

Rhodesia or Zimbabwe
No Middle Ground in Africa

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Three and one-half years after its unilateral declaration of independence (UDI) from Great Britain, the white minority regime of Rhodesia has been given a mandate by referendum vote of its unrepresentative electorate to prevent African majority rule forever.

Twice since 1965 the British had offered compromises to postpone majority rule if provision were made for African advancement. But Britain's original refusal to use force against the rebellion, and the ineffectiveness of international economic sanctions, left her no leverage to influence Rhodesia's future.

The United Nations, under pressure from its Afro-Asian block, will probably continue its sanctions policy. But it will not stop the sanctions' breaking of Rhodesia's neighbors, South Africa and Portuguese Mozambique, or change the unwillingness of the major powers to circumvent them.

The constitution approved by the referendum gives the African majority token representation, carefully controlled. It establishes a police state. And it legalizes discrimination against Africans, moving toward apartheid.

The African majority now has no recourse excepting its own strength. Britain was responsible, but failed. Most of the world opposed UDI and opposes the new constitution, but the United Nations is unable to prevent the temporary victory of white reaction. Both the African nationalist parties, the Zimbabwe African Peoples Union and the Zimbabwe African National Union, are engaged in guerrilla warfare against the regime, and in underground organization of the people to fight for independence.

The June referendum has polarized the issue: Rhodesia versus Zimbabwe. On the one side the entrenched white minority, backed by South Africa, the Portuguese empire, and their international allies. On the other, the liberation movements, sheltered by Tanzania and Zambia, in need of material aid from wherever they can get it.

The Myth of Rhodesia

The last official estimate (July, 1969) of population in Rhodesia showed 260,000 whites (Europeans) and more than 5,000,000 black Africans, with 20-25,000 of Asian and mixed origin. The African population is increasing at three times the rate of the European. This indicates the general condition of southern Africa—white minority rule over a much larger nonwhite population.

Rhodesia, however, is a much more artificial situation. *Three quarters of the white population have been in the country less than twenty years*—a post-World War II immigration. One quarter have been there less than ten years. About a third of the white population are of South African origin. When the nationalist movements refer to "settlers" they aren't talking in historical terms. They refer to people who have come in, in their own lifetime, to take their country away from them.

The whole of white history in Southern Rhodesia goes back only 80 years—one lifetime. Until 1922 it was ruled by a British commercial company. In 1923 the white minority received self government while the British parliament retained control of external affairs and a veto on discriminatory legislation.

Federation and Independence

In 1953, under strong British influence, Northern and Southern Rhodesia and Nyasaland federated, and both political and economic advantage accrued to Southern Rhodesia, the most economically developed area. In the tide of nationalism that was sweeping Africa, the Federation was destroyed and both Nyasaland (Malawi) and Northern Rhodesia (Zambia) obtained their independence as separate states. Southern Rhodesia (Zimbabwe), the only section with a sizeable white population, repulsed its own moderates who would have increased African participation in government; moved steadily right, and demanded independence under white minority rule.

This southern Rhodesia is a landlocked country in southeast Africa, about the size of Colorado. It is bordered by Zambia, Mozambique, South Africa, and Botswana. The Zambesi River forms the boundary with Zambia, and the Limpopo with South Africa. Although more than half of Rhodesia lies in the tropics, it is mostly a high plateau and therefore its climate is subtropical or milder, rather than tropical. Prior to UDI, agriculture accounted for about 15 per cent of the gross national product; tobacco and meat were among the primary exports and sugar export was growing. Asbestos was also an important export, and Rhodesia is among the very few world producers of chrome.

UDI—the Unilateral Declaration of Independence

Rhodesia under the conservative Rhodesian Front party with Ian Smith as Prime Minister declared its independence from Britain on November 11, 1965. No nation has formally recognized Smith's government as a legal state and the United Nations accepted the British proposal for economic sanctions against the rebellion which have been strengthened each year. They have not, however, been extended to sanctions' breakers, South Africa and Mozambique.

