

## Transcript

I'm going to be talking today about the 1985 general elections in Zimbabwe. The actual dates of the election were June 27th and July 1st-4th, and I'll explain why multiple dates for these elections took place under what was called the Lancaster House Constitution, which, among other peculiarities, required separate voting rolls for white and African citizens. The second voting roll was called the common roll, and the first, the White roll. Whites constituted less than 1% of the population at the time, but they elected 20 members of the national assembly. While the African population, which constituted 99% of the population, elected 80 representatives. So clearly a disproportion, but the provision was put in the Lancaster House Constitution and could not be changed until seven years after independence. And so this election took place within that period, and the constitutional change occurred only in 1987.

The elections also took place in the shadow of what was a fairly brutal campaign organized by the government against the people living in the two southern provinces of North and South Matabeleland. These ultimately, these campaigns resulted in the deaths of more than 20,000 people and intimidation of the general population. And, as a result of these efforts, there was a state of emergency that existed throughout the country for the entire election period, and considerably before and afterwards.

I was in Zimbabwe as an election observer. I was working at the time for an organization called the International Human Rights Law Group. And the Law Group had hired me two years earlier to prepare *Guidelines for International Election Observing*, which was the first handbook dealing with that subject. We had observed several elections in Latin America, but this was the first election that we were observing, and that the guidelines were being used, outside of the Western Hemisphere.

Our team consisted of 4 people: Millard Arnold, a former Deputy Assistant Secretary of State in the Carter Administration, and a member of the Law Group Board; Brian Wrobel, who was a British barrister and had done a lot of work on human rights issues around the globe; ABolaji Akinyemi, who was a former foreign minister of Nigeria; and myself. The team arrived in Zimbabwe on June 21st and June 22nd and I was the last one to leave on July 6th.

Before we left [Washington], we went to the Zimbabwe Embassy in Washington and told them what our plans were, and we were informed that we were free to observe, but there would be no official accreditation.

We decided to proceed in any event and thought that we could, once in the country, convince the government authorities to provide us with the requisite accreditation. Millard Arnold, who had a lot of dealings with Zimbabwe during his time both in government and outside government, knew a lot of the key government officials. He met with the then Minister of Justice Edison Zbogo, and he told Millard, "let me raise it with the party officials, and I'll get back to you." And the next day, he came back and told us that what we had heard in the Embassy was actually going to be the rule of the day – that we were free to travel wherever we wanted, but

we would not have official accreditation. At that point, the team huddled to decide what we should do. Three of us were prepared to continue the observation as planned. But Bolaji Akinyemi decided that he would not participate in the delegation because, as a former Foreign Minister, a former government official of an African country, he thought it was inappropriate to do so, and so he departed that evening back to Lagos.

The team met with key election officials, opposition leaders, and civil society representatives. However, per their earlier decision, no meetings were scheduled with either government officials or ruling party leaders. And we again accepted that reality. We traveled around the country covering by our estimates more than 5,000 kilometers. We broke into two teams, so we both did a lot of driving around the country and, during the five election days, visited more than 50 polling sites.

It's interesting to note that at this time Zimbabwe's election administration was divided into three groups. There was an election supervisory commission, which in effect served as an election observation mission, but it was an official body recognized in the Constitution, and it was headed at this time by a very prominent, well-regarded head of the Law School at the University of Zimbabwe, a man by the name of Walter Kamba

There was a delimitation commission. I don't know if he was the head or Deputy Head, but it included at the time a guy by the name of Reg Austin, who later became very well known, working for the UN, and various other organizations doing advisory work on election administration. And then, there was a registrar general who is actually responsible for the day-to-day management of voter registration as well as the election administration.

We traveled around the country, as I said, on the various election days. Brian and I covered the southern provinces, the Matabeleland area and Millard spent his time in the Midlands. We're 100 to 200 kilometers south of the capital of Harare. As I noted, there were these two rolls, the white roll and the common roll.,

The [white roll election took place on June 27th, very smoothly run. As we noted, having these separate rolls clearly contrary to international human rights law, but was the price of independence. And, what in retrospect is clearly interesting is that the government and the ruling party decided to stick to that agreement that was made five years earlier.

The common roll poll was scheduled for July 1st and 2nd, but there was such a large turnout and problems with the election administration that they decided, after the first day, to extend it for two more days. So it actually ran from July 1st to July 4th. A one-day extension made sense, but by the fourth day, there were very few people coming to the polling sites, but they had already decided to have that extension.

Very high turnout, estimated at over 90% of the eligible voter population, participated in the elections, and the results were interesting also in the white roll. The former ruling party, the party that basically had run Zimbabwe from 1964, when there was a unilateral Declaration of

Independence through 1980, and was led by Ian Smith, won 15 of the 20 seats, so they still were popular amongst the white population. And in the common roll election, the ruling party won all of the seats in all the provinces except for the Matabeleland provinces, and in the Matabeleland provinces an opposition party won all the seats there, so there is a clear, ethnic and regional divide.

Unlike this kind of practice today or in most election observation missions, we didn't issue a post-election statement but decided we would prepare a comprehensive report. Again, probably, for the only time that I'm aware of in international election observer history, the three of us could not agree on a consensus report, and so we published a report [showing a picture here] that was a compilation of three independent essays combined with an overview executive summary that was prepared in the name of the International Human Rights Law Group.

So what were the divisions amongst us? Millard's essay focused on the history of Southern Africa and why, Zimbabwe's elections, and Zimbabwe's transition from an apartheid State as existed before 1980 as Rhodesia, was so significant. And what impact this could have on the discussions that were then at a fairly early stage in South Africa about how that transition might take place.

Brian, drawing on his human rights experience, was very much fixated on what had happened in Matabeleland during the two years leading up to the election. I was with him for many of the interviews we did with people who were clearly shaken by the events of the previous two years, and his conclusion was that under those circumstances, it was hard to commend the election as taking place in an environment where people really had the freedom to choose.

And I wrote, what could be called the Goldilocks version, some bad and some good while reporting on the specific issues that were covered in our terms of reference and trying to offer judgments about each one [of the issues] with implicit recommendations to the Government for the future.

And so like I said, this is probably the only time that I know of where there were three separate essays written about the election by the respective observers. We didn't call them dissents from the original ones, but just three complementary opinions.

A last thing I'll say is a postscript, I was involved in the 2018 and 2023 elections, and I am not going to talk about them now, but just to say that the issue of what the role of observers are in Zimbabwe continued to be an issue. In 2018, we had pretty much freedom to operate, and were critical of the elections. I was working then for NDI and IRI. In 2023, the government asserting its authorities basically asked me to leave the country after I had been there for 17 days a year before the election to set up operations for The Carter Center, and then, when they finally agreed to allow The Carter Center to observe the elections they denied me as an individual, a visa. So I don't know if that, you know, harkens back to my role in 1985 or 2018, but I think it does emphasize the issue about the role of observers vis-a-vis the government.