

## 5. Decolonising settler citizenship

The academic literature suggests citizenship produces a connection between individuals, the State and the community in which they live, and establishes a relationship containing the element of a common destiny, of stakeholders who have an investment in a shared future (Kaplan 1993:250; Kratochwil 1994:487). Stasiulis and Yuval-Davis (1995:19) believe this to be particularly important in settler and post-colonial societies where myths of common origin are divisive or contentious—a case put for Zimbabwe in the previous chapter. To realise these objectives, a state's citizenship ideals need to be inclusive, capable of drawing people in on the basis of their birth and residence, effectively uncoupling citizenship from nationality, rather than excluding them on account of their historical origins or racial and cultural difference (Castles 1996:170; Kaplan 1993:257). It is therefore pertinent to ask whether, and in what ways, Zimbabwe's 'new past' described in the previous chapters makes an appearance in the country's revised citizenship provisions.

At independence, Zimbabwe's citizenship criteria, like much else, required decolonisation and restructuring in order to assert sovereignty, reflect African ideals and end separation of the former colonisers and colonised. To regulate access to citizenship, it was also necessary for the State to define who constituted the people of the country. This chapter suggests that the State has looked for—indeed taken an active role in directing—the decolonisation of minority citizenship. To this end, the construction of and contestations surrounding the eligibility and meaning of Zimbabwean citizenship are addressed below. First, however, it is important to historicise these issues and, for this reason, the chapter starts by examining the ways citizenship was realised by blacks and whites in Rhodesia. Next, the citizenship provisions worked out at Lancaster House as part of the country's decolonisation process are noted. Then the criteria employed by the post-colonial state as it constructed its form of citizenship are established. Against this backdrop, the extent to which settlers who have chosen to remain in Zimbabwe are able to identify with and to commit themselves as citizens to the country in the ways expected by the new regime, is questioned. Finally, attention is directed towards the State's technologies of power, applied more recently to redefine some whites as aliens rather than citizens, and which serve to disengage those of questionable membership.

### Rhodesian paths to black and white citizenship

Archival material spanning the liberal and hopeful years of Federation, its subsequent collapse, followed by the move towards conservatism in Rhodesian

politics during the late 1960s reflects the paths to full societal membership for black and white youth during the colonial period. Comment here will be confined to two publications that highlight the critical role attributed to education and the acquisition of skills in transforming Africans from subjects to citizens. A third text suggests a different route to social and political participation for white youth. Each will be discussed in its chronological order.

The first is a report written by British consultants Hunter and Hunter for the Capricorn Africa Society, a non-racial organisation<sup>1</sup> formed in 1949 to promote the material advantages of a united Central and East Africa (Hancock 1984:30). The Capricornians supported the federation of the two Rhodesias and Nyasaland and pushed for the recognition of Africans as wage-earners and consumers (Hancock 1984:31). The society believed that African potential needed to be 'unleashed' through the attainment of citizenship qualifications that would develop an appreciation of Western civilisation (Hancock 1984:40) and, at the same time, reduce the attraction of African nationalism. Accordingly, the society engaged consultants to assess the establishment of colleges, their mandate being the creation of 'a sense of common citizenship between members of the different races by a better understanding of the economic, social, administrative and cultural problems of their country' (Hunter and Hunter 1959:2).

The Hunters' findings suggested that citizenship, as a sense of ownership and sharing in the country, was unlikely to develop among Africans and Asians without some kind of training for employment. At the time, African education remained a territorial responsibility whereas that of Europeans had become a federal matter (Faber 1961:43). The consultants noted that the outstanding weakness in Southern Rhodesia was 'the quite startling shortage of facilities for Africans or Asians to get training for a job in life...whether by apprenticeship, full-time training or evening classes' (Hunter and Hunter 1959:19). The Hunters' surprise was perhaps unwarranted, given the apprehension felt by white artisans, potentially faced with African or Asian competition (Gann 1965:326). That adult education and vocational pursuits were perceived as critical prerequisites for the development of a sense of 'patriotism' and 'nationhood' (Hunter and Hunter 1959:1) suggested an essentially materialist approach to the generation of citizenship. Evidence of this understanding could still be seen in Harare in the 1990s where Ranche House, providing adult training courses of short duration, outdatedly described itself as a 'College of Citizenship', for the constitution of citizenship had moved on and been recast since independence.

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1 The Capricorn Africa Society, with financial backing from overseas, saw material advantages in federation (Hancock 1984:30-3). The society's citizenship project originated from the conference entitled Education for Citizenship held in 1958. Hancock (1984:47) noted that many future nationalist leaders were Capricornians during the 1950s, when Africans constituted about 65 per cent of the society's members. For instance, Shamuyarira, Takawira, Chitepo and Vambe, mentioned in these pages, were all at one time members of the society.

By 1960, the Capricorn Africa Society had largely run its course. Its agenda had not caught the white imagination nor, as indicated below, had their political parties embraced its ideals (Hancock 1984:47). Coincidentally, bans placed on nationalist organisations in the late 1950s led Africans to question whether they could achieve their citizenship rights within the normal political life of the country (Auret 1992:20–2).

A second, somewhat later publication that also traces the path to African citizenship in Rhodesia is Elsener's *My Life Tomorrow—A teachers' guide* (1965), distributed by the Catholic Church for use in its schools. Here, the huge contribution of mission schools and, in particular, the Roman Catholic Church to African education should be kept in mind. The book presents 'Christian teachings integrated with the practical life of Africa's youth' in order to 'form them into upright adults, useful citizens and apostolic Christians of whom the family, the country and the church can be proud' (Elsener 1965:1). To be effective, training needed to be grounded in the customs and institutions of the local society. Visits to a nearby mine or headman's court, studying parliamentary debates in class and school projects focused on developments in the country such as the Kariba Dam were some of the methods used to introduce children and young adults to their place in a community that extended beyond the family and the village, while simultaneously supporting traditional African authority. Elsener's *Guide* unabashedly sought to instil patriotism in pupils by, for instance, making them aware of Rhodesia's unique features and teaching the hymn *Ishe Komberere Afrika*,<sup>2</sup> justifying this on the grounds that 'love for one's country is the Christian way of good nationalism' (Elsener 1965:31). The virtues of responsibility, tolerance and objectivity imbued instructions regarding relations with elders, marriage partners, neighbours and employers. Respect was purported to be the 'key' for 'getting along with people of other races' and building a nation together. The importance of obedience and paying taxes, the need for an efficient and honest civil service, as well as the conviction that it was not the task of government to replace the efforts of the people, were other prominent principles. Forms of government, the benefits of colonial rule and an appreciation of the migratory history of all people then living in Rhodesia were also deemed relevant to preparing African youth for citizenship and colonial capitalism legitimated within a Christian framework.

