could not have been free or fair, critics have said that "martial law covers 85% of Rhodesia, an admission that civil administration has broken down in most of the country". It is true that martial law has covered approximately 70% of the country since September 1978 but we looked into the implications of that fact to see whether this constituted intimidation by the authorities. In fact the legal situation is much more complex than this criticism suggests, since the majority of activities frequently associated with martial law can also in Rhodesia lawfully be carried out by the civil authorities and the Security Forces under Emergency legislation. Ordinary civil law has, in fact, not broken down.

77. Martial law was introduced in September 1978. We were told that its application was in practice limited to four main areas - trials, punitive action, detention and curfew. d

78. Trials under martial law were held only when persons had been involved in crimes connected with terrorism and where the necessary witnesses were either unavailable or would themselves have been murdered had they given evidence. ||

79. As far as punitive action is concerned, in the early stages of the operation of martial law it was possible for an officer of the rank of Major or above, or the civilian equivalent, to order the burning of huts, the destruction of crops and the slaughter of cattle when in his view the population had been helping the guerillas. This authority was rescinded early in 1979 and no such action could be taken without express authority from the Joint Operations Committee in Salisbury. This led to a great reduction in the number of such incidents.

80. Detentions without trial were possible under the Emergency Powers Legislation without the use of martial law. We were told by the Commissioner of Police that 232 persons were detained under this category on 16 April, 1979, the day before the election. To this figure must be added those detained under martial law. In particular we were told that about 100 persons were taken into custody just before the election because of evidence discovered during the raid on Francistown in Botswana on 12 April. 13 detentions under martial law took place during the week of the elections. The total figure of detainees of 4000 given to us by the representatives of ZAPU, whom we interviewed, was of a completely different order of magnitude to that supplied to us by the authorities. We are of the view that total detentions were very considerably less than the ZAPU figure.

81. Curfews cover wide areas of the country. They are imposed under the Emergency Powers Legislation. But martial law allows authorities to arrest anyone breaking the curfew and he or she can be shot. This, admittedly draconian, measure is, we were told, rarely used and only if the guerillas are directly involved. The curfew does, however, have a very direct impact on the lives of large sections of the population, particularly among the large majority who have no wrist watches: it is resented by them. As far as the election is concerned we neither heard nor saw any evidence to the effect that the imposition of a curfew prevented people from voting.

/We set out at ...

82. We set out at Appendix G what we were told had been the use of martial law in three large operational areas, in Mount Darwin, Gwanda and Umtali.

83. It is essential to appreciate that in all areas covered by martial law the police are still operating in the normal way. For instance in connection with the elections there have been the usual political activities prior to the poll, including many meetings. Meetings in martial law areas needed permission, which we were told was always granted subject to conditions as to the time of day. In 1979, unlike the inter-party warfare and intimidation in 1962-63 to which the Pearce Commission referred and which is still vividly remembered, the parties have campaigned peacefully. There was, as we have said, a certain amount of thuggery and intimidation by party supporters in urban areas, in January. This led to 123 arrests, and 99 people appearing in the ordinary criminal courts on fairly minor charges; (59 were from UANC, 64 from ZANU). Even then events were local. In Manicaland there were no election-connected offences committed at all. Similarly at 100 meetings in South Matabeleland there were no criminal arrests.

84. Finally, we were told that one reason why martial law has been retained is that it can be used by the rural population as a reason for their saying to the guerillas that they have been forced to vote, thus protecting them from reprisals.

85. Our conclusions were as follows:

- a. We accept that the imposition of martial law may well have been necessary for security reasons.
- b. In the early stages of the application of martial law, its use was probably unnecessarily severe.
- c. To a large extent this has been rectified.
- d. In the run up to the election and during the electoral process itself martial law did not inhibit political activity.
- e. Martial law has been supplementary to the civil law and has not replaced it.
- f. If anything, the punitive action which had been taken, although arguably necessary from the security point of view, would have dissuaded people from voting rather than encouraging them to do so.

INTIMIDATION BY THE GUERILLAS

86. Mr. Nkomo's guerillas (ZIPRA) are trained in Zambia and Angola. They are based in Zambia and Botswana. We were told that there were 16,000 under training, 3,000 outside Rhodesia but fully trained and 2,700 inside Rhodesia. Mr. Mugabe's guerillas (ZANLA) are trained in Ethiopia, Libya and Tanzania, and enter Rhodesia through Mocambique. We were told that there were reserves of 13-17,000, of whom 6,000 are under training and 9,300 operating in Rhodesia. The two groups fight each other, some say with even greater ferocity than they fight the Security Forces, but this has mainly occurred in South Matabeleland, especially Filabusi, and West Victoria.

87. The war has been going on since 1972. The following table gives an idea of the intensity:-

Total deaths attributable to the war from 1 March 1978 to 31 March 1979	6,471
Average daily death toll	16.3
Security Force deaths	322
White civilians	257 *
Black civilians	2,821
Guerillas	3,071

88. 1,111 schools have been closed, many of which are locally supported missionary schools. The guerillas have a proven record of atrocities and bestiality which beggars description. The population of Rhodesia knows well of their activities in this respect. It has been the avowed intent of both factions to wreck the election, and the Rhodesian authorities responded with a massive call-up of army, airforce and police reservists, which had the effect of precluding all but a comparatively few incidents. There were 13 attacks on polling stations during the election.

89. It is not our task in this respect to relate the detailed assessment of guerilla aims, training, methods of operation and discipline which have been fully explained to us. After careful investigation we are satisfied that, in the Tribal Trust Lands especially, the guerillas with the help of the mujibas (young guerilla auxiliaries) have for some months been terrorising and indoctrinating the black population not to vote. Their psychological approach has been most professional and they have been assisted by broadcasts from Maputo, Lusaka and elsewhere, in English and three important African languages. We must therefore try to assess whether this intimidation has, by itself or in combination with other factors, led to the elections being other than free.

* This figure includes 105 victims of the two Viscount aircraft which were shot down.

90. In the end our assessment must be a matter of impression, built upon what we have seen and heard directly and indirectly from the people themselves. Of the guerillas' activities of which we heard directly during the election the most spectacular examples were:-

- a. On the first evening of the election guerillas burnt out 24 sq. km of the Mtilikwe Tribal Trust Land, south of Lake Kyle: 75% of the kraals were destroyed and the huts were still smoking when we over-flew part of the area 36 hours later. Where the inhabitants went we do not know but they were driven out first.
- b. The almost complete failure of the polling station at Tadyanemhando in Central Manicaland at which in three days only 221 people voted.
- c. Within Inyanga district of North Manicaland there were three rural polling stations; the guerillas cleared the population from an area of 30 km round the polling stations and told them to go into the hills and stay there. The District Commissioner estimated that 50% of the voters in that whole northern area had been frightened and stopped from voting.
- d. North of Ndanga hospital polling station, south east of Fort Victoria, some local people had set out to vote. The guerillas had been informed by the mujibas of this. The group was turned back and told to hide in the hills.
- e. The District Commissioner at Mount Darwin said that in one area where there was a considerable guerilla presence it had been impossible to put in a mobile unit. He also said that at Pachanza the guerillas had raided a Protected Village, cut the wire and driven numbers of the people out into the hills. Some had drifted back and voted in other areas.

91. No doubt there were other similar stories; we know of these either because we were on the spot or else were dissuaded from visiting polling stations such as Tadyanemhando, or St. Mary's Mission in North Inyanga because the guerillas had effectively brought all activity to a halt.

92. The figures of total votes indicate, however, that very many of the people from the rural areas did vote; they may have moved into the cities, or walked considerable distances into urban polling stations rather than vote at the stations provided in their own Tribal Trust Lands. We were told of this, for instance, by party workers at Umtali and Rusape. We heard increasingly as the election proceeded that some guerillas were telling the local population that they could vote if "forced", or that they could vote "though it would make no difference". This applied both to ZANLA and ZIPRA guerillas: it had no pattern and appeared, like many other things, to depend on the whim of the unit leader.

/Then there was ...

93. Then there was a pattern which we observed in the detailed daily reports from the polling stations on Days 4 and 5 when we were in Matabeleland and Manicaland respectively. On Day 3, mobile polling stations which had been waiting at Plumtree (on the Botswana border) suddenly received crowds of cheerful local voters, who said they now thought it safe to vote. Similarly, in an Umtali township party workers said that on Day 4 they saw people they knew who had come in 35 km to vote, having waited in fear two days to see if it was safe to vote. More party workers told us the same story of people in the Chiduku Tribal Trust Land, near Rusape, who after guerilla pressure waited for two days before voting, many preferring to walk into the towns of Rusape and Inyazura rather than visit the three polling stations in their Tribal Trust Land. Inyanga told us the same story.

