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THE ELECTION SIMPLIFIED

*Issued by the
Ministry of Information on behalf of the
Transitional Government*

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In any civilized, democratic state the conduct of parliamentary elections is governed by law, the law having been passed by the legislative body of the country concerned in accordance with its Constitution. The Electoral Act of 1979 passed by our Parliament provides the law for the future conduct of elections in Zimbabwe Rhodesia. Before looking at the electoral law, however, we must consider the composition of Parliament and this is laid down in the Constitution.

The Constitution, 1979 provides that there will be a House of Assembly and a Senate. The Senate will consist of thirty members, ten of whom will be elected Black Senators, ten will be elected White Senators and ten will be Senator Chiefs.

In this leaflet we will only be looking at the House of Assembly which will be made up of one hundred members comprising seventy-two Common Roll members who will be Black, twenty White Roll members who will, of course, be White and a further eight White non-constituency members elected by an Electoral College comprising the seventy-two elected Common Roll members and the twenty elected White Roll members.

Let us now return to the Electoral Act and see precisely what is involved in the election of members of the House of Assembly in this first majority rule general election.

There will be two elections, one for the return to Parliament of seventy-two Black Common Roll members which will probably take place over a number of days and secondly the election for the return of twenty White constituency members which will be held on a separate day.

THE COMMON ROLL ELECTION

It has been estimated by the Statistical Office that there is a potential voting strength in Zimbabwe Rhodesia of 2,8 million people made up of both men and women of all races over the age of eighteen. Because it was impossible to register all these people for voting purposes or to prepare rolls of voters and delimit seventy-two constituencies in time to hold an election by April, 1979, a political decision was taken that for the first election only, the seventy-two Common Roll members would be elected on a party list system.

The party list is a system accepted in many democratic countries as being more representative than election on a constituency basis. Under the party list system each political party wishing to participate in the election must register its intent and

lodge a list of the names of its candidates on or before nomination day. The ballot papers contain the names of the political parties who are contesting the election and the voters indicate their choice of political party. Each competing party will receive a number of seats calculated on the proportion of votes given to that party in relation to the total votes cast in the election.

The legal process for a general election begins with a Proclamation by the President, and published in the Government Gazette. This sets out the date of nomination day which, in the case of the first majority rule election, will be the day by which political parties wishing to participate in the election of the seventy-two Common Roll seats will lodge their applications for registration and also submit their party lists. On nomination day a special "Nomination Court" will sit from 10 a.m. to 11 a.m. for the purpose of receiving applications by the parties for registration and their party lists. It will also receive nominations from candidates wishing to contest the twenty White Roll constituencies. Although the Nomination Court only sits for one hour, parties and candidates can lodge their papers with the Registrar-General at any time between the date of the Proclamation and nomination day.

Either the same Proclamation or a subsequent Proclamation will set out the day or the days on which polling will take place in both the Common Roll election and the White constituency election and the dates for nomination of the eight non-constituency members and the senators.

In order to encourage participating political parties to nominate candidates who are representative of the area in which they live the country has been divided into eight Electoral Districts for the purpose of the first Common Roll election. When registering their intent to participate in the Common Roll election political parties will be required to submit separate lists of candidates for each region in which they are competing. Each region has been allocated a number of seats based on the estimated number of voters resident in that region and they are as follows—

MANICALAND	—	10 seats
MASHONALAND CENTRAL	—	5 seats
MASHONALAND EAST	—	15 seats
MASHONALAND WEST	—	6 seats
MATABELELAND NORTH	—	10 seats
MATABELELAND SOUTH	—	5 seats
MIDLANDS	—	11 seats
VICTORIA	—	10 seats

In each of these Districts there will be an Electoral District Returning Officer, who will be responsible for the overall conduct of the election in his Electoral District. Under him, there will be an Administrative District Returning Officer in each of the Administrative Districts within the Electoral District, who will be responsible for conducting the election within that Administrative District. This election, as all elections in this country have been in the past, will be a secret ballot and to this end all the officials, the Returning Officers, Polling Officers and Counting Officers, will be civil servants both Black and White whose integrity has never been in any doubt.

After nomination day and before polling day these election officials will be responsible for the printing of the ballot papers, the collecting together of ballot boxes, polling booths and all the stationery required to run an election. They will decide where polling stations are going to be, they will arrange for staff to man those polling stations and also they will give full publicity by whatever means are available to tell the voters where the polling stations are.