The tone and endeavour of these publications have much in common, despite citizenship being predicated on an economic foundation in the first, while character formation and values given spiritual underpinning are central to the latter. Both consider education and training to be appropriate tools for building 'good citizenship'. The texts pass on the colonists' own political experience and reflect their certainty in the superiority of Western democracy in which an

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2 See Chapter 3, note 13.

individual's vote epitomises, above all, full political participation. Content was aimed at enhancing black receptivity to Western political ideas and forms of government, which, the authors assumed, would encourage African decisions in keeping with white interests in the future. Thus, during the colonial era, citizenship was an intrinsic part of the European civilising mission, its objective being the preparation of the African minor for membership in the modern world. Chakrabarty (2000:9) nominates this as an evolutionary or 'stagist' approach to citizenship, the colonists envisioning a preparatory period of education and employment before conferring the right to social and political participation.

About the time these texts were published, however, distinctions between the races were being written ever more deeply into Rhodesia's franchise. Although blacks who attained a certain level of education, means and property<sup>3</sup> were eligible for incorporation by a system of qualified franchise from the time of the first Legislative Assembly in 1898 (Clements 1969:277; Quenet 1976:21), in practice, the shortcomings identified in the Hunters' report cited above limited the numbers of African voters. And, while some liberal thinkers, such as members of the Capricorn Africa Society, supported racial parity founded on a common electoral roll of qualified franchise (Hancock 1984:46), property and educational criteria became more restrictive for African voters as Rhodesian politics turned further to the right (Shamuyarira 1966:148–50). The 1961 and 1965 Rhodesian *Constitutions* enshrined a more gradual time frame, foreshadowing majority rule at some successively more distant date. Further, the 1969 *Constitution* established for the first time separate racial voter rolls—one for Africans and one for all people other than Africans—and, while continuing the earlier educational, means and property qualifications, it made the number of African representatives in the House of Assembly dependent on African income tax contributions. As a result, more than six million blacks were represented by 16 Members of Parliament, only half of whom were elected by popular vote, the remainder being chosen by traditional African leaders (Blake 1978:402), while about 250 000 whites elected 50 representatives to Rhodesia's House of Assembly (Auret 1992:75). The number of black representatives could theoretically increase to that of non-Africans, but thereafter could not exceed that level until the black population contributed about one-quarter of all income tax<sup>4</sup> (Palley 1970:30). Evidence presented to the Commission of

3 Historically, Southern Rhodesia followed a system of qualified franchise based on voting arrangements in force in Cape Colony. Africans and non-Africans were required to meet property and educational qualifications (Shamuyarira 1966:148). This colourblind franchise was introduced in part to keep poor whites, notably Afrikaners, off the Rhodesian roll (Gann 1965:144). While property qualifications were not particularly onerous for most other whites, they disenfranchised all but a few blacks. Educational requirements also meant Africans had to achieve a certain level of approved schooling and demonstrate an adequate knowledge of English by completing and signing the necessary registration forms (Clements 1969:279).

4 In 1967, the African population paid 0.42 per cent of income tax receipts received by the State, although they contributed revenue in other ways through indirect taxation (Palley 1970:30). To link African seats in the House to income tax therefore made it impossible for black representatives to outnumber white in the

Inquiry into Racial Discrimination (Quenet 1976:22) indicated that it was the electoral division into races, rather than the voting qualifications per se, that most angered blacks, for citizenship was exclusionist and elitist, the Rhodesian sense of colonial nationalism not including the majority as citizens (Eddy and Schreuder 1988:3).

A third publication, aptly called *The Business of Living: A guide to good citizenship* (Pascoe:1969), suggested that the route to citizenship for young whites was conceived differently. A prominent insurance company printed this pamphlet as a 'service to the young people of Rhodesia', although the topics and illustrations pointed directly to white youth. Advice is provided on money matters—budgeting, hire purchase, writing cheques, the share market and income tax—as well as medical aid, hospital services, unemployment insurance, road safety, driver's licences, the voters' roll, military service, the reading of marriage banns (church notices) and so forth. These rights and duties of citizenship were to be taken up when the age of majority was reached. Much else was taken for granted—for example, race relations were not mentioned, nor were thorny questions regarding the relevance of European immigration. The privileges of citizenship seemingly unproblematically followed the attainment of adulthood.

A scheme of local citizenship and enactment had, in fact, come into effect in 1949. Allowing this, the imperial centre treated Rhodesia administratively not as a colony but as if it were a self-governing dominion, comparable with Australia, Canada or India (Palley 1960:754). The Southern Rhodesian *Citizenship Act* (1949) closely followed legislation in place in the United Kingdom and permitted plural citizenship. Rhodesian authorities presumed that the settlers belonged to the territory in which they were born, whose citizenship they claimed and whose passports they now carried, at one and the same time as they also qualified under the 1948 British *Nationality Act* as British subjects by descent (Nicol 1993:257; Palley 1960:746, 1186). Within a few decades, however, settler presumptions were to be challenged when racial identities were reworked and Rhodesian citizenship became a matter of dispute. The 1978 *Salisbury Agreement*, and amendments to the country's immigration regulations the next year, suggested white politicians had some inkling of this. Hurriedly passed legislation guaranteed entitlement to dual citizenship and gave an automatic right of residence to citizens, people born in Rhodesia whose parents were permanent residents, people born outside the country to permanent residents and who came to reside there before their third birthday, plus the wives and children of these categories. These generous provisions indicate some apprehension that questions regarding the acceptability and legality of the European presence would imminently arise.

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foreseeable future (Blake 1978:148).

At the 1979 Lancaster House Constitutional Conference, Britain asserted itself as the decolonising power, something its representatives claimed long experience in accomplishing (Stedman 1991:176). Britain's working documents provided the basis for the negotiations and, mindful of Rhodesian anxieties regarding majority rule, contained a number of provisions protecting minority interests. Relevant here are the provisions regarding citizenship. Automatic citizenship was to be granted to all settlers, even the 40 per cent who had arrived after 1965, when Rhodesia was deemed to have become a rogue colony (Wiseman and Taylor 1981:8). In addition, the provisions allowed settlers to hold dual nationality indefinitely (Davidow 1979:57).

The Patriotic Front<sup>5</sup> challenged Britain's underlying assumption of its leadership role at the talks. The Front instead projected itself as representing the people of Zimbabwe and, as such, the effective decolonising factor (Wiseman and Taylor 1981:7). Patriotic Front representatives strongly objected to special provisions for racial minorities, including the proposed citizenship clauses. Mugabe argued that

[a]ll people who live in Zimbabwe should consider themselves as citizens of that country. Is it possible to call a section of the community European? Surely there can be no such thing as a European in Africa... This is a racial approach and repugnant to our delegation. (Quoted in Stedman 1991:181)

While not disagreeing with this line of reasoning, the British delegation saw the Front's solution as utopian. They believed the political realities of the past could not be ignored, nor could the new state's dependence on white skills (Stedman 1991:179). Consequently, dual citizenship provisions were written into the Lancaster House *Constitution*. Back in Zimbabwe, their inclusion was generally welcomed by settlers who saw in them a form of protection, a safeguard intended to create reassurance and confidence in the minds of many Zimbabweans, being mainly if not entirely white. Subsequently, the provisions were described as measures to win confidence and stem the European exodus.<sup>6</sup>

## Settlers as loyal citizens of Zimbabwe

In international thinking, state boundaries define the inside and outside of citizenship (Hintjens 1995:2). Decolonisation can complicate the process but, ultimately, domestic laws determine who is, and who is not, a citizen. Indeed, the sovereign right to determine who belongs, and how they belong, to the State enjoys widespread recognition. In Zimbabwe, the rules, rights and

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<sup>5</sup> Mugabe, Nkomo and their supporters negotiated as a united Patriotic Front at Lancaster House.