94. It was also clear that in many cases guerilla attacks had not deterred people from voting:-

- a. On the Tuesday evening (the first day of voting) Dotito (north east of Mount Darwin) was attacked, with mortars, rockets and copious small arms fire. Some 10 km away, but within sight and sound, voters were still arriving at the nearby polling station at Nyanzunza next morning. And at Dotito itself the voting figures below show that in spite of the attack people came to vote in some numbers on the third day. The overall result exceeded the expectations of the authorities.

First Day	2,426
Second Day	92
Third Day	326
Fourth Day	87
Fifth Day	-
Total	<hr/> 2,931

- b. South of Fort Victoria in the Nyajena Tribal Trust Land, which has many guerillas, a mobile station was ambushed on its way in to collect votes from a crowd. As we left we heard that 266 voters had remained until it eventually arrived, though many more had been expected.
- c. At Zaka we were informed that the Security Forces, prior to the election, had found that the local people wanted to vote, but were afraid. They were told that the army would be around to protect them. Our informant had been on duty on the Tuesday morning 2 km from the town when he saw a crowd walking in: one by one they began to run, and apparently they beat on the gate leading to the polling station, which was not yet open, in their eagerness to vote.

/Above all ...

95. Above all, when we asked the voters why they had come to the polls their answer was almost always that they had voted for an end to the war, for peace, for a return to normality. There was no doubting the profundity of these feelings.

96. On balance, we think that such sentiments combined with other factors. Those who waited heard that it was safe to vote; some moved out of their immediate area to other polling stations; the Security Forces were seen to be around and the guerillas remained mainly inactive. Thus a five-day election and the availability of mobile stations, even in areas beset by guerillas, provided for the electorate the opportunity to vote, which many of them took.

97. We do not consider that intimidation by either group of guerillas so impeded the elections that overall they must be regarded as invalid.

/THE ABSENCE FROM THE ELECTION
OF MR. NKOMO'S AND MR. MUGABE'S
PARTIES ...

PARTIES

98. We are aware of the criticism levelled against the elections because supporters of either wing of the Patriotic Front were not presented with candidates for whom they could vote. Of itself, of course, the absence of candidates cannot be held to invalidate the election unless they were prevented from standing. On this latter point we were given a mass of evidence to the effect that Mr. Nkomo and Mr. Mugabe could indeed have taken part in the consultations leading to the adoption of the constitution and also that they could have returned and freely taken part in the election together with their parties after 3 March agreement on the constitution and, indeed right up to the poll (see Appendix H).

99. We think that three separate groups of people should be considered. First, there are the leaders themselves and their closest colleagues. On them we hesitate to make a definite judgement because we did not have the opportunity to meet Mr. Nkomo or Mr. Mugabe to hear their version of the story. Our tentative view is, however, that either or both of them could quite well have participated in the consultations leading to the constitution. They could, too, have presented themselves and their parties at the election itself provided they were prepared to eschew violence. In the light of the statements in Appendix H we do not believe that the administration could possibly have arrested them or their lieutenants, had they sought to take part in the election. They chose, for their own reasons, not to take part and we cannot accept that such a choice automatically imposes a veto on the validity of the whole electoral process.

100. It could be that the election is open to more criticism on the grounds that the ordinary voter had no opportunity to select a party which represented the aims of either Mr. Nkomo or Mr. Mugabe. Among the ordinary potential voters we include Rhodesians in the guerilla forces, and we next consider them.

101. We are clear that the authorities did try to induce the guerillas themselves to return and to take part in the election. There have been various offers of an amnesty in recent months. Recently, there was the Safe Return Policy, which involved dropping of leaflets in Rhodesia and Mocarabique, and the use of radio and word of mouth. It bore some fruit but the result was not dramatic. This was followed by the guarantee which is attached as Appendices I and J issued in late March, which was publicised by radio, television and newspapers, as well as being distributed by hand through all available agencies; again the response has been limited. Both UANC and ZANU sent brave volunteers to make contact with the guerillas, to offer a cease-fire under the Transitional Government, but this had come to nothing when three parties of volunteers were murdered. The main reason why none of these initiatives

/have been very ...

have been very successful is that in the guerilla groups' discipline is kept by draconian methods: to pick up and read a leaflet brings execution. Even strip cartoons have been a failure. As a result many guerillas have not known of the amnesties; interrogation of prisoners shows that some have, but do not believe them. They are quite sure that on surrender they will be instantly shot.

102. All the same, some news has been getting through; guerillas who have been captured are invariably converted. The main reason is that they are not, as they expect, shot but are well treated. The more important co-operate by writing letters, such as those in Appendices K and L and by revisiting their old operational areas with the Security Forces.

103. The guerillas, of course, knew of the election which they had been ordered to disrupt. We would, therefore, not have expected many of them to vote. We cannot accept the argument that inability to vote for a party whose cause was being actively pursued by force of arms must invalidate the election in which the rest of the population was participating. We noted, however, that the political process represented by the new constitution and the election had not been lost on the guerillas. We were told, by people whom we believe to be in touch with the guerillas, that not a few were "sitting on the fence" and were likely to decide, though not necessarily at once, whether they would accept a black Government formed and operating as a result of the election.

104. Lastly there is the electorate at large, who may have felt themselves deprived of a proper political choice because of the absence of either Patriotic Front party on the ballot paper. We concentrated on collecting their views in Matabeleland. There Mr. Nkomo had for long been seen by the amaNdebele people as their own leader, although he would not acknowledge so restricted a position for himself. Chief Ndiweni's UNFP stood for a federal system, in an attempt to preserve the distinct identity of the amaNdebele people, but his party was only formed four months prior to the election, and he himself had had no part in formulating the constitution. The other parties had selected amaNdebele candidates to stand for the two Matabeleland Electoral Districts, but it could be argued that their influence would not suffice to protect their tribal interests within predominantly Shona parties. We therefore asked a random selection of the public in Matabeleland this question: "Would the election have been fairer if there had been on the ballot paper a party, headed by Mr. Nkomo, for which you could have voted if you so wished?" This complicated question we put through interpreters, and carefully checked to ensure that the answers truly related to the question. There were some who said they did not know; some that for themselves it was not unfair, but that they knew others who thought to the contrary. One group after careful thought said that the election was unfair because it was being held while Mr. Nkomo was not there. Another group, standing not 200 yards from Mr. Nkomo's house in Bulawayo, said that the election would have been fairer had he come back and stood; but that he had not done so "because he only wanted to win".

/We appreciate ...

105. We appreciate that these people, interviewed in the vicinity of polling stations, were unlikely to include anyone who had chosen to dissociate himself from the election because of the lack of a Nkomo party. Further it must bear some significance that the turn-out in the Electoral District of Matabeleland South was the lowest in the country; and that the spoilt papers in the Matabeleland Electoral Districts was high, again especially in Matabeleland South. This is where Mr. Nkomo was brought up. These indications cannot be ignored.

106. It is, however, our considered conclusion that the verdict on the absence of Mr. Nkomo and, by inference, Mr. Mugabe was given by the size of the poll and the number of valid votes cast. People were able to register a protest against the omission of Mr. Nkomo and Mr. Mugabe from the ballot papers either by not voting at all or by spoiling their papers, and on this latter point some did so. The fact was that the majority of the electorate did cast a valid vote positively in favour of the parties who did stand.

THE POLL

107. Upon arrival at a polling station, a voter went through the following procedure:-

- a. The voter was subject to a cursory body search;
- b. The voter was observed and if necessary questioned on eligibility to vote.
- c. If accepted, the voter put both hands in the machine which could detect the invisible marking fluid on the fingers.
- d. If accepted, the voter had the fingers of both hands immersed in the invisible marking fluid.
- e. A ballot paper was then stamped, with a round or triangular stamp containing a single letter, and issued to the voter.
- f. The voter then went to the polling booth, marked the paper and folded it in four so as to show the stamp.
- g. The voter then personally placed the folded paper in the box.

108. That was the theory. We looked carefully for irregularities or abuses at each stage, and we should say at once that we only received three complaints from party officials and candidates whom we met at all the polling stations we visited.

109. Searches These were entirely for security purposes. In towns women were searched by regular or reservist women police, but these were insufficient in number to cover rural stations; there, the women were asked to leave their hand baggage (but not their babies) outside. This was done because there are numbers of trained female guerillas within Rhodesia. We heard of no objections to the searches and were not able to find any instance of weapons, etc. being found.

110. The person who had to check the voter's credentials was usually black. Frequently he was not local to the polling station. In very few places were documents asked for except to check a person who was for some other reason suspect. We therefore consider whether the two criteria of residence and age for voting are likely to have been adhered to.