Internal Developments under UDI

Legislation. The intent and direction of the Rhodesian government has been clear since the organization and victory of the Rhodesian Front party in 1962. Discriminatory and repressive legislation predates UDI, and *the British never exercised their then unchallenged right to veto discriminatory legislation.*

The *Land Apportionment Act*, which reserved 36 million of the best of the 96 million acres for the 5 per cent who were Europeans, dates from 1930. (The new constitution raises the 36 to 44 million.) But the *Property Owners' Residential Protection Act* is UDI legislation. At the request of 50 per cent of the area's property owners, a neighborhood may be racially restricted so that individuals or groups are removed from homes, schools, hospitals, or other institutions. The *Municipal Amendment Act of 1967*, also the fruit of UDI, permits the segregation of public facilities (parks, swimming pools, entrances to public buildings, and the like) by local ordinance. The *Constitution Amendment Act of 1966* made possible legislation giving new powers to tribal courts and extending the coverage of African customary law (thus moving towards separate legal systems for African and European, a direction now endorsed in the constitution). Significant in view of the use of chiefs as representatives of the African community is the fact that the Minister of Internal Affairs was given power to appoint and dismiss tribal chiefs, who are government paid. The Constitution Amendment Act also provided that laws establishing detention and restriction could not be struck down by the courts as unconstitutional, and the new constitution now specifies this.

The *Law and Order Maintenance Act* and the *Unlawful Organizations Act* both predate UDI but were strengthened immediately before the Declaration. These "emergency regulations" forbid African gatherings, meetings, or demonstrations. The Minister of Justice was given the power of preventive detention under which thousands of Africans were held without charges or trial. Major African political parties were banned. Censorship powers over press, radio, publications, and public utterance were strengthened. Under the *Amendment to the Citizenship Act*, the Minister may deprive a person of citizenship if he has shown "that his continuance as a citizen is detrimental to Rhodesia."

Legal Status. Internationally, the Ian Smith government has no status. But it has been since November, 1965, a de facto government without British interference and it has received the stamp of legality from its own courts. The Rhodesian court decisions arose from appeals taken on behalf of 32 black Africans sentenced to death as "terrorists." An appeal for the defendants was carried up to the British Privy Council, the highest appeal court in the Commonwealth. The Privy Council ruled in July, 1968, that the Smith government and all its actions were illegal. But on the following September 13, three Rhodesian judges, sitting as the court of appeal of the Rhodesian High Court, ruled that the Smith government was the only legal administration. Both sides took the argument the ultimate step. The Queen reprieved three prisoners whose execution had been announced, and the Smith regime hanged them. Led by the United Nations, the world protested in vain.

Political Prisoners and Detainees

Estimates of the number of people imprisoned, detained, or restricted for political purposes under the tyrannical laws vary widely because of the secrecy of police action, the attempt to keep prisoners incommunicado, the lack of a free press or of concerned organizations able to check on what is happening. Figures given to United Nations bodies by supposedly informed individuals have varied from 630 to 40,000. Some political prisoners are in prisons, many more in the camps specially set up for political offenders; others may alternate. Nine such camps are known. Gonakudzingwa and Whawha have particularly bad reputations. Their location is semi-desert, difficult of access. Camps contain huts and barracks constructed of corrugated iron sheets, ovens by day and refrigerators by night. A 40-foot by 18-foot barracks houses 20 to 30 prisoners; a hut houses four and these are said to be overcrowded. Ventilation and sanitation are bad or lacking. Prisoners have to find their own water, prepare their own food (raw food is provided but no utensils), and renew clothing when that which they wore at arrest wears out.

Access to them, personal or by correspondence, is severely limited and often prohibited; families may not know where prisoners are. Since the prisoner is usually the family breadwinner, he often leaves behind a destitute family as an additional worry.

Imprisonment in the regular conventional prisons has its own hardships, as political prisoners are treated with greater severity than others. Torture of prisoners, particularly under questioning, has been reported in detail and in a very large number of cases to the U.N. Commission on Human Rights. Guerrillas are treated most brutally, and this is part of the reason for the continuing campaign to secure for them treatment as prisoners of war with access by the Red Cross.

Leaders of both the nationalist movements (ZAPU and ZANU) are in prison or restriction, as are most members of their Central or Executive Committees. ZANU President Ndabaningi Sithole was taken from Salisbury prison late in 1968, and after charges were changed several times he was convicted in February, 1969, of incitement to murder Ian Smith and two other Cabinet officers. Sithole was sentenced to six years' imprisonment at hard labor.