<sup>6</sup> *The Senate*, 20 October 1982, cols 1184–5.

protections citizenship confers are set out in the country's *Constitution* and its *Declaration of Rights*, in the *Citizenship Act* and immigration regulations. The last two of these are based on the Rhodesian legislation of the same name and provide access to citizenship on the grounds of birth, descent, registration and marriage. The contours of citizenship have therefore been appropriated from the colonial regime and, although amended since independence and influenced by Zimbabwe's international treaty obligations, their origins lie nonetheless in their Western heritage. The legislation is therefore structured according to European ways of thought and practice, with its notion of universal applicability.

The reconstitution of citizenship was neatly caught by the new government's slogan 'One person, one country, one nation, one citizenship', for the incoming ruling elite held that a person could not be loyal to both Zimbabwe and another state.<sup>7</sup> Consequently, the 'theoretical document' produced at Lancaster House required modification so that it fitted and reflected 'the identity of its people'.<sup>8</sup> Midway through the First Parliament, an enabling bill amended the *Constitution* such that it was silent on dual citizenship. Introducing the bill, the Minister for Legal and Parliamentary Affairs, Eddison Zvobgo, said 'this constitutional transformation process will be a major test of loyalty for all non-African citizens in this country. The longer they cling to undeserved prerogatives and privileges—the more they irreparably damage national reconciliation and irretrievably prejudice their own standing in Zimbabwe.'<sup>9</sup> Zvobgo continued: 'we want our citizens to owe allegiance only to Zimbabwe.' He explained that, as far as the government was concerned, dual citizenship had only ever been

a stop gap in order to give people time to recover from the ravages of the war and decide which country they wanted to call their own. More than two years later, there is no justification whatsoever for anybody to continue to waver between Zimbabwe and any other country.<sup>10</sup>

Nominal citizens, or citizens of questionable belonging, were subject to a programme of national integration. In this the Minister had the support of the majority, if not all, black MPs. A colleague succinctly expressed his sentiments as follows: 'My country right or wrong, my country poor or rich...That is what every Zimbabwean should say.'<sup>11</sup> The MP averred, 'if you can always say that we are here temporarily because I am holding my passport to somewhere else and we can always go...then definitely your loyalty is divided'. With the benefit of hindsight, perhaps more notice should have been taken of the President when he addressed the local white population during the early and generous days

7 'Way cleared for citizenship bill', *The Herald*, 25 August 1982, p. 1.

8 *Parliamentary Debates*, 16 July 1982, col. 814.

9 *Parliamentary Debates*, 14 July 1982, col. 692.

10 *Ibid.*, col. 693.

11 *Parliamentary Debates*, 16 July 1982, cols 814–15.

shortly after independence. 'Foreigners,' he said, 'who don't want to take up Zimbabwean citizenship will not be victimised...If you just want to serve the country and return home, you are free to do so. We will not deprive you of the right to make that choice.'<sup>12</sup> While reassuring, his words also reproduced anyone thinking of opting for permanent residence as 'foreigners' or strangers with homes elsewhere to which they would one day return.<sup>13</sup>

Many urban Africans, however, also find themselves 'torn' between homes (Wermter 1987:1). In their case, the term 'home' refers primarily to the rural area where ancestors are buried and which gives a person a totem and clan identity. Urban workers, most of whom wish to retire, die and be buried at the rural home, invest in property and social relationships centred on this location throughout their working lives (Kabweza 1987:1), their ties to the rural home demonstrated by the almost obligatory 'month's end' journey home with provisions and cash. During fieldwork, Irene Zindi, MP, alluded to the significance of her rural home when, putting her case for preferential treatment as a new entrant in the tourism industry, she said, 'I do not have a second home as Zindi. This is my soil and I have nowhere else to go and this is what I inherited [sic] from my ancestors and I will die here and remain here. I will never go anywhere.'<sup>14</sup> In her address, Zindi defines Zimbabwean society organically rather than functionally, on the basis of descent rather than simply by birth or long-term residence (Safran 1991:86). She gives primacy to the principle of *jus sanguinis* rather than *jus soli*. Zindi's appeal also bears out Appadurai's (1988:37) observation that 'natives are not only persons who are from certain places, and belong to those places, but they are also those who are somehow *incarcerated*, or confined, in those places'. Hence the possession of a second passport makes its owner intrinsically different. To the extent that its owner need not be confined, the person may choose not to be present when the country is wrong or poor and is not, therefore, considered to belong authentically as a native. Other black representatives, putting a more positive gloss on immobility, remarked that 'true Zimbabweans' were 'black Zimbabweans because...they will stay in the country'.<sup>15</sup>

Passports have thus become a critical nexus linking 'white' to 'Zimbabwe' in the public domain. Time and again, the debate turned on the ambiguous, unknowable and inherently antisocial character of dual citizens. A person who holds dual citizenship is like a person standing between two roads and he does not know

12 'No witch-hunt over citizenship, Mugabe pledges', *The Herald*, 19 July 1982, p. 1.

13 Also suggesting a parallel between passports and other homes, Mr Shambambeva-Nyandoro said 'no blacks can have three homes. You cannot have a home in Malawi, a home in Zambia and a home in Zimbabwe. How many can afford to do that? But the majority of whites can do that' (*Parliamentary Debates*, 30 August 1994, col. 1110). Another black MP also drawing boundaries and perhaps exasperated with those who did not fit his moral map, asserted that 'if people become Zimbabwean citizens we will know who our people are' (*Parliamentary Debates*, 16 July 1982, col. 816).

14 *Parliamentary Debates*, 24 February 1998, col. 3497.

15 *Parliamentary Debates*, 30 June 1982, col. 327.

what to do.’ Or, he is ‘like a man married to two wives...his attention is divided... We cannot afford polygamous citizenship.’<sup>16</sup> Cheater and Gaidzanwa (1996:194) make the point that black male assertions such as these ignore the realities faced by the exogamously married women of Southern Africa’s patrilineal societies who, throughout their lives, juggle at one and the same time loyalties to natal kin and affines. Nonetheless, ambiguity as citizens reflected black uncertainty regarding white loyalty, given ‘there are no genuine citizens who hold two passports’.<sup>17</sup> Law-enforcement agencies warned that the mobility afforded these footloose people by modern transport systems must be thwarted by the vigilant application of immigration regulations.<sup>18</sup> These sentiments reflect, to be fair, a measure of official anxiety regarding the possibility of a white-supported civil war (Flower 1987:277), as well as anger over the destabilisation of Zimbabwe by South Africa during the first decade of independence (Dzimba 1998:55; Martin and Johnson 1986).<sup>19</sup> In light of this, the government looked for some indication of commitment and loyalty from the white and Asian communities as a whole, for some indication of their preparedness to remain domiciled in the country in the longer term and their willingness to accept its legislation, to integrate and live according to the social values of the black majority.