111. Residence in Rhodesia for two years. We were told that 19,000 people, of all races, had entered the country within the last two years, of whom many were white. All of these had immigration documents; some would no doubt be under 16, while others would have been returning residents who we were told were entitled to vote. To this official figure we ourselves would add some thousands of people returning from Mocambique who certainly went through no immigration procedure but would have been allowed to vote anyway as returning residents.

112. Only in one single case did we hear of a person being turned away from a polling station on the residence qualification.

113. The requirement to be 18 years old. The police members of the National Electoral Directorate told us that it was not unreasonable to assume that there were 750,000 people in the country aged 14 to 18. At all polling stations which we visited, except for one (and we almost always asked this question), some people had been turned away as being under age. We witnessed people being turned away and also a few others, who had been so requested, returning with documents to establish their age. We noted three things:-

- a. Almost without variation, only a handful of people had been turned away as being under age. This followed a constant geographical pattern and was the same whether we inquired on Day 1 or Day 5. Both sexes were about equally involved overall. At one Bulawayo township some girls repeatedly presented themselves, though under 18, but the polling staff dipped their fingers and that ended it; this was an isolated instance.
- b. Some polling stations were staffed entirely by teachers who, naturally, said they could tell ages without much difficulty. At these stations there was no increase above the general average of numbers turned away.
- c. The large majority of people stopped on suspicion of being too young readily and truthfully gave their age, even if the answer was 16 or 17. It was thought either that they did not know the age limit or that they had been swept up in the general enthusiasm; and when detected left without any complaint.

114. We think the marking fluid and the machine were wholly effective to prevent double voting. It may to some extent have deterred people in the Tribal Trust Lands from voting, and voters everywhere tended to look with wonder at their hands after dipping them; at some stations they were allowed to look again in the machine to see the difference. The system instantly detected the minimal numbers who, we were told, came to vote again. (An affidavit on this point is attached at Appendix M).

115. Stamping the papers There is in the Electoral Act a provision which allows papers to be counted as good votes if they do not bear the polling station stamp, provided that the total in any complete Electoral District does not exceed 5% of the votes cast (s.79(7)). If the number exceeds 5% none of them may be counted. This provision was, we were told, inserted simply to allow for human errors, but it was criticised before the election as a method whereby the vote could be rigged. In the event in no Electoral District was the percentage over 5%

116. Marking the papers produced the most problems, though even here the incidence of difficulty was not very great. The officials, in all areas, were quick and efficient. In some, particularly in rural, polling stations each person was given a verbal explanation what to do. However -

- a. In order to help the voter large placards had been issued to each polling station with a blown-up picture of a blank ballot paper, and instructions in Shona or Sindebele. Where these were hung varied as between polling stations, but in many cases such a placard was placed, occasionally flat, in each polling booth. These placards tended to bear a number of marks against various parties, and it seems likely that voters in some cases marked the placard and may have left their ballot papers blank. Some presiding officers had noticed or anticipated this, and had hung the cards elsewhere or shortened the string on the booth pen so that the card was out of reach. We think quite a number of spoiled papers occurred where such preventive measures were not taken. However, the total number of such incidents could not have been very great since in no case were there more than nine such marks and the average was three or four.
- b. The Electoral Act (s.65 normally, but for this election s.175(11)) allows the presiding officer to help a voter make his mark. This, of course, had to be done for the blind but some of the old men and women also needed assistance. In the event such action was comparatively rare, as in many cases there was a dialogue with the polling officers, even from inside the booth. We do not know what was said since our interpreters were not allowed inside the polling station; however, in one case such an exchange prevented an old man marking the wall card. Where physical help was needed we were told that the voter almost always knew which party he wanted to vote for, e.g. "The hoe" (UANC). On the fifth day at Inyanga the presiding officer said she had helped 25-30 voters, by steering their hand, but all had known which party they wished to support. However, earlier in the election we did find one presiding officer who was using this power unnecessarily and one or more of the parties had begun to complain about him.

117. Problems arose over placing the paper in the box, through voters requiring constant reminders to fold their paper on emerging from the booth; and because the papers had to be folded twice in order to be put in the box.

118. In general, we would make the following comments about the polling stations, their staff and the conduct of the election:-

/Although some ...

- a. Although some ingenuity had been used in certain places to adapt unlikely buildings into polling stations, heads and hands of the voters were not visible from outside the polling booths.
- b. The polling station staffs were mainly civil servants (teachers, agricultural and veterinary officers, etc., with senior presiding officers, sometimes sent out from Salisbury). They appeared to us to be meticulously adhering to their instructions and behaving in a totally impartial manner. Indeed this was a hindrance to our inquiries, since they were quite unable to tell us anything of how far the voters had travelled.
- c. Occasionally we saw the padlock on a box hanging unsealed, but it always transpired that the key was locked up elsewhere. Little things like this had clearly on occasion gone wrong, but they were technicalities.
- d. At most polling stations a contingent from at least one of the parties was present. Only on the occasion mentioned in 116 (b) above and in one or two other minor cases had they any criticism or complaint whatever, either of the election machinery or of each other's activities. In many places there were bands of supporters engaged in "singing and dancing", often in rival groups. But the atmosphere was of a carnival rather than a fight for victory; the voters had put on their best clothes; the rival parties picked up and returned their opponents' posters and flags; the factions sat in a row on a wall side by side; the candidates would sometimes talk to us as a group rather than individually. Our overwhelming impression was that the parties and the voters were participating in what they considered to be a most important occasion, and that they were thoroughly enjoying it. There was also a surprising degree of sophistication. At polling stations in different types of area, many voters were aware of the international implications both of their own election and of that shortly to be held in the United Kingdom.
- e. In three polling stations we found the police checking people at the door for eligibility to vote. This was, of course, wrong and it was immediately corrected when pointed out. Because of the circumstances in which this happened and the general atmosphere of co-operation between the polling staff and the voters which we noticed, we do not believe there was any underhand purpose. The polling staffs were extremely busy and, wrongly, the police had been asked to help in order to speed up the process of voting.

/f. We must ...

f. We must mention one incident which may be thought to constitute more than a technical irregularity. There was an arrangement whereby a static polling station could, with the authority of the provincial Joint Operation Command (and, we believe, of the National Electoral Directorate) turn itself into a mobile, even though the presence throughout the five days had been advertised as being in one place. In the Mutasa district of Manicaland, a static station had been set up at the school at Tadyanemhando. The school had been shot up by guerillas on Easter Saturday; on the Monday or Tuesday morning many of the men left for the week to work on European tea farms. They would by then have known that the station was due to be open on Saturday when they would have returned to their rural homes. It was known that the population was interested in voting, but they said they wanted an escort. The Security Forces did escort them on foot to the station, but we were told that they refused to vote on arrival. They were mainly women, and it was thought that a guerilla or fellow-traveller was in each group. Thus, having collected a mere handful of votes, on Friday morning the station was closed and sent elsewhere. The decision may or may not tactically have been justified, but the process whereby an advertised polling station could thus be removed before the end of the election seems to us a flaw in the arrangements made.

g. The National Electoral Directorate had told us that in some cases the polling stations' staffs had required a direction by authority before they would act. This was said to derive from fear of guerillas since they would then give the direction as their excuse for acting. Consequently a general direction was given under the Emergency Powers (Election) Regulation 1979 and failure to comply with this was made an offence. We have heard of two cases where teachers nevertheless refused to participate; at Shabani they were fined about £15 and at Beit Bridge they still await trial. In the situation which faced the authorities we do not consider this to be a serious matter.

h. Some criticism has been made about the bussing of voters across the boundaries of Electoral Districts. For instance, in Mashonaland West, where six seats were to be filled, Mr. Chikerema had been placed at the sixth position in the UANC list: so the UANC had to win all six seats if he was to be elected. In this Electoral District the turn-out was 108% of the official estimate of the population. Even if bussing was a contributory cause of this, of which we cannot be sure, there was nothing illegal in

/such a practice ...

such a practice since people could vote anywhere within the country. We thus do not feel the need to make any comment on this matter.

119. Our general conclusion was that the procedures at the polling stations were properly conducted, that the vote was secret and that no pressures were brought to bear on the voters during the process of voting. It was indeed a remarkable feat to man so many stations in time of war and with no comparable precedent. It would have been surprising if there had been no irregularities.