Education

Although voting qualifications under the new Ian Smith Rhodesian constitution are no longer tied to educational qualifications, education nevertheless remains important as an indication of the Rhodesian view of the role of Africans. Rhodesia since UDI has boasted of her performance in education; i.e. the government publication "African Advancement in Rhodesia" (April 1966) applauds: "Rhodesia's impressive record in African education, which is unequalled in the Commonwealth, is taking another great leap forward."

A comparison of educational policies and expenditures in Rhodesia and Zambia has been prepared by the Central Africa Research Office of London. The comparison is particularly apt because the countries are neighboring and had a long political association and, before self-government, similar educational policies. Their African populations are both around four million, with Rhodesia's the larger. The analysis covers the years 1964, when Zambia became independent and Smith became prime minister of Rhodesia, through 1967.

Both educational budgets rose:

	1964	1967	1968 projected
Zambia	\$17.64 million	\$57.4 million	\$67.2 million
Rhodesia	\$33.32 million	\$40.6 million	\$42. million

but a minimum of 40 per cent of the Rhodesian expenditure was for nonAfrican education. Rhodesia stressed primary school education:

	1964 enrollment	1967 enrollment
Zambia	358,342	538,342
Rhodesia	610,268	664,706

Zambia started considerably behind Rhodesia, but in March, 1968, she was able to announce that there was a place in Grade I for every child aged 7, two years ahead of schedule. Rhodesia expects to provide primary education for every child by 1970. At present an estimated 210,000 African children of primary-school age cannot attend school.

The great difference begins to show in secondary schooling. The *Rhodesia Herald* of February 2, 1968, reported that 26,000 of 33,997 African children who passed primary school examinations would not find places available in the secondary schools. Secondary schooling is available for all European children, about 22,000. Starting from almost the same point, Rhodesia and Zambia diverged:

African Secondary School Enrollment

	<i>Rhodesia</i>	<i>Zambia</i>
1963	7,045	7,050
1964	8,846	10,986
1965	11,495	14,715
1966	13,587	23,104
1967	15,640	35,197

In Rhodesia, a European child has a 1:125 chance of entering the University College; the African child's chance is 1:6,000. Zambia has built a University whose first 300 students entered in March, 1966; in 1967 there were 536, in 1968 an estimated 770; by the mid-seventies, 5,000 are programmed.

Rhodesia is also moving to reduce African educational opportunities further. At the end of 1965, private schools in European areas were instructed by government circular to stop taking African pupils. A government report early in 1966 suggested that Africans should be given school books "in which African customary respect for elders and traditional behavior patterns upholding social order are shown to emerge as moral examples," suggesting the philosophy of South Africa's Bantu education. Parents of white children who cannot afford school fees are excused from payment. But although in theory poor African parents could also be excused, so few places are available compared with the number seeking to enter that those with cash in hand get in. (Fees are for books, school uniforms, a school building fee which varies locally, and the like.) Ten times as much is spent on educating a European child as on an African.

Labor

Most of the African people are subsistence farmers, but the total working population of the country—that is, those who depend on wages—is about 700,000 or 17 per cent. A breakdown of the major classifications shows:

<i>Employment</i>		<i>1963 average wages</i>	
		<i>African</i>	<i>European</i>
in agriculture	241,334	\$187.60	\$3474.80
in mining	50,153	\$322.00	\$4300.80
in manufacturing	97,350	\$507.20	\$3841.60
in construction	48,933	\$420.00	\$3774.40

Of the total number of workers, 13 per cent are Europeans and 87 per cent Africans. More recent figures are available for over-all average annual wages. They increased during the year 1967 by 4.5 per cent for Africans, to \$386.40, and by 2.2 per cent for Europeans, to \$3810.80.

The labor movement in Rhodesia began to take shape following World War II but the first Industrial Conciliation Act, of 1945, did not include African employees. Following the organization of African workers and strikes, particularly on the railroads and in the mines, a new Industrial Conciliation Act passed in 1959 did recognize African unions, although it excluded agriculture, domestic, and government workers, the largest number.

Discrimination persists, however. Unions may establish separate branches for African members. Unions that were already recognized at the time the Act was passed have preference and they are, of course, the European unions; a second union is not recognized. (The registrar under the act can refuse recognition even without reason.) In unions where Africans are or may become a majority, their vote counts only as one third, to prevent them from controlling integrated unions. Arbitration is compulsory and nonregistered unions cannot participate.