In reply, white MPs, protesting their personal loyalty while also claiming to speak for various worried members of their constituencies, could not see why dual citizenship need weaken their commitment to Zimbabwe, as it had not to Rhodesia. In an effort to get this point across, a white MP used—not altogether successfully—a familial analogy:

Everyone is born into a family. Now, when you grow up you get married, you find an attractive girl and you marry her and you live with her. But that does not mean to say you sever all connection with your family, and that is the connection I see between a person in this country who holds a British passport and is a Zimbabwean citizen, or who holds British citizenship and not necessarily a British passport. That was his home, where he grew up, where he gave service...as I say, you do not have to, when you marry, cast off your family, you are still part of that family but you have different loyalties to your wife and to your parents...it is better to have some sort of loyalty to the country of your birth as well as the country of your adoption.<sup>20</sup>

16 *Parliamentary Debates*, 16 July 1982, cols 814–16.

17 *Ibid.*, cols 816, 818; *The Senate*, 20 October 1982, col. 1190.

18 Department of Information, 22 October 1984, p. 5; *Principal Immigration Officer versus O’Hara*, (1) ZLR 69 (s), 1993, p. 72.

19 See also *Parliamentary Debates*, 13 September 1994, col. 1621.

20 *Parliamentary Debates*, 25 June 1982, col. 259.

The MP does not conceive of the fundamental mental transformation expected of him as suggested by Memmi (1965:23) and Fanon (1965:35, 52). He hopes, as Memmi (1965:40) predicts, to be part of the new country at the same time as he 'reserves the right' to maintain the citizenship of his country of origin. Other white contributors to the debate added the now commonplace arguments, pointing out the danger of driving white skills and capital out of the country and frightening away foreign investment by tampering with the fundamentals of the Lancaster House *Constitution*.<sup>21</sup> So, while the ruling party linked citizenship with loyalty and commitment, most, but not all, white MPs resisted the linkage. One dissenting voice was that of Rhodesia Front backbencher Mr Micklem, who recognised that the amendment was looking for a more fundamental change of white attitudes, 'a token of allegiance to the country, a token of patriotism, perhaps a token even of reconciliation',<sup>22</sup> and subsequently voted with the government.

During the proceedings, Senator Hungwe also highlighted the importance of consensus, saying, 'in African thinking, opposition is something that must be done away with. The Zimbabweans, black, white, [and] coloured, must unite and dedicate themselves to making this country a good place to live in for all those who wish to make it their home.'<sup>23</sup> Scholars also noted repeated references to consensus, the calls for 'oneness and unity', suggesting that the ruling elite conceived of politics as communal, where 'responsible citizens evolve organically out of communally embedded identity and customary norms of fellowship' (Applegate 1992:70). They are thought of not so much as a free-floating possessor of essential human rights but, rather, as a person of place (Applegate 1992). In this context, fully fledged citizens not only conform to the laws of the land, but, importantly, they demonstrate loyalty by acting in ways that reflect the wishes and interests of the State. The citizenship that counts is grounded in organic solidarity, unquestioning compliance and identification associated more usually with kinship relations.

In sum, minority or white commitment was assumed categorically by the State on the basis of passports, regulatory instruments of residence, travel and belonging, which, by allowing people to span borders, reconfigured them as highly ambiguous beings. Statements to the effect that should the minorities wish to belong in Zimbabwe they must embrace the citizenship of that country and no other<sup>24</sup> make explicit the requirement that settlers sever links with the imperial centre. Two questions followed from this. How were they to go about

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21 *Parliamentary Debates*, 21 July 1982, 16 July 1982; *The Senate*, 20 October 1982.

22 *Parliamentary Debates*, 21 July 1982, col. 895.

23 *The Senate*, 20 October 1982, col. 1179.

24 *Parliamentary Debates*, 30 August 1994, col. 1127.

breaking ties with their countries of historical origin? And, second, would they confront their ambivalence and, as Zimbabweans, take their place by the side of their black compatriots?

## The 1984 renunciation exercise

Shortly after independence, it was clear that non-Africans would be required to decide where they belonged and which citizenship they wished to keep. There was a lag between the passage of the enabling legislation in 1982<sup>25</sup> and the provisions of the Zimbabwean *Citizenship Act*, not made available until 1984, after which time minorities had 12 months to respond. So, initially, people were uncertain about the options they had. Minority MPs felt they were being asked to agree to ‘the unexplained and the unknown’.<sup>26</sup> Remarks by the Minister for Home Affairs, Dr Ushewokunze, that the new citizenship bill would ‘drum out’ the non-belonging and provoke ‘fireworks’<sup>27</sup> were remembered as ‘not reassuring’, prompting speculation about the content of the new provisions. Would longstanding residents who did not opt for Zimbabwean citizenship be prejudiced in any way? Would they, for instance, lose pension rights in the country whose citizenship they forfeited? As aliens, could they hold land, act as company directors or continue in business? Would they need to apply for work permits; what of promotion possibilities within the civil service? And were they entitled to holiday allowances if they elected to keep their foreign citizenship?

The government took it as axiomatic that any citizen-by-registration must hold another citizenship, valid or invalid.<sup>28</sup> Those who wished to retain Zimbabwean citizenship were directed to go to the passport office, register and surrender their foreign travel documents. If they failed to do so their Zimbabwean citizenship automatically lapsed at the end of the grace period. There was some confusion regarding the appropriate action for locally born whites who had an entitlement to foreign citizenship by descent, but did not hold a foreign passport, having used Southern Rhodesian, Federation, Rhodesian or Zimbabwe-Rhodesian passports in the past. ‘To be on the safe side’, officials advised all those born outside the country, or with a parent(s) born outside, to submit a renunciation form.<sup>29</sup> The renunciation process was in fact simpler for these people. They could send the completed document to the Registrar-General by post. In this way, a register was compiled of all non-Africans who acted in accordance with government directives by one or other means. The Citizenship Office continues

25 Table 2.3 in CSO (1987) indicates that in 1982, 114 920 of a total white population of 146 880 claimed Zimbabwean citizenship.

26 *Parliamentary Debates*, 21 July 1982, col. 886.

27 *Parliamentary Debates*, 14 July 1982, col. 697, 3 August 1982, col. 962, 24 February 1998, col. 3497.

28 *Parliamentary Debates*, 26 March 1986, col. 1594.

29 ‘Citizen steps for “foreigners” outlined’, *The Herald*, 25 September 1985, p. 1.

to verify citizenship against this roll when processing passports. When the new citizenship bill (subsequently the *Citizenship of Zimbabwe Act 1984*) was released, it provided that dual citizens who did nothing and those holding only foreign passports but domiciled in the country would become permanent residents. As such, they would be entitled to reside in Zimbabwe, work, vote, own property and 'generally do all things that are done by persons ordinarily resident in this country'.<sup>30</sup> Another decade was to pass before the implications of the amendment were to be fully understood.