/THE COUNT

THE COUNT

120. Three of us were able to observe the count at the counting stations mentioned at Appendix A. The procedures used were very similar to those in this country. They were as follows:-

- a. At the end of polling on Saturday, 21 April, all ballot boxes were sealed and taken to a well guarded place of security. We had no reports of any attacks on these places and we personally checked a number of them where we found nothing out of order.
- b. When counting began on 23 April, the ballot papers were checked against the total number issued, less those returned unused. Only minor discrepancies were found.
- c. The ballot papers were then divided into the various political parties.
- d. Papers which were regarded as possibly spoilt were separated, checked by the presiding officer and if still regarded as spoilt were counted as such.
- e. The ballot papers for the various parties were counted.
- f. The result was communicated to Salisbury by telephone followed up by a written communication.
- g. All the ballot papers were sealed in boxes and delivered to Salisbury. The boxes can only be opened by an order of the High Court.

121. In all the polling stations visited, party representatives were present as scrutineers during the counting process and were allowed to observe every stage of the proceedings. We made a point of asking whether they had any complaints. They all, without exception, declared themselves to be fully satisfied.

122. We were particularly interested in the spoilt papers for obvious reasons and we all made a point of examining them. The majority of them were blank. Some had more than one mark on them. Some had large crosses covering the whole paper and a few had the names of Mugabe or Nkomo or even Smith written over them.

123. There is no doubt in our minds that many of these papers were deliberately spoilt. It is impossible to be precise as to what percentage of papers were in this category but it is relevant that the percentages of spoilt papers in Matabeleland South (9.7%) and Matabeleland North (6.25%) where Mr. Nkomo was still a considerable force to be reckoned with, was much higher than the overall average of 3.55%. Of course, the fact that this was the first election in the country on

a one man one vote basis and that the electorate was, to a considerable extent, illiterate, would certainly mean that the percentage of spoilt papers would be far higher than that in Britain where this varies between 0.1% and 0.2%. But even taking this into account, it is certainly true that there was a measure of deliberate spoiling.

124. There were some variations in the counting stations as to the precise interpretation of a spoilt paper. In particular, in some cases, when there were crosses against three of the parties, the fourth one, unmarked, was taken to mean the party for which the voter had voted. However, these variations were very minor and could have had no effect on the result. We do not hold the view that the overall figure of 3.55% spoilt papers was excessive and it certainly should not be regarded as invalidating the election.

125. Our conclusion was, therefore, that the count was properly conducted and that the results did represent a true reflection of the way people had voted.

/THE RESULT

THE RESULT

126. The electoral system used is described in paragraph 16. The election was conducted separately in eight provinces.

127. Four parties (United African National Council, United National Federal Party, Zimbabwe African National Union, Zimbabwe United Peoples' Organisation) contested all eight provinces. One, the National Democratic Union, only contested Mashonaland East. The symbols used are shown at Appendices N & O. In our view these symbols were clear and the voters had no difficulty in distinguishing between them.

128. The overall results were:-

<u>Party</u>	<u>Votes</u>	<u>%</u>	<u>Seats</u>
UANC	1,212,639	67.27	51
ZANU	262,928	14.58	12
UNFP	194,446	10.79	9
ZUPO	114,570	6.36	0
NDU	18,175	1.00	0

There were 66,319 spoilt papers - 3.55% of the total poll.

129. There were 1,802,758 valid votes. This represents 62.16% of the estimate of the electorate made by the authorities (2.9m) or 51.51% of the higher estimate of 3.5m mentioned by Lord Coronwy-Roberts in his exchange with Lord Hatch in the House of Lords on 3 April 1979, (Hansard - columns 1791 and 1792), and by the latter in his letter to the Telegraph of 10 April 1979. (The figure published in Rhodesia immediately after the election, indicating a total of 64.5%, included spoilt papers.)

130. Detailed figures broken down by provinces are as follows:-

	<u>Votes</u>	<u>Seats</u>	<u>% of valid votes</u>
<u>Mashonaland East</u>			
NDU	18,175		3.31
UANC	428,599	15	78.17
UNFP	20,292		3.70
ZANU	39,461		7.20
ZUPO	41,767		7.62
Total	<u>548,294</u>		<u>100.00</u>

There were 11,302 spoilt papers representing 2.0% of the total votes cast.

Mashonaland Central

UANC	138,360	5	80.67
UNFP	9,598		5.59
ZANU	16,968		9.90
ZUPO	6,582		3.84
Total	<u>171,508</u>		<u>100.00</u>

/There were 4,160 ...

There were 4,160 spoilt papers representing 2.36% of the total votes cast.

	<u>Votes</u>	<u>Seats</u>	<u>% of valid votes</u>
<u>Mashonaland West</u>			
UANC	245,737	6	83.42
UNFP	12,941		4.40
ZANU	24,682		8.37
ZUPO	11,228		3.81
Total	<u>294,588</u>		<u>100.00</u>

There were 8,938 spoilt papers representing 2.94% of the total votes cast.

<u>Manicaland</u>			
UANC	97,994	6	53.65
UNFP	8,398		4.60
ZANU	69,136	4	37.85
ZUPO	7,115		3.90
Total	<u>182,643</u>		<u>100.00</u>

There were 5,308 spoilt papers representing 2.82% of the total votes cast.

<u>Victoria</u>			
UANC	75,403	6	56.14
UNFP	13,543	1	10.08
ZANU	35,549	3	26.46
ZUPO	9,840		7.32
Total	<u>134,335</u>		<u>100.00</u>

There were 7,300 spoilt papers representing 5.15% of the total votes cast.

<u>Midlands</u>			
UANC	137,120	7	60.62
UNFP	24,006	1	10.62
ZANU	47,525	3	21.00
ZUPO	17,551		7.76
Total	<u>226,202</u>		<u>100.00</u>

There were 10,855 spoilt papers representing 4.57% of the total votes cast.

<u>Matabeleland South</u>			
UANC	10,318	1	20.00
UNFP	30,318	3	58.90
ZANU	7,365	1	14.30
ZUPO	3,502		6.80
Total	<u>51,503</u>		<u>100.00</u>

/There were 5,534 ...

There were 5,534 spoilt papers representing 9.70% of the total votes cast.

	<u>Votes</u>	<u>Seats</u>	<u>% of valid votes</u>
<u>Matabeleland North</u>			
UANC	79,108	5	40.84
UNFP	75,350	4	38.90
ZANU	22,242	1	11.48
ZUPO	16,985		8.78
Total	<u>193,685</u>		<u>100.00</u>

There were 12,922 spoilt papers representing 6.25% of the total votes cast.

131. Of the 4,263 people in prison who were eligible to vote, 80.55% actually voted; however in Matabeleland, where the poll was, as expected, low, only 51.4% chose to vote.

/CONCLUSIONS ...

CONCLUSIONS

132. Our conclusions were:-

a. Although not specified in our terms of reference our investigations were throughout coloured by the phrase - "free and fair" - which has become common currency in this matter.

b. In our view the elections were "fair" in the sense that the electoral machinery was fairly conducted and above serious reproach. In arriving at this conclusion we have applied the strictest Western European criteria.

c. The question whether the election was "free" is more complex. There is no doubt that the people who actually voted were free to choose which party they wished to support. It is true that in conditions of war, and with the other pressures which we have described, it would have been impossible to hold a fully free election in the sense that everyone qualified to vote could either do so or abstain precisely as he or she wished. However, in our opinion, neither individually nor in conjunction did these pressures amount to such curtailment of freedom or imposition of direction as to invalidate the election. On the contrary the people expressed their own view, in numbers which demonstrate a significant judgement on the constitutional basis of the election itself. They also exercised their right clearly to choose the party which they wished to form the next Government.

d. Finally we note that neither Patriotic Front party proffered candidates for election. Despite this we think that the result represented the wish of the majority of the electorate of the country however calculated.