The most severe anti-union legislation, however, is that in the general security legislation. A permit is necessary for a meeting; most meetings are banned on Sunday when workers have free time to meet, and a union's legal challenge to this failed for lack of funds. Strikes are banned (under the Law and Order Maintenance Act) in

essential services, defined to include transport; electric; production, supply, delivery, and distribution of food, fuel, and coal. It is a criminal offense to use an opprobrious (jeer or boo) epithet to a nonstriker. It is sabotage, punishable by 30 years or death, to endanger, interrupt, or interfere with any essential service; or with free movement of any traffic, land, water, or air; or to cause substantial loss to a person or the government. Behind all is the old, but still enforceable, Marshall Servants Act which provides that an African who fails to carry out the instruction of his employer may be prosecuted criminally.

An estimated 230 trade union officers are at present imprisoned or detained without charges under the UDI government's emergency powers.

International Developments Since UDI

United Nations Action—Sanctions. Following the November 11, 1965, Unilateral Declaration of Independence, the United Nations in late November asked all member nations to enact voluntary sanctions against Rhodesia. Resolution 232 of December 16, 1966, made limited sanctions mandatory:

- 1) it prohibited the *import* from Rhodesia of asbestos, iron ore, chrome, pig-iron, sugar, tobacco, copper, meat and meat products, skins and leather;
- 2) it prohibited the *export* to Rhodesia of arms, ammunition, military aircraft, vehicles, and equipment and materials for manufacture and maintenance of arms and ammunition;
- 3) it prohibited the supply or provision of transport facilities for oil.

In June, 1967, a resolution reinforcing these sanctions was adopted. In May, 1968, a new resolution was adopted, imposing comprehensive mandatory sanctions. These now include a ban on investment, a trade boycott, nonrecognition of Rhodesian passports, and withdrawal of all services.

The United States implemented U.N. resolutions through an Executive Order of the President. However, the U.S. consulate in Salisbury, whose continued functioning had been defended as accredited to the Queen and having no connection with the Smith regime, remains open even though the Queen's representative has withdrawn. It is reported that the consulate will function until November 11, 1969, when it is expected that Smith will proclaim a republic on the anniversary of UDI. This is an initial victory for conservative business pressure which seeks maintenance of U.S. diplomatic ties with Rhodesia and relaxation of sanctions.

Southern Africa's Economy. A large proportion of Rhodesian enterprises are subsidiaries either of South African companies, or of British or American, French or West German companies which also have South African, and increasingly Angolan and Mozambican, subsidiaries. Thus as long as Rhodesian trade with South Africa and with the Portuguese colonies continues (and both stated that they would continue normal trade, and disapproved of boycotts), structures exist for trading abroad through third-party sanctions' breakers.

Without help from South Africa and Mozambique, Rhodesia's economy might have collapsed within weeks for lack of oil. Following U.N. action, an immediate temporary operation brought oil overland from South Africa. Then the South African subsidiaries of Shell, British Petroleum, and Mobil financed a new 100,000 gallon petrol depot at Messina, Transvaal, in easy reach of the Rhodesian border. In March, 1968, Smith could claim he had a year's petroleum supply in reserve. It is now believed that the Mozambique refinery at Lourenço Marques supplies the bulk of Rhodesia's needs, transported directly by rail; the oil must, of course, first come to that port by sea, from other sanctions' breakers.

The London *Times* reported in August, 1967, that two Portuguese firms in Beira were importing more than 400 cars a month for export to Rhodesia in covered trucks by night. In April, 1968, the *Times* reported that Rhodesia was getting spare parts for its Canberra (British) bombers and Hunter fighters including complete Avon engines, and was expecting "brand new fighters with British jet engines." These were Impalas, jet trainers manufactured in South Africa under license from the Italian firm Aermacchi. South Africa is currently producing 300, five times her own training needs, of the Impalas, which can be adapted to carry guns, rockets, or light bombs.

In similar fashion, South African and Portuguese agencies have enabled the Smith regime to continue to export its basic products: asbestos, copper, chrome, iron ore, and some sugar and tobacco. Some international trade figures are revealing. British imports from Rhodesia dropped 99 per cent in the first quarter of 1967, compared to

1966, but imports from South Africa rose 20 per cent. Japan's imports from Rhodesia dropped 99 per cent while her imports from South Africa rose 79 per cent.