In the meantime, the minority's slow and indecisive response to the government's publicity campaign was disappointing, 'hardly demonstrating an eager, whole hearted acceptance of the country in which they live and work'.<sup>31</sup> Various foreign governments, the United Kingdom's and Australia's included, placed advertisements in the local papers advising their citizens of the choices open to them.<sup>32</sup> The British also produced a pamphlet and embassy staff addressed at least one public meeting on the matter.<sup>33</sup> Many informants recalled information provided through these channels, drew my attention to it and came to their decisions bearing it in mind. They credited the British Government with recognising that they were 'acting under duress' and explained that both countries allowed those who wanted to retain Zimbabwean citizenship to hand their Australian or British passport to the Zimbabwean Registrar-General. He could not 'stamp cancel or surrender on it' because the passport was the property of a foreign government. In due course, the Registrar-General, Comrade Tobaiwa Mudede, forwarded the document to the appropriate High Commission from where it could be, but was not always, retrieved at a later date. The British, in particular, made it clear that to renounce British citizenship required that a person approach the High Commission and make the renunciation under the law of that country. Due to differences between the two countries' legal systems, signing the declaration required by the Zimbabwean authorities would not affect their position in British law. Their standing in the United Kingdom was not a matter for the Zimbabwean Government.<sup>34</sup>

30 *Parliamentary Debates*, 14 August 1984, col. 802; *Principal Immigration Officer vs O'Hara*, (1) ZLR 69 (s), 1993, p. 73.

31 'Disappointing response', *The Herald*, 5 December 1985, p. 4.

32 See 'Citizenship—to all dual British-Zimbabwean citizens, note from the British High Commission', *The Herald*, 15 July 1985; and 'Note to Australian/Zimbabwean dual citizens', *The Herald*, 16 November 1985.

33 'Citizenship deadline extended till Monday', *The Herald*, 26 November 1985, p. 1; 'Registrar clarifies dual citizenship', *The Herald*, 27 November 1985, p. 1. See also *Parliamentary Debates*, 16 August 1984, col. 930.

34 During the publicity campaign, Zimbabwean officials initially directed dual citizens to renounce foreign citizenship at their respective overseas missions and then proceed with evidence to the Zimbabwean citizenship office. This advice, however, was overturned by the Registrar-General. 'Correcting' the 'wrong information' emanating from his office the previous day, Comrade Mudede said that there was no requirement for dual citizens to inform foreign embassies. Rather, his office would process the renunciation and advise the necessary delegation (see *The Herald*, 10 April 1985, p. 1, 11 April 1985, p. 3). It was therefore on the basis of the Registrar-General's instructions that the renunciation exercise proceeded as it did.

Then came a last-minute rush. Almost 20 000 mostly whites renounced their foreign citizenship in Harare by the deadline.<sup>35</sup> A Rhodesian-born woman recalled the event:

I remember the long lines of whites at the Drill Hall<sup>36</sup> grounds, reluctantly queuing to establish their Zimbabwean citizenship. We had to appear in person; there were many elderly in the line and [there was] nowhere to sit. We went in the front door to register as Zimbabweans and to pass in foreign passports. I had two to give in. Then around to the side door for thumb prints and photos for our identity cards. It was a bunfight, understaffed, we were bench shuffling, the disorganisation was totally alien to the previous regime.

Another, also locally born, said ‘when I saw the chaos at Drill Hall I wondered, what am I doing here, why am I doing this? The whole thing was a nonsense.’ A third described the day as ‘a dehumanising and humiliating experience’, so hinting at the psychological violence inherent in denying one’s sense of self.

While whites found it a disquieting indication of the future, of ‘other’ rather than ‘our’ way of doing things, the editorial of Harare’s daily newspaper described the renunciation exercise as having an Alice-in-Wonderland quality about it.<sup>37</sup> What was to have been a demonstration of loyalty had been diminished to the irritation of form filling and tedious waiting in white lines, through outside intervention by the former colonial power and other settler states. Local white procrastination, in conjunction with the actions of external governments, had made it apparent that, although born in the country, whites could also be considered to belong elsewhere by virtue of descent and associated ethno-cultural factors. This inevitably prejudiced their relationship with the Zimbabwean State, within whose borders they resided and whose citizenship they claimed. As a result, whites, including those who passed in other passports, were dubbed ‘dubious’ and ‘bogus citizens’, ‘rootless strangers’ and foreigners bringing in their wake different behavioural mores.

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35 ‘Over 19,000 opt to be citizens in Harare’, *The Herald*, 4 December 1985, p. 1. Figures indicating dual citizen numbers were not available in Zimbabwe. For obvious reasons, the national census simply asked people to nominate a single citizenship. Some idea of the magnitude was, however, reflected in the British House of Lords debate on the Zimbabwean land issue. Their report—indicating some 30 000 dual citizens and 15 000 mono-British citizens residing in Zimbabwe—was later tabled in the Zimbabwean Parliament (*Parliamentary Debates*, 10 March 1998, col. 3838). These figures should be treated critically as Zimbabwe’s 1992 Census gives a lower figure of 10 654 sole UK citizens (CSO 1994:Table 1.14).

36 Drill Hall was renamed the Makombe Building early in 1985, but informants generally used the old name.

37 ‘Dubious citizens’, *The Herald*, 28 September 1985, p. 4.

## Decision making

How had informants come to their respective choices? What factors were important in weighing up the decisions they made? The collage that follows gives some impression of the range of positions whites held on the matter of their future citizenship.

A middle-aged woman described her mother-in-law's thinking in the following terms:

Her husband had died in 1981. She kept her Zimbabwean citizenship because she wanted the country to work, and to demonstrate her faith in the future. She also owns property in Cameron Street [Harare's central business district].

The daughter-in-law, on the other hand, had 'lost' her 'birthright' (see below), but nevertheless continued to believe she had a right to live in the country, 'to belong because I was born and resided here for many years'. Citizenship can be earned or acquired through birth—earned, she thought, through behaving responsibly, paying taxes, being patriotic and supporting the country. Her husband, still a citizen, also implied that commonality was performative when he added, 'I've been desperately trying to learn Shona, to know what people are saying around me...it's ridiculous that we were taught Afrikaans at school'.

A locally born couple with entitlement to UK citizenship by descent adopted a 'wait and see' attitude. 'We seem to have spent our lives wondering what the outcome will be. UDI, the Republic, the war and so after independence we decided to hedge our bets with the passports.' Others, also locally born, said, 'I took the Zimbabwe route, my wife went British. As a company director and property owner, I decided it was sensible to keep my Zimbabwean passport.' The man's wife concurred: 'We divided the options between us; it might work out for the best.' Before this, the man had, however, applied to immigrate to Australia, but was rejected as being 'too old'. He accepted his failure philosophically, saying:

We are fortunate that things have panned out better here than expected. We were prepared to stay [after 1980] if education and law and order were maintained. But the future is uncertain. What we did not foresee at the time was the frustration ahead in the business environment.