Appendix A

POLLING STATIONS VISITED

Mashonaland East

Salisbury

Mabvuku township hall
Tafara school
Sanlam Shopping Centre, Highlands
Highlands municipal office
Gwinyai school, Harare
Nharira school, Harare
Old superintendent's office, Harare
Workington Shopping Centre
Waterfalls, Seven Miles Hotel
Waterfalls District Municipal Office
St. John's Ambulance Association HQ, Salisbury Central
Arcadia Community Centre (twice)
Zimbabwe Social Centre, Highfield
Belvedere
Chikurubi maximum security prison (mobile)
Coventry Road/Sir James Macdonald Avenue (mobile)
Social Centre Area 2, Kambuzuma
Rutenda Hall, Mufakose
Post Office Training Centre
Machipisa
Ardbennie
Greystone Park school
Christchurch, Greystone Park
District Commissioner's Office, Market Square
Mobile 10 - Kingsway/Railway Avenue

Marandellas
Dombo Tombo

Mashonaland Central

Mount Darwin
Nyembiri
Dotito school
Bveke
Nyanzunza
Centenary East Sports Club
Chawanda
Nyamzizi
Mudzengerere
Madziwa Protected Village 6
Butleigh Farm, Mtepatapa (mobile)
Bindura
Trojan Nickel Mines (mobile)

Victoria

Fort Victoria District Commissioner's Office
Gutu
Dewure Business Centre
Bikita
Ndanga hospital
Zaka

Matabeleland South

Gwanda
Thornwood Mines
Kezi
Essexvale
Medweni
Colleen Bawn (mobile)

Matabeleland North

Bulawayo: Iminyela township
Tshabalala township
Belmont
97 Mafeking Road
Bellevue

Manicaland

Umtali: All 5 static polling stations
Mutasa centre
Mutasa Protected Village 16
Inyanga
Rusape

COUNT

Mashonaland East: Salisbury - David Livingstone School
(three times)
Goromamonzi
Marandellas
Seki
Wedza
Concession
Mtoko
Mazoe

Mashonaland West: Gatooma

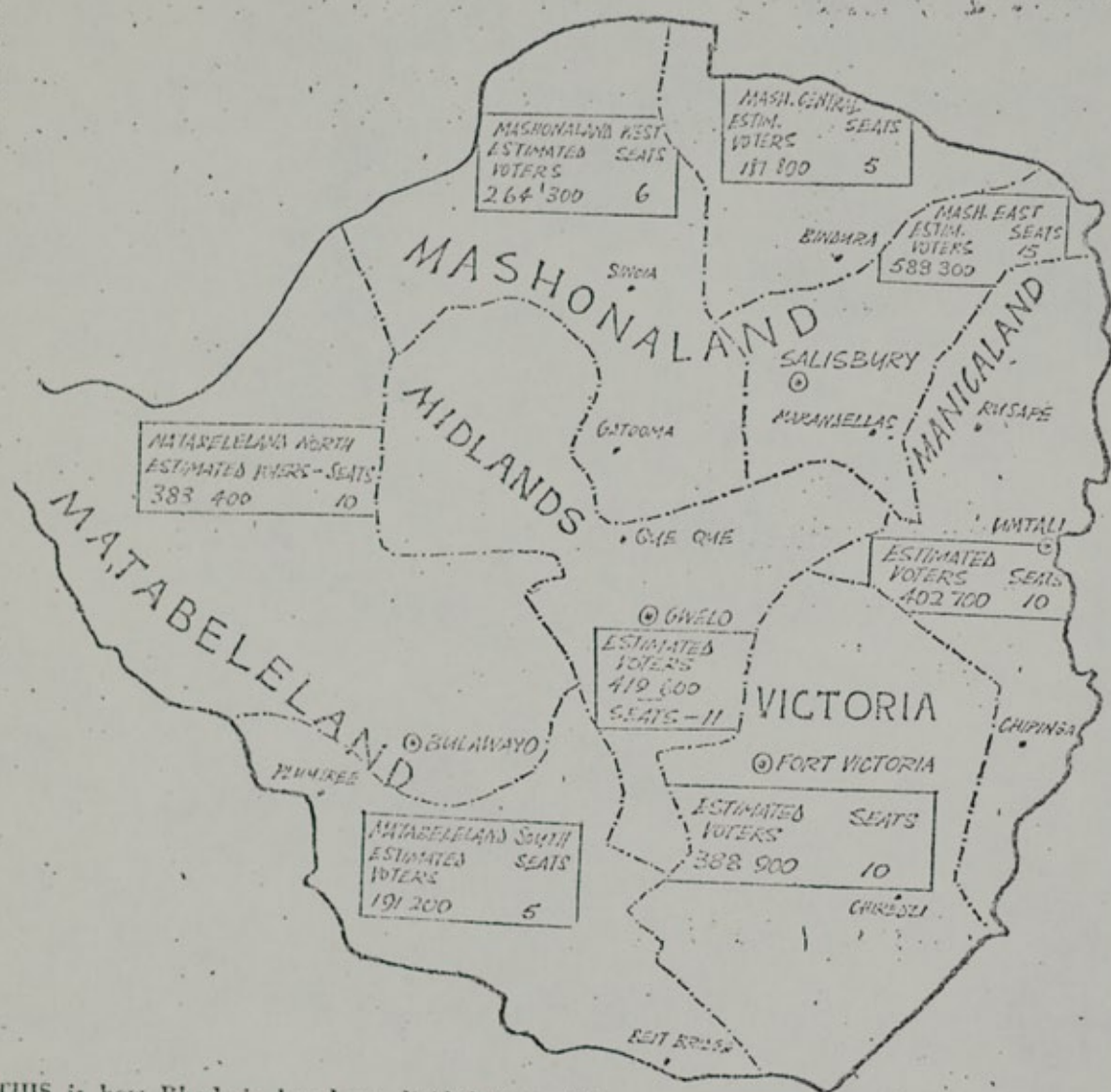
Mashonaland Central: Mount Darwin

Midlands: Que Que
Umvuma

Matabeleland South: Filabusi
Gwanda

Matabeleland North: Bulawayo

Manicaland: Rusape
Umtali



THIS is how Rhodesia has been divided into eight provinces, in accordance with the proposed party list system of proportional representation for the election of the 72 black seats in the new National Government.

Seats will be allocated in proportion to the numbers of potential voters in each province. The estimated voters and number of seats in each province are included.

PARTY LIST PROVINCES

ESTIMATE OF POTENTIAL BLACK VOTERS

The size of the black electorate will obviously come under scrutiny in assessing the percentage poll at the forthcoming election for the 72 Black Common Roll seats. As previous estimates had been made some months ago the Election Directorate requested the Director of Census and Statistics to prepare an up-to-date estimate. The Director's assessment based on the March, 1979, population estimate and the basis on which it has been made is attached.

The Director, Dr C.A.L. Nyburgh, who has been Director of Census and Statistics since January, 1963, is a member or fellow of various international statistical organizations. He has been involved in demographic studies since 1945 and was awarded the PhD for his demographic studies in 1954 and elected to the International Institute for the Scientific Study of Population shortly afterwards. On various occasions he has been consulted on demographic matters by the census authorities of Malawi and Botswana, the heads of the demographic section of the United Nations Economic Commission for Africa and by the World Health Organisation.

ESTIMATE OF POTENTIAL BLACK VOTERS IN 1979

By Dr C. A. L. Hyburgh

Because of marked demographic differences between (a) the locally born, and (b) the foreign born segments of the black population and the fact that the ratio between the two groups is changing, separate calculations were made for each of these groups.

For the locally born, the 1969 census proportion of persons aged 18 years and over, viz. 39,8 per cent, was applied to the estimated number of locally born blacks as at the end of March, 1979. This gave a figure of 2,60 million. Similarly, for the foreign born element the 1969 census proportion of persons aged 18 years and over (86,9 per cent) was applied to the appropriate segment of the March 1979, population estimate to give a figure of approximately 240 thousand. This latter figure reduces the 230 thousand when known foreign born adult male immigrants over the last two years are deducted, as they would not have the required residential qualification. Thus the combined total black potential comes to 2 830 000, say, 2,8 million.

The use of the 1969 aged distributions is consistent with the demographic theory of a stable population which is commonly used in demographic studies of under developed countries. This theory of a stable population is also used for a large segment of our post-1969 population estimates in view of the fact that we do not have complete records of all births, deaths and migrants.

The estimate of the 1979 voting potential is based on the smoothed 1969 census age distribution, so that account has been taken of errors in the ages reported at census date. However, the estimate does not take account of unknown omissions from the 1969 census. On the other hand neither does it allow for the unknown post-1969 emigration of locally born and the post-1969 migration of foreign born women. However, the emigration of foreign born men is estimated from employment data.

The rate of natural increase used in making the post-1969 population estimates is a constant 3,6 per cent per annum derived from the 1969 census, for estimation purposes this figure is kept constant because, at this stage, it is not known to what extent the pre-1969 upward trend in this rate has been retarded or reversed in more recent years.

The increasing acceptance of family planning has certainly had some effect on the past trends, but changes in the birth rate would have little or no effect on the 1979 adult population as these were all born before the 1969 census. While an adjustment to the birth rate

would affect the total population estimate, it would necessitate making a compensatory adjustment to the proportion of adults used in calculating the potential voting population.

The main factor contributing to the upward trend in the rate of natural increase prior to 1969 was probably a decrease in the death rate following the extension and improvement of health services. This trend probably continued beyond 1969, although in the last few years this has been retarded, if not reversed, by the terrorist activities and the resulting war situation.