Trade Discrepancies. According to U.N. reports, Rhodesia's exports in 1968 were valued at \$256 million U.S. dollars (1967, \$264 million). Reporting countries which still traded with Rhodesia showed imports of \$75 million (\$107 million in 1967). South African imports were estimated (S.A. does not report) at \$80 million, the same as 1967. That left \$100 million not reflected in corresponding import figures in world trade—the concealed trade of sanctions' breakers.

Imports are harder to analyze. Rhodesian imports were reportedly valued at \$290 million in 1968 (\$262 in 1967), of which only \$45 million (\$65 million in 1967) could be accounted for. It is estimated that a large part of the remaining \$245 million came from or through South Africa.

The Rhodesian Economy. Despite continuing analysis of the ineffectiveness of international sanctions, they are hurting the Rhodesian economy. The value of exports dropped nearly 50 per cent from UDI to 1969. Rhodesia's share of Zambian imports, 34 per cent in 1965, was 6 per cent for the first half of 1968, at considerable cost to Zambia. Coupled with the effects of drought in 1968, agriculture was hit hard and strained the national budget. Finance Minister John Wrathall told Parliament that an annual growth rate of 6½ per cent was necessary to assure "a minimal improvement in the standard of living." But economic growth in 1968 was at 3 per cent, only a third of the previous year when the establishment of import-substitute industries created new wealth in some areas.

Employment of Europeans is perhaps a better indication of economic change. It is down in agriculture (700 workers, or 15 per cent) and commerce (500, or 2 per cent); up in mining (250 or 9 per cent), manufacturing (1,500 or 9 per cent), and government administration (1,500 or 15 per cent). In addition, about 1,000 tobacco farmers, one third of the total, have given up tobacco farming, although some may have diversified their crops and remained in farming (the remaining tobacco farmers have cut back, and are growing wheat and cotton). It is known that firms have been prohibited from discharging redundant labor, but not accurately how this affects the general employment picture. Correspondent John Worrall, expelled from Rhodesia early in 1969, wrote in the *Daily Mail*:

Unemployment goes steadily up. In 1960, 647,000 Africans were employed in industry, commerce, and agriculture. Today's most conservative estimate is that this has dropped to 605,000, but a figure of 90,000 unemployed Africans is given unofficially. Unemployment is made worse by the inability of industry, commerce, and agriculture to soak up the thousands of African school leavers. They represent a more educated and aspirant group than their tribal fathers and therefore have a more explosive potential. . . . Last year 26,303 African children who left primary school could not find places in secondary school and have not found work. The 13,000 or so children at Rhodesia's African secondary schools have a bleak future. Anyway, they face general discrimination against Africans in white-collar employment, made worse today by white competition for fewer jobs. . . ."

and, he might have added, made infuriating by the government's continuing emphasis on special incentives to attract white immigration. European immigration in 1968 was 7,000 compared to 4,500 in 1965; but a downward trend at the end of 1968 is continuing.

The government is attempting to repatriate nonindigenous Africans, and an estimated 30,000 men have left since the end of 1965. They had come mainly from neighboring countries whose men have had to seek employment abroad for many years, and their return will increase the economic problems of their homelands as well as their own. This is a statistic which should affect Rhodesian African employment favorably; but the job opportunities made available by their departure will not recur.

Relations with Britain

The Six Principles. The first post-UDI negotiations between British Prime Minister Wilson and Ian Smith were held late in 1966 on the British destroyer *Tiger*. They were not successful although the British proposals for settlement, based on the 1961 Rhodesia constitution, would have ensured continued white control for eight to twelve years. No offer to negotiate or proposals for independence were made by Britain to representatives of the black majority, nor were they invited to these talks. After Smith's

rejection of compromise, and under prodding by the Commonwealth countries, the British position stiffened to support an announced minimum basis for agreement of six principles. The first five of these had been suggested originally in June, 1964 by a Conservative party government, as a basis acceptable to Britain for an independence constitution:

- 1) guarantee of the principle and intention of unimpeded progress to majority rule;
- 2) guarantees against retrogressive amendments to the constitution;
- 3) immediate improvement in the political status of the African population;
- 4) progress towards ending racial discrimination;
- 5) [the British government to be satisfied that] the basis for independence is acceptable to the people of Rhodesia as a whole;
- 6) regardless of race, no oppression of majority by minority or of minority by majority.