For the purpose of this first majority rule election the persons who will be entitled to vote at the Common Roll election for the seventy-two Black Common Roll seats will be all persons, male and female, over the age of eighteen of any race, Black, White, Coloured, Asian or other who are either citizens of Zimbabwe Rhodesia or who are not citizens but have been permanently resident in Zimbabwe Rhodesia for a continuous period of two years before the date of the election.

These are the people who will go to the polls and cast their votes for the seventy-two Black Common Roll members of the House of Assembly.

The conduct of the poll itself is clearly and precisely laid down in the Electoral Act and the Electoral Regulations made in terms of that Act and is designed to ensure that the ballot is secret. The voter who presents himself or herself at the polling station will, irrespective of sex, race or community, identify himself or herself to the Presiding Officer as being over the age of eighteen, a citizen of Zimbabwe Rhodesia or a non-citizen resident who has been permanently resident here for at least two years. If the Presiding Officer is in any doubt regarding the right of any person to receive a ballot paper, he will be empowered to call upon the person to produce documentary evidence to support his claim.

Polling stations may be static, that is at a fixed place for the whole period of the election, or they may be mobile polling stations which can be moved from place to place within a constituency.

Polling stations may be designated as Urban stations or as Rural stations and the times at which such polling stations are open may be different. The times at which polling stations, either fixed or mobile, Urban or Rural, will be open will be determined by the Electoral District Returning Officers in the case of the Common Roll and by the Registrar-General in the case of the White Roll. However, the Electoral Act makes it clear that every polling station shall be open for at least eight hours continuously on each polling day.

Having been identified as eligible to vote, the voter will then be checked to see whether or not he has already voted at the election. This will be done by a simple method which has proved very successful overseas. Subject to the voter not having previously voted at the election, he will be given a ballot paper which will be embossed on the back with the rubber stamp allocated to that particular polling station.

The voter will then take his ballot paper to one of the polling booths where he will secretly indicate the political party of his choice, by placing a cross in the square opposite the name of that party. It is realized that this will be the first time that hundreds of thousands of people will have an opportunity to vote and despite the massive campaign to educate the population undertaken by the Electoral Directorate, an awful lot of people could still be a little confused when they actually come to mark their ballot paper. Accordingly, the Electoral Act lays down that at the counting of votes a Returning Officer shall not reject any ballot paper where the voter has indicated with certainty the party for which he intended to vote, merely by reason of the fact that the voter has indicated otherwise than by means of a cross.

When the voter has marked his ballot paper, he will fold it so that his mark cannot be seen but the stamp of the polling station on the reverse is visible and will then take the folded paper and place it in the ballot box.

Not only is it simple but it is secret.

At the end of each polling day the slot through which the ballot papers enter the ballot box will be closed and sealed in the presence of representatives of competing political parties who wish to witness this procedure. Before the commencement of the poll on subsequent days the ballot boxes will be examined by the representatives of competing political parties who wish to do so, to see that the seals made the previous evening are still intact. On being satisfied, the Presiding Officer will break the seals and open the slot in preparation for the day's poll. The same procedure will be adopted on the final day of the poll when ballot boxes will be

returned to the Administrative District Returning Officer for the purpose of the count.

Before opening the ballot boxes for the purpose of the count the Administrative District Returning Officer will ensure that all seals are intact and the boxes have not been tampered with and will invite representatives of the competing political parties to examine the sealed boxes.

The Administrative District Returning Officer will cause the ballot papers to be counted and he will ascertain the number of votes cast for each political party within his administrative district and forward these figures, together with the number of spoilt ballot papers, to the Electoral District Returning Officer. The Electoral District Returning Officer will collate the figures of the counting in each Administrative District and forward these to the Registrar-General, who will ascertain the number of seats to which each competing political party is entitled within each Electoral District based on a formula set out in the Electoral Act.

Any competing political party which has been given less than 10 per cent. of the total number of votes cast in any Electoral District in which it is participating, will be eliminated from that Electoral District for the purposes of calculating the number of seats to be allocated in terms of the formula.

The formula is as follows:

$$\frac{A}{B} + C$$

"A" represents the number of votes given to the registered party concerned.

"B" represents the quota determined by dividing the total number of votes given to all competing parties for that Electoral District, who have not been eliminated by the number of seats apportioned to that Electoral District.