Any attempt to quantify all the unknowns referred to would be speculative. Bearing in mind that some of these unknowns would raise the estimate while others would reduce it, it is considered that the estimate of 2,8 million is the best figure that can be produced at present.

FREE STATEMENT

287/79/TW

VOTE PERCENTAGES EXPLAINED

The following statement was issued today (April 20) by the Election Directorate:

As there is some confusion relating to the calculation of the percentage of votes cast in the General Election, the Election Directorate points out that for the purpose of this calculation a potential electorate of 2,9 million was used.

The Director of Census and Statistics has estimated the potential black electorate at 2,8 million as at March 31, 1979. To this must be added the potential white electorate, which is approximately 100 000.

Allowance must also be made for those eligible voters unable to vote because they are outside Rhodesia and no postal voting facilities are available for this election. In these circumstances the Directorate considers 2,9 million a reasonable estimate against which to calculate the overall percentage poll, as was explained at the Election Directorate briefing on the evening of Monday April 16.

The Directorate also draws attention to the fact that it is misleading to calculate percentage polls in individual electoral districts on the estimated voting potential in each of these districts. In the first place these estimates were made for the purpose of calculating the number of parliamentary seats and were based on the normal estimated population of each administrative district. No account was taken of movement of population, particularly to the urban areas, in recent years as a result of the terrorist war, as this would have been impossible to calculate and in any event would have given a false picture on which to base parliamentary representation.

2/...

In this particular election a voter is free to vote at any polling station in the country and is not restricted to his own district. The Directorate is aware that there has been a significant movement of people from some Tribal Trust Lands to urban centres immediately before and during the election so that they can cast their votes free from intimidation. In many cases this movement has involved crossing electoral district boundaries.

While a comparison between the actual voters in any of the electoral districts with the estimated voting potential in that district gives an indication of the turnout of voters in the area, it cannot be taken as an accurate assessment of the percentage of the actual voters in that district during the election who have cast their votes. The only reliable calculation, therefore, is that based on the estimated potential electorate in the nation as a whole.

Department of Information,
P.O. Box 8150,
Causeway.

April 20, 1979
TW/LC

Telephone: 703891

Appendix F

ATTENDANCES : POLITICAL MEETINGS (UANC and ZANU only)

<u>UANC</u>			<u>ZANU</u>		
<u>Date</u>	<u>Place</u>	<u>Numbers Attending</u>	<u>Date</u>	<u>Place</u>	<u>Numbers Attending</u>
9/2/79	Bulawayo	21	10/2/79	Salisbury	4,000
10/2/79	Chiwundura TTL	3,000	17/2/79	Mkoba Township	1,500
10/2/79	Urungwe TTL	2,000	17/2/79	Gwelo	200
17/2/79	Redcliff	2-3,000	25/2/79	Sakubva	2,500
17/2/79	Gatooma	3-400	19/2/79	Birchenough Bridge	1,500
25/2/79	Sakubva	250	19/2/79	Chipinga	800
24/2/79	Marandellas	2,800	24/2/79	Sinoia	300
24/2/79	Bulawayo	300	21/2/79	Sinoia	240
25/2/79	Mkoba	400	25/2/79	Bulawayo	1,500
25/2/79	Umvuma	500	4/3/79	Salisbury	16,000
3/3/79	Dangamvura	300	3/3/79	Senka Township	150
4/2/79	Salisbury	200,000	10/3/79	Chipinga	3,500
3/3/79	Amaveni	500	11/3/79	Sengwe TTL	1,000
3/3/79	Zwimba TTL	2,000	10/3/79	Enkeldoorn	200
10/3/79	Sinoia	350	8/3/79	Gwanda	250-300
10/3/79	Norton	1,000	17/3/79	Dangamvura	700
11/3/79	Lalapanzi	100	18/3/79	Kamativi	42
10/3/79	Bulawayo	5-6,000	24/3/79	Mashaba	100
17/3/79	Chipinga	200	23/3/79	Arcturus	150
18/3/79	Mashaba	1,500	24/3/79	Bromley	200
17/3/79	Zwimba TTL	15,000	22/3/79	Marandellas	1,200
24/3/79	Zaka	2,500	24/3/79	Sipolilo	350
24/3/79	Bulawayo	6,000	21/3/79	Karoi	250
3/79	Umtali	3,000	25/3/79	Lalapanzi	150

UANC

<u>Date</u>	<u>Place</u>	<u>Numbers Attending</u>
24/3/79	Lions Den	700
18/3/79	Makuti	400
24/3/79	Mangula	350
25/3/79	Lundi TTL	600
25/3/79	Bukwa Mine	1,000
29/3/79	Bikita	500
30/3/79	Chiredzi	1,000
31/3/79	Mtoko	8-900
31/3/79	Sinoia	500
31/3/79	Lions Den	600
31/3/79	Mangula Mine	600
31/3/79	Mtoroshanga	800
28/3/79	Glendale	1,200
29/3/79	Bindura	1,400
28/3/79	Mazoe	2,000
1/4/79	Bulawayo	25,000
31/3/79	Wankie	450
4/4/79	Nkai	1,000
4/4/79	Kezi	600
6/4/79	Beit Bridge	1,150
8/4/79	Gwelo	7,500
8/4/79	Sanyati TTL	1,500
8/4/79	Norton	300
7/4/79	Umvukwes	350
7/4/79	Centenary	400

ZANU

<u>Date</u>	<u>Place</u>	<u>Attending</u>
24/3/79	Amaveni	200
28/3/79	Nkai	500
1/4/79	Salisbury	200
31/3/79	Salisbury	400
30/3/79	Sengwe TTL	500
30/3/79	Marandellas	250
1/4/79	Marandellas	250
31/3/79	Karoi	200
31/3/79	Ruda	100
31/3/79	Inyanga	200
31/3/79	Sabi TTL	200
29/3/79	Inyati	500
29/3/79	Nyamandhlovu	400
29/3/79	Tjolotjo	400
27/3/79	Essexvale	300
27/3/79	Plumtree	550
30/3/79	Wankie	200
8/4/79	Epworth Mission	200
8/4/79	Salisbury	2,000
4/4/79	Selukwe	1,500
7/4/79	Chiwundura TTL	100
3/4/79	Que Que	300
4/4/79	Que Que	800 (2 meetings)
5/4/79	Mzarabani TTL	300
2/4/79	Doma Sports Club	1,000

UANCZANU

Date	Place	Numbers <u>Attending</u>
8/4/79	Shamva	1,000
6/4/79	Urungwe	5,000
7/4/79	Kariba	4,000
6/4/79	Wedza	800
7/4/79	Macheke	600

Date	Place	Numbers <u>Attending</u>
7/4/79	Banket	100
8/4/79	Mangula	400
7/4/79	Wedza	400

Footnote: A great many meetings were held in addition to those given. As the vast majority of these other meetings were UANC, those UANC meetings where numbers attending were less than 500 have been excluded. Very few ZANU meetings have been excluded and these were meetings of under 100 people.

Appendix G

MARTIAL LAW

Fort Darwin

The whole sub-J.O.C. is under martial law except Centenary. There is a dusk to dawn curfew. Wide powers are available so long as the incident is guerilla-inspired. The Security Forces arrest, and hand over to a court convened by the Martial Law Administrator. The President would have to have legal qualifications; the other members would normally be the District Commissioner and a prominent local civilian. The police would prosecute and the defendant could be legally represented, and is so informed.

There have been no cases in this area and no such court has been convened.

Gwanda

There have been 74 pre-emptive detentions, the last in late February.

There has been one court martial. One of a European farmer's work-force set up a guerilla ambush, in which the farmer was killed by a rocket. The key witnesses had given statements under caution but had then joined the guerillas, leaving insufficient evidence for the normal criminal courts.

Umtali

There have been 20 people detained for assisting guerillas with food and information.

There have been seven courts martial, with no acquittals nor quashing on review. None of the defendants chose legal representation.

There have been two death sentences:-

- a. A commercial driver was taken by guerillas to a kraal where the kraal headman said he was to be shot, and he was. The headman pleaded guilty and was executed.
- b. The wife and child of a European farmer were killed as a result of collusion between one of their farm workers and the guerillas. The farm worker pleaded guilty.

In neither case would it have been possible to obtain witnesses, since no witness would have been allowed to live.

The other cases were much less serious.

Appendix II

EVIDENCE PRODUCED ON THE PATRIOTIC FRONT'S
NON-PARTICIPATION IN THE ELECTION

Mr Ian Smith INTERVIEWED BY J. HUMPHREYS OF THE B.B.C. 3.3.78

I.S. "I have made it clear that if they (P.F.) wished to come back and participate peacefully then they may do so and that door is still open."