The Fearless Proposals. The day after the Smith regime was legitimized internally by its highest court, Smith announced his willingness to resume negotiations with Britain, and Wilson, for his own reasons, was ready. Meetings on the British destroyer *Fearless*, in the Mediterranean, were therefore held during October, 1968. Representation from the African majority was again excluded.

The British proposals were very like those made on the *Tiger*, but with a major concession to Smith. His government would be legalized for the first time and, with broadened representation, would be allowed to retain power through the transitional period. Proposals for the franchise and the structure of government differed only in detail from those of the 1961 and 1965 constitutions. Wilson's proposals for keeping faith with the African majority and with the Commonwealth consisted of two provisions which he believed would prevent regressive amendment to the independence constitution: a "blocking quarter" of elected African legislators and provision for appeal to the British Privy Council. The latter was rejected by Smith as an "enfringement of sovereignty" and the negotiations fell through.

This whole legalistic approach ignored the political fact that, with Smith or another racist as head of government and a white majority in the legislature, repressive and racist measures could continue to be enacted and enforced as they had been since 1961 without reference to the constitution. Britain, however, continues to hold out the *Fearless* proposals as a solution whenever there may be a group in Rhodesia willing to accept them and able to assume power.

Following the referendum vote, the Queen accepted the resignation of Governor General Sir Humphrey Gibbs, and Rhodesia House in London closed, ending the last ties between the countries. The United Nations was unable to reach agreement on further action following the referendum. However, publicity is now being given to sanctions' breaking ships and some have been forced to turn back. The U.N. sanctions committee is taking a more active part but relies on the British for information.

Nationalist Opposition

The opposition of both major (banned) African political parties to the *Fearless* proposals explains their immediate political programs as well. *Zimbabwe News*, December 7, 1968, carried the Zimbabwe African National Union statement, embodying the following points:

- 1) That the 1961 Constitution, having been rejected by the five million Africans of Zimbabwe upon the sound and true reason that it represents the negation of the rights and heritage of the African people, cannot be made the basis of an independence constitution;
- 2) That the only acceptable constitution for Zimbabwe is one based on the principle of ONE MAN ONE VOTE—free and unfettered by any artificial educational, income, property, or other discriminatory device or contrivance;
- 3) That no racial, ethnic, religious, or other class or group of persons in Zimbabwe must claim or be granted any special privilege under the Constitution, be it social, political, economic, or otherwise, solely on account of their race, religion, etc., save that the fundamental law shall guarantee and protect the universally acknowledged individual human rights; and
- 4) That consistent with the foregoing, the legislature must comprise electoral seats elected by all citizens who fulfill citizenship and residence qualifications on a common roll based on the principle of universal adult suffrage.

The Zimbabwe African People's Union statement, issued in January, 1969, was similar:

- 1) Immediate and unconditional release of all freedom fighters condemned to death; all freedom fighters in imprisonment and all those under detention and restriction; dropping of all charges and release of any freedom fighters under arrest;
- 2) Free and unfettered conditions for Mr. Joshua Nkomo, leader of the African people of Zimbabwe, to take full charge and conduct of all the affairs of the African people in order to bring about immediate and unqualified majority rule;
- 3) Dissolution of the minority regime and all its institutions;
- 4) Drawing of an unqualified majority rule independence constitution with no elements whatsoever of class, racial, or tribal distinctions or differentiations;
- 5) Immediate, total, and radical reconstruction of the army, police, and administration so that these correspond with the principles and purposes of majority rule;
- 6) All racist and reactionary laws must cease to have effect immediately and be expunged from the statutes.

Majority rule must take immediate effect with no transition whatsoever.

Both ZANU and ZAPU statements make it obvious that their opposition to the 1969 Smith constitution is unequivocal. Post-referendum statements from the parties are not yet available; but on the eve of the referendum, ZANU commented:

The answer has been predetermined by a careful manipulation of the franchise qualifications and the delimitation of the constituencies. The so-called consultation of the nation is a hollow mockery and a travesty of justice.

The London representative of ZAPU stated immediately following the vote: "The referendum has no effect on what must be done to liberate our people. Their position will now get worse than before."