More positively, a retired couple welcomed the change of regimes. Their commitment to the country, 'to making independence work', cannot be doubted (see Chapter 7, note 14); however, they described themselves as being both

anxious and realistic in 1984... We felt suspicious of the government but, at the same time, as a minority ethnic group, we had to be realistic... we knew the rules could change, so we went to [the] Drill Hall and passed in our Rhodesian and foreign passports in favour of the Zimbabwean.

Others held a single, paramount concern. 'As a recently divorced mother of three girls, I felt I had to protect the family home, which I received as part of the divorce settlement', so she passed in her British passport. Conversely, a widow chose to relinquish Zimbabwean citizenship and remain domiciled as an immigrant with permanent residence rights. She had left Britain as a seventeen-year-old bride at the end of World War II. In Rhodesia, her husband established a successful metal-fabricating business. After independence, however, the company was refused foreign exchange, 'squeezed out' and sold at an undervalued price. The family lost money and moved into a tiny flat. The widow was still 'bitter towards the new government about this'. Citizenship decisions came up as the business folded. She said:

I never thought of changing; I wanted to stay British. My Rhodesian-born son thinks of himself as Zimbabwean and has a Zimbabwean passport for work purposes; he travels to Botswana on his job. But I say to him, you wouldn't be a Chinaman just because you happened to be born in China.

Her son, on the other hand, appeared to have taken some tentative steps towards transforming his identity and mentally adopting Zimbabwe as his homeland. His disaffected mother would not consider leaving Zimbabwe without him, her only child left in the country. 'He's my baby, he'd have to go first.'

Reacting to her fears of family disintegration, a woman who had grown up in what she described as a 'possessively close family', recalled telephoning her siblings, urging them to take the necessary steps to secure local citizenship. One of four children born in various countries in Southern Africa to British settlers, she had availed herself of a Rhodesian passport in 1976 in the vain hope of winning a scholarship. In 1985, the woman was particularly concerned that her sister, living temporarily in South Africa on a work permit, would become 'stateless'. In the event, none of her siblings responded to her pleas and all but herself left the African continent within the next few years. She, however, thought of Zimbabwe as her homeland. As a citizen, she expected to be able to own land, work and vote. She also believed that 'if you don't vote, you have no right to criticise'. Her husband, a third-generation Zimbabwean, spoke Sindebele fluently. The couple joked that he had held passports to five different states—Southern Rhodesia, Federation, Rhodesia, Rhodesia-Zimbabwe and now Zimbabwe—but never moved countries. At the time we met, they had just signed a 25-year mortgage on a house plot in Harare and hoped 'to be still

living here when the bond is paid off'. They adopted a Christian approach to reconciliation, supported a local soccer team, possessed only local passports and were philosophical about government shortcomings. On these grounds, they believed themselves to be 'committed to the country'. Nonetheless, the woman also thought that she had the right to 'live my life in peace, doing what I think is right, and make my own decisions about national holidays'.

The grandson of an immigrant from Goa, India, who had initially identified himself as Portuguese, and was then on his way to Australia, countered some of their arguments:

I chose to keep my Portuguese citizenship in 1984, even though the Portuguese are reluctant to recognise me, or extend my passport, and do not consider me a citizen. I can't speak Portuguese and I've never visited the country, but it's a European passport and gives rights to live and work in Europe. My paternal grandfather came to Southern Rhodesia from Mozambique for opportunity. I thank him for that. I want to open opportunities for my own children. But citizenship is not enough; it is worthless without work...economic opportunity is more important than citizenship.

A little later, the businessman continued:

African governments are not known for respecting civil rights. Everyone, regardless of race, is afraid here; there's no freedom of expression. Friends have the same view of the political situation as me. Some are diehards and would not think of leaving, but they are blinkered, not listening to what the government is saying about minorities in Zimbabwe. They're out of touch with the government's agenda. The government was forced to accept minorities at independence, but they would like us all to leave.

Interestingly this informant, with ancestors who were Indian labourers brought to Southern African countries by various imperial powers, supported the Hunters' view of 50 years earlier that citizenship as a sense of ownership and common destiny was unlikely to develop without employment. A Zimbabwean-born farm manager, also about to leave for Australia in the wake of land designation (see Chapter 7), had other concerns:

I thought I'd always be here, so I stayed with the Zimbabwean passport. My father's family has been farming here, first in South Africa, and now Zimbabwe, for generations. But some years after independence I went on two working holidays to the UK and got my British right of domicile, through my mother, stamped in my Zimbabwean passport, because you can put everything you've got into a farm but, at the end of the day, the government could take it anyway.

Uncertainty featured in much of what he had to say. 'We are all waiting for the time we have to leave; extra passports are additional boltholes; the more the better.' His precautions, however, could in fact prejudice his future. The experience of another informant indicated that having entitlement to British domicile inserted into a Zimbabwean passport would compromise his standing as a Zimbabwean citizen when he came to renew his passport in the years to come.

A former Rhodesian officer took an opposing position to almost all others when he supported the government's ban on dual citizenship, arguing 'you can't live with your feet in two countries'. The government was, he felt, quite reasonably looking for 'tangible proof of commitment from whites with expertise'. One of the few to put effort into 'reading all the information' put out by Mugabe's government, he 'decided to give it a go' and joined Zimbabwe's newly integrated armed forces. But, in July 1982, his immediate senior and junior officers 'went to work and never came home'. They were accused of plotting to overthrow the new regime. Martin and Johnson (1986:49) describe the sabotage at Thornhill Air Base that lay behind these accusations as a South African operation, perhaps with help from inside.<sup>38</sup> In its aftermath, the informant felt 'at risk, aware of being under suspicion, and afraid of being set up'. He reflected, 'You can't hold on to the past, you have to make a commitment to the new country. I was totally Rhodesian, then I gave my loyalty to Zimbabwe. Once they betrayed me, I had to give my loyalty to someone else [Australia]...I can't live in two worlds.'

However not everyone had choices to consider:

I was twenty-two years old in 1985...I had no decision to make. I've only ever had one passport and I only have one now: it's Zimbabwean... my parents have only ever had local passports...their grandparents came from South Africa. In 1980, my parents just went with the flow. Independence meant the war was over, Dad could stay home. No more worrying about his safety when he did call-ups. We were anti-Smith, so Dad was fighting for a cause he did not believe in. We [she and her husband] were war babies. I have no memory of what life was like before the war.

Similarly, a coloured couple found they 'had nothing to decide'. Unsure of their ancestry, and unconcerned about 'who' arrived 'when', they said, 'We grew up in Zimbabwe, we know nothing else but we are aware of being second-class citizens even though we're indigenous.'

Thus, generally speaking, people made pragmatic choices around the legal rights they believed citizenship conferred with regard to property and employment.

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38 See also Astrow 1983:172; Alexander 1998:156.