Mr Ian Smith INTERVIEWED BY WALTER CRONKITE OF C.B.S. 3.3.78

I.S. "As far as I and indeed the three internal black leaders with whom I have been holding the negotiations are concerned we have all made it clear that if any of these (P.F.) people wish to return, providing they come back as men of peace and decide that they will forgo terrorism and work with us constitutionally for a peaceful settlement, that we will welcome their participation. It is now up to the people concerned to make up their minds as to whether they wish to return and participate or whether they wish to stay out in the cold."

Mr Ian Smith INTERVIEWED BY B.B.C. TELEVISION ON 12.5.78

I.S. "I want to remind you that we have opened the door to the Patriotic Front so they are staying out of their own volition. Now under those circumstances we have no option but to carry on without them."

REV. SITHOLE IN PROGRAMME 'MEET THE LEADERS' ON R.B.C. T.V. 26.3.78

Rev. Sithole: "Right from the beginning the external leaders were invited to join the talks but they refused to come back into the country and join us. The reason why they have refused to come back is that they know they are massively rejected by the people in this country. But even deeper than that they have a very strange philosophy which is quite unacceptable to most of us.

Namely, they feel very strongly that all power should be handed over to the P.F., but we do not subscribe to that view. We feel very

strongly that all power must be handed not to a particular political leader or to a particular political organisation, but to the people of this country, then in turn the people of this country will delegate this power at free elections to the leaders of their own choice. The invitation to the external leaders is still open. They can come and participate in free elections like anybody else, but certainly no special place will be created for any of them, just as in the agreement no special place has been created for any of the internal leaders. What is important is that they should come back and submit themselves to the verdict of the people of this country no matter what external support they may get. The crucial question is the verdict by the people of this country."

Mr Ian Smith INTERVIEWED BY THE B.B.C. 15.6.78

I.S. "We have made an offer inviting Messrs. Nkomo and Mugabe to come in and participate in our agreement on an equal footing with the rest of us... We could very easily close the doors and keep it to ourselves, but we are prepared to invite them in on exactly the same conditions as the rest of us are participating."

Mr Ian Smith INTERVIEWED BY MR. CARL ROWAN OF C.B.S. 30.6.78

I.S. "Another point I would make to you is that we have invited Mr. Nkomo and Mr. Mugabe to come back and to participate on an equal footing with the other black leaders who are in the country, so the fact that they are not here is their fault, no one else's."

Mr Ian Smith INTERVIEWED BY MR. ALAN RYSKIND OF 'HUMAN EVENTS'
29.6.78

I.S. "We don't exclude Nkomo and Mugabe. We have invited them to participate."

Mr Ian Smith INTERVIEWED BY MR. P. YOUNGHUSBAND OF 'NEWSWEEK'
29.6.78

I.S. "I think the first point I should make is that we have never objected to speaking to Nkomo and Mugabe. In fact we have invited them in to participate in the Transitional Government. I believe this is a very generous attitude on the part of the people who are in control."

REV. SITHOLE INTERVIEWED BY ALAN RYSKIND OF 'HUMAN EVENTS' 29.6.78

Rev. Sithole: "Now whoever wants to be a leader must subordinate himself to the verdict as will be given by the people at a General Election. Now these present arrangements include, therefore, all the forces, internal forces, external forces as well."

Question: "Well can Mr. Nkomo and Mr. Mugabe come here as well?"

Rev. Sithole: "They can come anytime, it is open, and their protection is guaranteed like the protection of everyone else."

Question: "You still welcome them to come in and participate in an election?"

Rev. Sithole: "Indeed, indeed, we are urging them to come in and participate in the elections."

REV. SITHOLE INTERVIEWED BY CARL T. ROWAN (WTOP) 30.6.78

Rev. Sithole: "Joshua Nkomo is welcome. Anytime he likes to come and participate he can do so. His security is guaranteed by the Transitional Government so that if he chooses to stay out, certainly he is exercising his own right."

Mr Ian Smith INTERVIEWED BY STEPHEN BRADSHAW (BBC) 17.7.78

I.S. "I think we must get the record straight and make it clear that Mr. Nkomo has not been excluded. Time and time again, the members of the Executive Council has actually asked Mr. Nkomo and in fact, Mr. Mugabe to come in and they will be given equal standing and equal facilities with the other members of the Transitional Government."

STATEMENT BY BISHOP LUZOREWA 26.7.78

"We have never been averse to the participation of the Patriotic Front in our Transitional Government. Indeed we have repeatedly stated that there are two empty chairs for Mugabe and Nkomo on the Executive Council and that we want all people to participate in an all party election."

REV. SITHOLE INTERVIEWED BY MISS JUNE GOODWIN (CHRISTIAN SCIENCE MONITOR) 24.8.78

Rev. Sithole: "The Patriotic Front is welcome to return home and participate in a general election."

Mr Tan Smith INTERVIEWED BY MR. SANDY GALL OF I.T.N. 8.12.78

Question: "Could you foresee by any stretch of the imagination a situation where perhaps Mr. Mugabe and Mr. Nkomo could also be included in a National Government?"

I.S. "We have invited them to participate. We invited them to participate in our conference which led to the March 3rd Agreement. At least a dozen times subsequently we have invited them to come back and participate and offered them the same position as the rest of us in the Transitional Government, seats on the Executive Council, Ministers in the Ministerial Council but they have not accepted because they believe they have the support of the British and the U.S. Administrations and indeed they have today and the Administrations of these two countries are opposed to us. This puts the Patriotic Front in a very powerful position where there is a chance that they can come in without going through an election and being all powerful."

REV. SITHOLE INTERVIEWED ON RBC-TV 21.1.79

Rev. Sithole: "The point is Nkomo and Mugabe are not interested in coming back to the country and participating in a general election. If they decided tomorrow to come back and live under the law like everybody else and participate to bring about a majority rule agreement they are welcome but if they say no then they are free to say "no". If they say "yes" they are free to say that."

Mr Ian Smith INTERVIEWED BY MR. LIONEL WILLIAMS (SABC) 1.2.79

I.S. "They (British and U.S. Governments) make lame excuses as to why they can't go along with it (Transitional Government) because we haven't brought in the Patriotic Front. But they fail to give us credit for the fact, and tell the world the truth, that we invited the Patriotic Front to come in. And they didn't come in."

Mr Ian Smith INTERVIEWED BY MR. RUDOLF STARNER OF 'TIROLER
NACHRICHTEN' (INNSBRUCK, AUSTRIA) 20.2.79

I.S. "As far as the leaders of the Patriotic Front are concerned we have told them many times and repeated it only the other day, that if they wish to return and participate they may do so - the door is open. There is only one condition - that they must work constitutionally and peacefully as opposed to using force and intimidation."

Mr Ian Smith INTERVIEWED BY MR. IAN HILLS 9.3.79

I.S. "I should think about a dozen times over the last 12 months we have invited them in, we have offered their leaders a seat in the Executive Council, and the subsequent right to appoint Ministers to the Ministerial Council, we have offered for them to participate in these elections. Only the day before yesterday, I think it was, we issued another invitation to them to come in. They won't come in, because they know they can't win."

TO ALL ZANLA FORCES



In order that all the people of Zimbabwe/Rhodesia can take part in the one-man, one-vote Majority Rule Elections in April, we, the Executive Council, in a unanimous decision, have instructed the Commander of Combined Operations, Lieutenant General G. P. Walls, G.L.M., D.C.D., M.B.E., as follows:

"That any member of the ZANLA Forces who returns home in peace before the election will be well treated. They will be fed, clothed and given proper medical treatment. They will be integrated with the Interim Government Auxiliaries (Pfumo reVanhu) under the command of Combined Operations, and will be armed for this purpose. On no account will those returning members of the Zanla Forces be stopped from voting in the elections in April, should they wish to do so."

BISHOP THE HON. A. T. MUZOREWA

REV. THE HON. N. SITHOLE

SENATOR CHIEF THE HON. J. S. CHIRAU

THE HON. I. D. SMITH

A GUARANTEE FROM
THE COMMANDER OF
COMBINED OPERATIONS



In accordance with the instructions I have received from the Executive Council:

I guarantee the safety of all Zanja Forces who wish to return home before the Elections. You will come to no harm at the hands of the Security Forces. You will be fed and clothed and given proper medical treatment. If you so wish, arrangements will be made for your transfer to the Interim Government Auxiliaries (Pfumo reVanhu) under the command of Combined Operations. The Pfumo reVanhu already have many ex-Zanja Forces working with them. You will be supplied with your own weapon and will be allowed to choose your area of operation. If you wish to be reunited with your family and operate in their area, this can be arranged. You will be allowed to participate with no restriction in the April Elections. This will enable you to play an important part in the establishment of the first black Majority Rule Government in Zimbabwe/Rhodesia.