Political Developments inside Rhodesia

The combination of the *Fearless* proposals and the new constitution, against the background of economic sanctions and international isolation, was responsible for the development of a Centre party. It was organized by white moderates, mainly businessmen under the leadership of Pat Bashford, and campaigned vigorously against the constitution and for reconciliation with Britain. Bashford, however, called in vain for one of the more prominent whites who secretly supported his position to publicly assume the leadership.

A far-right Conservative party also claimed credit for the "No" vote on the constitution.

Announcement of a new African nationalist party, the Democratic party, was made last August; it claimed roots in ZAPU and called for a constitutional conference to be attended by parties representative of the people, including the detained African leadership. Immediately following the referendum, the Democratic party united with the official African opposition in the legislature, the United People's party, to form the National Peoples Union headed by Gordon Chavanduka, a university sociology lecturer. Opposition leader Percy Mkudu is deputy president.

There were other indications of African opposition to the constitution. Smith was defeated in only one of 50 constituencies, but that was Willowvale which contains substantial numbers of African and Coloured voters. (The Centre party reported that few of the 6,600 Africans eligible to vote actually voted.) Smith has denied the assertion of Chief Kayisa that 23 of 25 chiefs opposed the constitution at a council of chiefs' meeting on June 16.

Student opposition at the University College of Rhodesia has been forthright. Felix Muchemwa, president of the Students' Representative Council, stated:

This is a point of no return for the Rhodesian government. Shattered are the hopes for a settlement; hopes for the *Fearless* terms; hopes for majority rule. In view of this, the people who are against the trend of events in this country must come out and make their stand clear. People must stand up and protest. . . .

The Future of Rhodesia

The 1969 Constitution. The Constitution which Ian Smith assured Rhodesians would "sound the death knell of the principle of majority rule" was adopted by the

minority electorate in a referendum held June 20, 1969. Out of 88,217 registered voters, 54,724 voted in favor of the constitution while 20,776 voted against it; a larger majority voted for the republic. The new document replaces the 1965 constitution which, according to a Rhodesian Front Government White Paper, had "objectionable features," particularly provision for eventual African rule and failure to guarantee retention of the government in "responsible hands."

The most retrogressive provisions of the constitution are the guarantee against African majority rule; the permanent separation of electoral rolls by race; the establishment of a police state; the codification in the constitution of division of land by race; and an emphasis on tribal divisions. Parts of the constitution including the Declaration of Rights have not been spelled out specifically. As an example, point 12 reads:

As in the existing Declaration *provision will be made* that laws authorizing the taking of justifiable measures during a period of public emergency and disciplinary laws may contain provisions which are inconsistent with certain rights in the Declaration.

Other provisions are quite specific:

No court will have the right to inquire into or pronounce upon the validity of any law on the ground that it is inconsistent with the Declaration of Rights.

The Legislature. The Head of State is named part of the legislature, though of neither house; bills are sent for his assent, but no definition of his powers in respect to legislation (veto, delay) is given.

A *Senate* consists of ten Europeans elected by the European members of the Assembly from candidates nominated by European voters; ten African chiefs elected by the Council of Chiefs, five from Matabeleland and five from Mashonaland; and three members appointed by the Head of State. In essence, the Senate can only delay legislation for 180 days, although it is said to replace both the Constitutional Council and the courts in safeguarding the Declaration of Rights.

A *House of Assembly* consists of 50 European members and 16 African members. Half of the African members will be elected by chiefs, headmen, and Tribal Trust Land Councillors; the other eight will be popularly elected. In each case, they are divided equally between Matabeleland and Mashonaland.

African representation will rise after Africans pay more than 24 per cent of total personal income tax (currently they pay less than 1 per cent).^{*} Additional African Assemblymen will then be admitted two at a time, with the first two elected by the chiefs, the next two by African roll voters, and so on. In each case the additions will be one from Matabeleland and one from Mashonaland. The Head of State is given the duty of changing qualifications for the African voters' roll, thus making it impossible for Africans to achieve a majority.

Voting Qualifications. Two electoral rolls are retained, but they are demarcated racially, European and African. The European includes Asians and Coloured (only a few thousand who cannot influence the roll). Qualifications for both have been raised. European voters must now have an income not less than \$2520 or immovable property valued at \$5040 or more; or alternatively, either income of \$1680 or \$3360 in property and, in addition, four years' secondary education. African voters must have an income of \$840 a year or immovable property valued at \$1680; or either \$560 a year or \$1120 in property and in addition two years' secondary education.