Local citizenship 'secured' things and within the country a Zimbabwean passport held considerable value.<sup>39</sup> Importantly, at least as far as minorities are concerned, local passports confer passage into the national territory. Citizens were those who enjoyed freedom of movement and, in particular, had the right to enter the country at will, to remain and work without permits, putting them in effect in a position to establish and maintain a home. It was on these legal grounds that a migration consultant advised clients to hold on to Zimbabwean citizenship as a safeguard against future uncertainties. He pointed out that entitlement to British or South African citizenship through descent could not easily 'be lost', at least for the foreseeable future.

While a few of those cited above did not identify Zimbabwe, the land of their current residence, as their homeland and country of citizenship, others were ambivalent, aware that their claim might not be accepted. Although born and raised in and perhaps wishing to adopt Zimbabwe as their homeland, they, cognisant of the discrepancy between legal terminology and the public discourse, were not sure they would be 'allowed to belong'. A small number expected as citizens to participate actively in civil society by, for instance, voting in general elections—a right that until 2000 Zimbabweans, black and white, treated antipathetically. Yet even they questioned whether their claim to belong would be accepted by the majority. Would they ever be more than 'honorary citizens' still sealed in their whiteness in some African eyes?

Uncertainty, due in part to the wide discretionary powers invested in immigration and other officials in Zimbabwe and abroad, encouraged whites to embrace multiple identities.<sup>40</sup> During the years I spent in the country, academics, farmers, journalists and businesspeople critical of the government were 'called' to present themselves at the relevant state agency to discuss their standing. 'Calls' to attend the Office of the President, immigration or citizenship departments announced that the individual was a questionable member of the moral community. As 'disloyal' or disaffected Zimbabweans, they—just as in Rhodesian days<sup>41</sup>—were threatened with the cancellation of their citizenship or permanent residence status, making local citizenship itself the source of insecurity and anxiety. Indeed, lack of confidence in the future proved critical

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39 When accepted as a document affirming local identity, passports secured lower charges at hotels, national parks and hospitals, less departure tax, as well as access to educational facilities and employment opportunities. Passports were also necessary for whites to register as voters before the 2000 elections.

40 Zimbabwe's High Court judges called in 1997 for a Board of Appeal to provide a forum for the review of departmental decisions and to protect against the corrupt practices of immigration officials (see the *Report of the Departmental Committee on Security Ministries*, tabled in Parliament on 13 May 1997, cols 4771–7; *Zimbabwe Independent*, 31 July 1998, p. 1).

41 As part of social control, Rhodesia's Minister of Immigration could withdraw the citizenship-by-registration of people who made statements that caused despondency or brought the government into disrepute (*House of Assembly*, 21 November 1972, cols 25–32). Some of the many who over the years fell foul of authorities, and were deprived of their citizenship and immigration rights, included Bishop Lamont and Guy Clutton Brock (mentioned in Chapters 2 and 4 respectively). The Rhodesian *Citizenship Act* also provided

to decisions made by many. Most would concur with the insights of the farm manager cited above when he said, 'Everyone is worried about the day when we have to run, leave in a hurry. A rush of white emigration is going to happen, and I don't want to be in it.'<sup>42</sup> He recalled the distress he felt in 1972 when witnessing the line of cars driving south through Livingstone in Zambia, across the Zambezi River into the tourist town of Victoria Falls, as Asians expelled from Uganda sought refuge from Idi Amin's regime (see Mamdani 1973). Although not welcome in Rhodesia, their plight nonetheless contributed to the shadow of doubt that had fallen over the country's future as a white homeland. White anxiety about what tomorrow might bring reflected an uncertain vision of the country's future, and their place in it. They saw their fears refracted in African countries to the north and raised the spectre of repeating the histories of Uganda, Congo and Mozambique. Nonetheless, efforts to assert some control over the future inside and outside the country—their contingency plans to, in Moore's (quoted in Dhalla 1993:36) terms, 'fix the outcome' with passports and residence stamps—served to make tomorrow's anxieties an important part of today.

Thus, while the majority complied in one way or another with the government's renunciation exercise, lack of trust in their identity as Zimbabwean citizens generated a desire to obtain or retain a second, foreign passport. Said (2000) alludes to the 'talismanic' quality of passports, residence stamps and identity cards reflecting his and other Cairo-based Palestinian families' vulnerability given their privilege in the changing political situation of the Arab world after 1948. Zimbabwe's minority citizens felt much the same way. Passports were hedges against insecurity and inconvenience, for the general public, black and white, held little confidence in the country's civil service. What must be remembered is that it could take up to a year to receive or renew a Zimbabwean passport, and, in order to deter criminal activity,<sup>43</sup> a lost passport would not be replaced for two years because, among other things, it contained the record of holiday allowances. Bureaucratic explanations for these delays covered staff shortages and the manual and lengthy processing systems involved.

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for the cancellation of citizenship-by-registration of young whites intent on refusing military commitments. Thus, the use of immigration and citizenship provisions to exile and muzzle critics was an established practice in Rhodesia.

42 These comments go some way in explaining the high take-up rates of Australian citizenship by Zimbabweans; 80 per cent of Zimbabweans became citizens once eligible (Australian Bureau of Immigration, Multicultural and Population Research 1995:3, 24).

43 Crime figures indicate that, as Commonwealth passports allow entry into many countries without visas, Zimbabwean passports are much sought after. At least 50 were reported to have been stolen and fraudulently sold each week during 1993 in South Africa, where a ready market existed for them (*The Sunday Mail*, 14 November 1993, p. 1). By 1997, the figure had shot up to 40 a day—some being sold outright by their owners—and the price, the Registrar-General alleged, was 'very attractive' (*The Herald*, 26 March 1997, p. 1, 16 December 1998, p. 1).

As far as a government official was concerned, however, any inconvenience should be accepted patriotically. 'Our citizens have to be proud whether black or white, and say this passport is Zimbabwean. Whatever consequences I may suffer because I hold this is what I have to endure. I am proud of my country. I have to suffer accordingly.'<sup>44</sup> 'Suffering' was an idiom used commonly by black Zimbabweans to describe their lives. Suffering brought entitlement (Moore 2005:2). Suffering, it was also said, promoted resilience and learning and consequently suffering in childhood made for 'strong adults'. 'Suffer—Continue' was a maxim painted on buses. To accept one's suffering stoically was to live as a native. Some whites, however, perceiving the virtues of efficiency as self-evident, wanted other passports in order to avoid the inconveniences that could arise from mono-citizenship. They were not alone in holding instrumental attitudes. African traders, finding themselves short of the fare home after shopping in South Africa, would leave their travel documents with bus companies as security against future payment. Despite the government's promise of full, participatory citizenship for the black majority, in reality this had not been realised by the poor and, particularly, not by African women (Gaidzanwa 1993). Passports thus provided a form of currency to women who were otherwise unable to realise many of the rights of citizenship.