Come home before the Elections in April 1979, and I guarantee you a safe return.

A handwritten signature in cursive script, appearing to read 'G. P. Walls'.

LT. GEN. G. P. WALLS, G.L.M., D.C.D., M.B.E.

The general amnesty is announced in this leaflet—the guarantee is endorsed by the four Executive Councilors and the Commander of Combined Operations.



A LETTER
TO THE
COMRADES

P. O. Box 393

FORT VICTORIA

16 . 2 . 79

Dear Comrades,

Well its me Judahs Smoke one of your combatant. At list most of you are shocked to hear that I am still alive. I have a practical experience I was terribly injured during a contact with the security forces. When they came to my vicinity I thought that it was the end of my life. But they treated me and took me to the nearest hospital where I received treatment free of charge. Whenever I asked them to help with anything they do it kindly. It proves that security forces aren't murderers as far as you thought.

My these leaders of the comrades Denny, Tsana, Itayi, Mwiranayi, Liberty, Ijwemore, Yaba, Yando, Zhee, Bongozozo, Chitapo, Muswankwanda, Bob, Edward and the platoon, section level also combatants report to the nearest security forces. Why should you continue fighting yet we have reached our final goal. They will do you no harm if you report to any security camp. I, Judahs never believed before that the internal settlement would not solve any problem in Zimbabwe. But after being clarified the working systems of the (future) future government I later agreed.

The situation has completely changed from the past year, in Zimbabwe, now all the races are going in the same path, same schools like at Waterfalls and there is freedom of speech. Why do you still then stay in the bush, come home? Lay your weapons down and come to join us to win peace.

Some comrades are coming on their free will but there is no harm being done to them instead they just join the security forces. Others you might think that they were killed who were captured some many years back are still alive and enjoying to their will. These we used to write on our reports that they were dead. There were false reports because I personally saw them. You can see ^{me} with Bits Kainto and Cesar Chimenderi whom you all know and ^{are} here with me safe and happy working for the new Zimbabwe. As well as Dombi Diamond who is helping me with this report.

Stop fighting and join your fellow comrades in the interim government, don't delay because if you don't do this before one man one vote election of 20th April then you might not get chance to save your lives.

The masses are anxiously waiting for the day and it seems to be hundred of years to go to them due to excitement and civility. Young men are flocking to join the security force to win Zimbabwe. Your mass support will soon decrease because after the the election they won't see the reason why you are still fighting.

The security forces are coming to destroy all the forces.

growing in the field in Goyani and Chikondezi. You will
starve terribly last year would be better and the
"Mindere" of this year will be intensified. Make
your final decision before long, don't delay. Come to
enjoy the interim government. Why should you continue
dying yet others are enjoying.

Come out of the bush and join us in making
a peaceful and free country in Zimbabwe. If you would
like to write to me with any problems you can
use my address on this report

FORMER COMMANDER

JUDANS SMILE (D.F.O.P.C)

A MESSAGE TO
THE COMRADES
IN THE BUSH
FROM
FATHER
DISCIPLINE

Dear Comrade Isuro Ten to Ten.

The purpose of our war is over, so don't hesitate to come and participate in the coming April elections. I am sure you thought the security forces were going to kill me, and, surprisingly enough they kindly treated me and I am back in my normal health again.

I am even married and my wife gave birth to a healthy baby boy.

Please forget about the war and come to rebuild the new Zimbabwe you had been fighting for. You boys in the bush are the markers of the Zimbabwe Revolution, so come home and defend your country.

Regards from Mutsaers, Gunguayan and Mhachikanda!

Your loving comrade
Caucunore Warimutoka,
Bazi Thulela or Father Discipline.

You will know by now that the Commander of Combined Operations has guaranteed the safety of all ZANLA forces who wish to return home. He has promised to feed and clothe you and give you proper medical treatment. You can see that your comrades are safe in the hands of the Security Forces. Take their advice and return to a normal life and take part in the future of Zimbabwe. All you have to do is send a message to the nearest Police Station or Security Force camp or write to Oreds Lushayi, P.O. Box 8065, Belmont, Bulawayo, and tell him the arrangements for you to return home with honour. You can also hide your weapons and approach the Police or Security Forces yourself. Your weapons can be recovered after you have returned to safety.

Appendix M

AFFIDAVIT IN TERMS OF SECTION 260 (1) OF THE CRIMINAL
PROCEDURE AND EVIDENCE ACT (CHAPTER 59)

I, MARION JOHN MOSES, do hereby solemnly and sincerely declare :-

1. I am the Senior Forensic Scientist to the B.S.A. Police.
2. I hold the degrees of Bachelor of Science (Hons.) University of Natal, 1964 (Physics and Chemistry), Master of Science, University of Natal, 1967, for research in Mass Spectrometric Isotope Analysis, and Doctor of Philosophy, University of Rhodesia, 1977, for research in Fluorescence Spectroscopy. I have been working as a Forensic Scientist since February, 1968.

The chemical calcofluor is an ultra violet fluorescent compound which was used to mark the fingers of voters. The ends of the fingers were dipped in a solution of the compound which resulted in the chemical being deposited in inaccessible areas such as beneath the finger nails and beneath the nail cuticle.

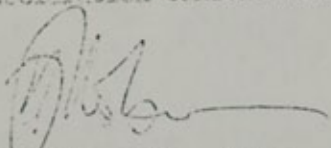
Once deposited on the skin it is extremely difficult to remove. Trials conducted showed that rinsing the fingers in the following commonly available organic solvents failed to remove the compound at all; benzine (petroleum ether), benzene, alcohol (ethanol), acetone, chloroform and carbon tetrachloride. After repeated treatments with these solvents the blue fluorescence remained clearly visible.

Physical removal, for example with detergent and a scrubbing brush is also very difficult. After severe scrubbing in detergent, repeated hourly over a period of five hours, the fluorescence was still clearly visible.

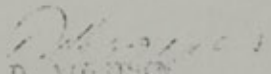
In my opinion it would require determined effort over a period of time to remove the chemical. In order to accomplish this access to an ultra violet light would be necessary in order to locate fluorescent areas and confirm their removal. Even with such effort the areas beneath finger nails and in the nail cuticle would be difficult to eliminate.

Trials showed that once treated the dye could be easily detected on the fingers after 10 days, especially in the regions beneath the finger nails and cuticles.

And I make this solemn declaration conscientiously believing the same to be true.












DR. H.J. MOSES, B.Sc., M.Sc., D.Phil.
SENIOR FORENSIC SCIENTIST

Declared at Salisbury this 27th day of April, 1979. Before me.


D. MORRISON
LOCAL DETECTIVE INSPECTOR
CRIMINALS SECTION OF O.M.S.

Appendix N











Know your party, its symbol and its leader.

<p>N NATIONAL D DEMOCRATIC U UNION</p>		 <p>H. CHIHOTA</p>
<p>U UNITED A AFRICAN N NATIONAL C COUNCIL</p>		 <p>BISHOP A.T. MUZOREWA</p>
<p>U UNITED N NATIONAL F FEDERAL P PARTY</p>		 <p>CHIEF K. NDIWENI</p>
<p>Z ZIMBABWE A AFRICAN N NATIONAL U UNION</p>		 <p>REV. N. SITHOLE</p>
<p>Z ZIMBABWE U UNITED P PEOPLES' O ORGANISATION</p>		 <p>CHIEF J.S. CHIRAU</p>

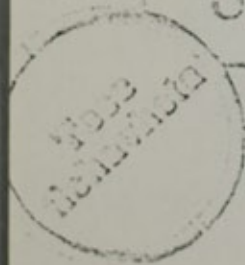
We are
all joining
to vote

That is what the people want

Ziya bato rako,
rupawo rwaro pamwe chete
nemutungamiriri waro.

<p>I N D U</p> <p>NATIONAL DEMOCRATIC UNION</p>		 <p>H. CHIHOTA</p>
<p>U A N C</p> <p>UNITED AFRICAN NATIONAL COUNCIL</p>		 <p>BISHOP A.T. MUZOREWA</p>
<p>U N F P</p> <p>UNITED NATIONAL FEDERAL PARTY</p>		 <p>CHIEF K. NDIWENI</p>
<p>Z A N U</p> <p>ZIMBASWE AFRICAN NATIONAL UNION</p>		 <p>REV. M. SITHOLE</p>
<p>Z U P O</p> <p>ZIMBABWE UNITED PEOPLES' ORGANISATION</p>		 <p>CHIEF J.S. CHIRAU</p>

Izvindizvo rvinodiwa nevanhu



END

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