Executive. The Head of State is chosen by an Executive Council consisting of a Prime Minister and other ministers. But the Executive Council will "consist of the Prime Minister and such other Ministers as the *Head of State*, acting on the advice of the Prime Minister, may appoint." The Head of State also appoints the Prime Minister in a confusing circular system. The Head's term of office is five years, and he acts on the advice of the Executive Council. His most important power, other than varying the African voters' roll, appears to be power to appoint a chief justice and other judges of the high court in which all judicial authority is vested; but he may have undetailed powers in regard to land.

^{*} This statement conveys the impression that Africans do not contribute to the support of the state. They pay a head tax which equalled 1/6 of total tax revenue in 1960, and naturally they contribute toward payment of company taxes, customs taxes, and excise and sales taxes which provide most of the national income. Recently income taxes have been reduced in favor of increased indirect taxation, which will adversely affect the ability of Africans to obtain additional representation.

The Police State. The Head of State has power to declare a state of emergency for twelve months before it must be renewed. Preventive detention and restriction are authorized (i.e. punishment without charges, trial, or right of appeal) with a tribunal to review detainees' cases each year. Provision is made for extension of existing laws permitting the regulation of telephones, mail, and broadcasting to cover newspapers and other publications. The provision of the 1965 constitution relating to freedom from discrimination by executive or administrative acts is omitted. The Declaration of Rights is weakened in other respects and particularly because most of its provisions have not been spelled out exactly and it is not clear how this will be done.

Land Division. Members of one race are not permitted to own land in another area except when granted rights under the mining laws. The division of land is roughly 44 million acres for Europeans, 45 million for Africans, and six million remaining as national land vested in the Head of State. Tribal Trust Land is also vested in the Head of State and its Board of Trustees is abolished.

The Future of Zimbabwe

The Liberation Movements. The major development of the past three years has been the organization by both banned African political parties, ZAPU and ZANU, of separate underground oppositions, including the training and employment of guerrilla forces. (The African National Congress, banned South African political movement, is cooperating with ZAPU forces.) The first reported clash between guerrillas and Rhodesian troops took place in 1966, and incidents continue to be reported although information is scant. The impact of guerrilla action can be verified by the fact that since 1967 Rhodesian troops have needed and received the support of special South African forces (called police) stationed in that country. South African organizations which send comforts to the troops are publicized in the South African press. In spring, 1969, trials in the South African courts revealed the close cooperation of Rhodesian and South African military forces as well as something of the extent of organization and armament of the guerrillas. Defendants were arrested, or captured, in Rhodesia by either Rhodesian or South African forces and handed over to South Africa. Officers of both countries testified in South African courts.

News nearly always comes by way of the South African or Rhodesian press following the capture or defeat of one or more African nationalist guerrillas, and the interpretation that accompanies it is that of the white supremacist who is under attack. But despite this difficulty, it is apparent that Africans, with their parties banned, their leadership imprisoned, their meager remaining rights under attack and majority rule permanently enjoined, are fighting back in the only way left to them; and that highly trained and superbly equipped modern European forces have been unable to end the guerrilla threat.

Majority Rule

The result of the Rhodesian referendum has been the polarization of forces. Britain is no longer an effective factor in the situation. U.N. sanctions and international isolation have some, but not a decisive, effect on Rhodesian stability. An alternative to perpetual white minority rule through a police state has now become possible only by a victory of the African nationalist guerrilla forces, based on the dissident black majority of the country. That victory is not near. The nationalists lack training, resources, all the technical superiority that a modern state can use against them. But they have—they *are*—the people, and they will not forever be denied.

Bibliography

Austin, Reg: *The Character and Legislation of The Rhodesian Front since UDI*. Africa Bureau. London. 1968.

[Central Africa Research]: *Zambia and Rhodesia: Policies in Education Compared*. Central Africa Research Office. London. 1968.

[Christian Action Publications Ltd.]: *Rhodesia: Why Minority Rule Survives*. International Defence and Aid Fund. London. 1969.

Cunningham, George: *Rhodesia: The Last Chance*. Fabian Tract 368. Fabian Society. London. 1966.

United Nations: Publications about Southern Rhodesia. 1965-1969.

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