The internal settlement regime has announced that more than 60 percent of the eligible African voters participated in the Rhodesian election of April 17-21. The ballots have not yet been counted, and reports from the Rhodesian election are still preliminary and scattered.

We want to bring to your attention several reasons why this turnout does not necessarily mean that the election has been free and open to all political and population groups, as required by the Case-Javits amendment in order for sanctions to be lifted. Furthermore, a majority turnout in the election does not constitute African endorsement of the internal settlement or the advent of majority rule in Rhodesia.

1. As John Burns stated in the New York Times on April 19th, "Estimates of the fairness of the elections are likely to hinge on the intimidation issue."

Numerous reports cite intimidation to urge Africans to vote by agents of the internal settlement -- the security forces, the police and private armies or "auxiliaries" loyal to Bishop Abel Muzorewa and Rev. Mdabaniq Sithole. In the more than 85 percent of the country under martial law, the elections could hardly be a free expression of the will of the people. The Financial Times reported on April 18th:

"Under martial law provisions, the security forces have adopted a much tougher approach to the rural tribal trust lands where the guerillas are concentrated. Huts of suspected collaborators are burnt and food is being used as a major weapon in the war ..."

Virtually every able-bodied white male up to the age of 60 was called up during the election, and all the polling stations were "guarded" by the same security forces which have been fighting the war.

In addition, half a million Africans living in barbed wire - enclosed, police-guarded "protected villages" in the rural areas had no choice but to vote. The New York Times reported that the turnout in these areas was high, and the Washington Post of April 20th said that journalists "watched thousands of residents in the protected villages turn out under the protection of armed guards."

Special concern also focused on the so-called "auxiliaries" loyal to members of the internal settlement, who have spent the last several months "teaching people to vote."
The April 19th New York Times reported:

"In the first two days of voting here for a black majority government some voters have charged that the auxiliaries had intimidated them into casting ballots and directed support for particular parties... By dusk tonight, most of the adults /at Tangwena/ had been to the voting station... But discussions indicated that many had done so at the insistence of young campaign workers for Rev. N. Sithole, whose supporters have been accused of widespread intimidation in the townships..."

There have also been some reports of harrassment of voters by the Patriotic Front, which opposed the election. But several reporters, including John Burns of the New York Times, said that intimidation by guerrillas was much less than they expected.

2. Fear of losing their jobs was widely reported to have been another major factor in getting Africans to vote. The Rhodesian government asked white farmers to "ensure" that their African farm laborers went to the polls and issued leaflets urging white householder to accompany their servants to the polls /Financial Times, April 18th/.

The number of Africans subject to pressure by employers to vote is quite large. Close to 61 percent of the 2.8 million Africans eligible to vote live in urban areas and white farming districts "where access can be denied the guerrillas with relative ease" /The Guardian (London), March 28th/. The Washington Post noted that farm laborers and their wives alone count for more than one-quarter of all eligible voters.

Here are just a few examples of the numerous reports of employer pressure on Africans to vote:

"Mr. Chenjera Madzonga, a farm clerk, said: 'We will be forced to vote, otherwise I might lose my job. If you are asked to do something by a farmer you have to do it whether you like it or not.'"

-- Daily Telegraph (London), April 7th

"More widespread, however, appears to be coercion by whites anxious to produce a large turnout... At Centenary village truckloads of farm laborers were brought in to the polls. 'I don't know why I am here,' said one of them, Sande Murondatsimba, as he queued to vote. 'My employer has forced me.'"

-- Christian Science Monitor, April 20th

"/Observers/ have seen obedient farm laborers, driven in trucks and flatbeds to the rural booths by their white bosses, lined up by the hundreds waiting patiently to vote..."

-- Washington Post, April 20th
3. The parties that make up the Patriotic Front are banned and have therefore been prevented from participating in the election. Many opponents of the election have been arrested. This factor alone should bring a negative determination under the Case-Javits guidelines on whether "all political and population groups" have been allowed to participate.

Two to three thousand supporters of ZANU and ZAPU are in detention, despite promises of their release more than a year ago. Their names and the names of their leaders cannot even be mentioned in the newspapers, radio or television, which continued to be censored during the election campaign and polling.

Amnesty International testified before joint hearings of the Subcommittees on Africa and on International Organizations of the House Foreign Affairs Committee on April 2nd that:

"Despite indications at the time of the March agreement that the Transitional Government would review the cases of sentenced political prisoners, this has not been done. On the contrary, those political prisoners who complete their sentences are immediately detained without trial for a further period. Nor has there been any reduction in the numbers of people appearing before the courts charged with political offenses either of a violent or a non-violent nature, so the sentenced political prisoner population is larger now than at any time in Rhodesian history."

Arrests continued during the elections, as the Washington Post reported on April 22nd:

"It seems that many blacks working to organize boycotts or a campaign to spoil ballots were arrested. But no one has been able to pin this down. Opposition sources put the number in western Rhodesia alone at between 900 and 1000, but police officials said only a "few hundred" were picked up."

4. The election procedures themselves were grossly inadequate and left open many possibilities for fraud. According to the Rhodesian Parliamentary Debate on the election law on February 20th, 1979, there was no prior registration of African voters and therefore no voters roll or statistics against which to check the results. According to the Electoral Act, if the presiding electoral officer is of the opinion that a voter cannot read or write he "may assist him to cast his vote." This means that as many as 70 percent of the voters who are considered functionally illiterate may not have voted in secret. Also, five percent of the ballot papers (some 140,000 votes) were not required to bear the stamp of the receiving officer. This provision left the door open for ballot-rigging.

The Financial Times (London) reported on April 18th:

"Some observers believe a significant number of spoiled papers can be expected. There are persistent reports of black voters writing Mr. Ian Smith's name on their ballot papers ... " as a way for those who believe the elections will not really transfer power to spoil their ballots."
5. The observers and journalists who went to Rhodesia during the polling are not in a position to judge whether the election has been free or fair. The activities of the internal settlement regime and the contending forces in the weeks and months leading up to the elections have in large part determined whether Africans will vote. As Mr. John Deary, Chairman of the Catholic Commission for Justice and Peace, told the Africa Subcommittee of the House Foreign Affairs Committee on March 28th:

"Whatever inducements, either to vote or not to vote, that are already taking place in the country will not necessarily be apparent to the observers because they will simply not be there yet ..."

In addition, the regime has excluded journalists whom they consider prohibited immigrants. One journalist who did come, Paul Ellman of the Guardian (London), reported on April 17th that he was brought into the police station just as the election started and told that the Attorney General of Rhodesia had decided that there was ground for a case against him under the emergency regulations for spreading "alarm and despondency."

As far as we know, no international organizations sent observers to the Rhodesian election, as called for under the Case-Javits language. International groups such as the United Nations, the Organization of African Unity, and the International Commission of Jurists stayed away so as not to give credibility to the elections being held by an illegal regime that is recognized nowhere in the world.