"C" represents the value 1 if a seat is allocated to a competing party and 0 if no seat is allocated.

An example of the working of this formula is set out below in a hypothetical election in Manicaland which has been allocated ten seats and in which five political parties took part.

FORMULA EXAMPLE MANICALAND—TEN SEATS

PARTY A	248 013	50,84%	
PARTY B	102 604	21,02%	
PARTY C	133 721	27,40%	
PARTY D	2 560	0,52%	} Eliminate
PARTY E	1 013	0,22%	
TOTAL	487 929		

$$\text{QUOTA} = 487\,929 - (2\,560 + 1\,013) = 484\,356 = 48\,435 \text{ (disregarding fractions)}$$

PARTY A	$\frac{248\,013}{48\,435} = 5,12 = 5 \text{ seats}$
PARTY B	$\frac{102\,604}{48\,435} = 2,11 = 2 \text{ seats}$
PARTY C	$\frac{133\,721}{48\,435} = 2,76 = 3 \text{ seats}$
	<u>10 seats</u>

In this example political party D and E were eliminated because they received less than 10 per cent. of the votes cast in the Electoral District. The quota is obtained by taking the total votes cast less the votes obtained by the eliminated parties and divided by the number of seats allocated to the Electoral District. The total votes cast for each individual party, being divided by this quota, determines the number of seats which each party will have obtained.

THE WHITE ROLL

The election of the twenty White constituency members will for all practical purposes be identical to all previous elections held in this country, with one exception.

This exception is that the candidates will be chosen by preferential voting which some people will remember was introduced in the elections for the Parliament of the former Federation of Rhodesia and Nyasaland.

The twenty new White Roll constituencies have already been determined by the Delimitation Commission, 1978. Voters rolls will be prepared for each of these twenty Constituencies and will contain the names of all persons who were previously registered as voters on the European Roll as at the 31st December, 1978 together with all those persons who have registered as voters between the 1st January, 1979 and the 28th February, 1979. Every person who appears on these new constituency rolls will receive a notification in due course of the new constituency in which they are registered.

On presenting themselves at a polling station within the Constituency in which they are registered, voters on the White Roll will be identified and their names checked against the roll in the normal way before receiving a ballot paper.

A voter may mark his ballot paper in either of two ways. Firstly he may signify the candidate for whom he desires to vote by secretly placing a cross in the rectangle opposite the name of such candidate.

Secondly, and alternatively, instead of placing a cross against the name of the candidate for whom he desires to vote, he may place the figure 1 in the rectangle opposite the name of the candidate for whom he votes as his first preference. If there are more than two candidates he may record a vote for the candidate of his second preference and third preference by placing the figures 2 and 3 opposite the name of each candidate in order of preference. If there are more than three candidates and the voter indicates a fourth or subsequent choice, the fourth or subsequent choice will be ignored for the purpose of counting the votes.

At the counting of votes where there are only two candidates the candidate who has received the greatest number of votes will be declared elected. However, if there are three or more candidates and at the first count a candidate has received first preference votes which constitute an absolute majority, that is to say more than 50 per cent. of the total votes cast, he will be declared duly elected. If at the first count no candidate has received an absolute majority of first preference votes, then the candidate who has received the smallest number of first preference votes will be eliminated and the ballot papers counted to him will be counted to the candidate next in order of the voter's preference and this procedure will be repeated until one candidate has received an absolute majority of votes and is thus declared elected.

To state that these two elections, firstly for the seventy-two Black Common Roll members and secondly for the twenty White constituency members are to be held under circumstances of great difficulty is perhaps a gross understatement. Friends of Zimbabwe Rhodesia obviously wish her well and success but the enemies of Zimbabwe Rhodesia, who unfortunately are most vociferous, are already forecasting that these elections cannot be free and fair, will not be secret and will not be representative. The Electoral Act and the integrity of the Civil Service who will in the main implement the conditions of the Electoral Act and conduct the election insures without doubt that the election will be free and fair and secret. To be representative and to show the world that Zimbabwe Rhodesia can run an election, even under the most difficult circumstances, it is essential that a high percentage poll be obtained. This will not be difficult if every person entitled to vote in either or both these elections presents themselves to a polling station and casts their vote. In other words the whole population of Zimbabwe Rhodesia of whatever sex or race must put in practice the slogan which has been adopted by the Electoral Directorate "we are all going to vote"—see that you do.