So, while many whites responded to the letter of the renunciation process, the spirit the State hoped to see as evidence of an inner mutation was not forthcoming. A spontaneous, decisive act, taken to indicate genuine identification with the country and its people, was usually lacking. Whites perceived the exercise not so much as an opportunity for them to become aware of, and confront, their ambivalence about where they belonged, but as 'vindictiveness' and 'a show of authority' on the government's behalf and as 'a loss of a freedom' they had hitherto enjoyed. Informants repeated the view that 'you can't legislate for loyalty', nor can loyalty be equated with holding a passport, or passports. While one recalled hearing other people saying 'we're proud to be Zimbabwean, to hell with other passports', she was not thinking that herself. Indeed, I heard few unconditional responses similar to that of Mrs Crafter of Glen Lorne, Harare, who presented her travel document as announcing her home country, saying 'I'm Zimbabwean *and* I travel on a Zimbabwe passport'.<sup>45</sup> Or the patriotic action of a Cheredzi farmer, held up as an example by authorities, who was purported to have renounced his British citizenship under the 1984 Zimbabwean provisions and then gone to the British High Commission to do the same according to British law.<sup>46</sup> Such unequivocal statements of national pride, expressing love of the country, faith in its future and the desire to be fully identified with it

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44 *Parliamentary Debates*, 16 August 1984, col. 929.

45 'Whites can also be indigenous', *The Herald*, 9 July 1996, p. 2.

46 *Parliamentary Debates*, 30 August 1994, col. 1118.

as a citizen according to the criteria of the new government, were few and far between. 'Perhaps,' reflected another respondent dryly, 'they will regret this patriotic attitude later.'

The decolonisation and renegotiation of citizenship in Zimbabwe therefore revealed distrust on both sides. Whites, refusing to turn themselves into a subject of others, were quick to point out that the renunciation procedures were legally flawed and therefore, in their eyes, invalid, overlooking the new consciousness the exercise was designed to engender. Regardless, the Zimbabwe *Citizenship Act* of 1984 prohibits all citizens from holding dual passports, regardless of race. The statute makes it an offence to obtain and/or use a foreign passport, the penalty for which is the automatic and immediate loss of local citizenship.<sup>47</sup> The statute's provisions effectively criminalise many minority-group citizens, who otherwise pride themselves on being law abiding. Further, what is widely known is that it is not just minorities who possess second passports. The children 'of big gurus'<sup>48</sup> and Deputy Ministers, indigenisation lobbyists<sup>49</sup> (see Chapter 7), as well as others who have had the opportunity to study abroad hold foreign passports for the educational, employment and business benefits they confer in Western countries. The authenticity of their identity as citizens, for these members of the black elite, was not at issue. Partial application of the law, however, allowed minority-group citizens to believe the statute's administration impacted disproportionately, and that the parity promised by citizenship was refused them.

In sum, local passports were an intrinsic part of the State's project of moral regulation, critical to the processes of control and surveillance as the State set in place measures to oversee the movement of minorities, and conferred or denied the right of residence to them. The issue had not been conclusively resolved when I left the country. At that time, research participants were mostly unaware that the government had reopened the question of foreign citizenship in 1994 when it tabled amendments such that, in future, dual passport holders would be required to renounce their foreign citizenship according to the law of the foreign country concerned.<sup>50</sup> Further, the Minister of Home Affairs suggested that all

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47 During the 1990s, officials usually handled the indiscreet use of a foreign passport administratively. Luggage was searched at the country's entry points and, should a second passport be found, the Zimbabwean document was confiscated and the offender told to regularise his/her situation with the Immigration Department. This meant providing evidence that the person was domiciled in Zimbabwe before the offence. If satisfied, the authorities issued a permanent residence permit in place of the passport. If domicile could not be determined satisfactorily, the person had to apply for temporary residence on the usual grounds, which could well be denied.

48 See *Parliamentary Debates*, 30 August 1994, cols 1104, 1120.

49 See, for instance, the international mobility enjoyed by failed tycoon Roger Boka in the later months of 1998 after the courts had confiscated his Zimbabwean passport. Raftopoulos and Compagnon (2003:27–8) provide details of Boka's controversial business dealings.

50 *Parliamentary Debates*, 30 August 1994, col. 1080.

those who complied in 1984–85 make a fresh renunciation.<sup>51</sup> Raising again the question of minority citizenship was difficult to explain in terms of earlier destabilisation arguments, as South Africa had achieved majority rule in 1994. The world had changed in other significant ways and elsewhere globalisation prompted a rethinking of citizenship (Kaplan 1993:259). In the new world economic order, less attention is paid to birthplace, patriotism or lineage and rather more to opportunities afforded by mobility. Dual passport holding can in fact benefit a country. In Zimbabwe, however, parliamentarians rejected this argument in favour of continued exclusivity, and a second renunciation exercise was scheduled for 2001.

## Contesting birthrights and classifying the citizenry

Some in the white community put the case that their right to recognition as citizens was not discretionary, hinging neither on their participation in the 1984–85 renunciation exercise nor on meeting the government's ideals described above. Instead, they speak of being 'Zimbabwean born and raised' or 'Zimbabwean by birth'. They claimed it as a 'birthright', a term in vogue in the Rhodesian era, to reside in and return to the country in which they were born and grew up, a right set out, they argued, in the 1979 *Immigration Act* and recognised in British and Commonwealth precedents. 'My parents, my children, the rest of my family and I were born in this country. Therefore we see ourselves as children from the Zimbabwean soil.' In essence, they conceived membership of the territory according to the pre-eminence of the principle of *jus soli*, or law of the soil—entitlement grounded in a relationship with the land. The historical fact that they were born and have lived in the territory for many years and know no other place of domicile invests them, in their view, with a right to stay and be recognised as citizens. How were they able to sustain this untenable position?

Throughout much of the debate surrounding the Constitutional Amendment Bill (No. 3) and new citizenship regulations, MPs of all persuasions focused attention on the issue of dual passport holding, almost to the exclusion of every other aspect of citizenship. The government created the impression that the substantive rights of permanent residents would not be very different from the benefits of Zimbabwean citizenship.<sup>52</sup> Many whites felt they had been led to

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51 While winning support on the floor (*Parliamentary Debates*, 13 September 1994, col. 1611), the amendments were later withdrawn for further consideration by the Parliamentary Legal Committee, in order to determine whether the bills or statutory instruments were contrary to the *Constitution* or its *Declaration of Rights*. At the time I left the country, the amendments had not yet been re-tabled, although this was promised after the passage of enabling constitutional amendments, and came about in 2001 (*Parliamentary Debates*, 17 September 1997, col. 1355, 25 March 1998, col. 4397).

52 *Parliamentary Debates*, 9 April 1986, col. 1951.

believe, in fact incorrectly, that the only rights permanent residents would not share with citizens was the right to vote. One person, however, aware that the implications were probably more far-reaching, cautioned:

[W]hat this bill seeks to do is to remove the birthright of citizenship of the country of one's birth as if by the stroke of a pen this umbilical cord can be severed...Most people would hesitate to throw away any link with the country of their birth.<sup>53</sup>

These words, overlooked in debate at the time, were to prove prophetic. For, although an example was made of several sporting figures<sup>54</sup> who failed to renounce foreign citizenship before the end of the grace period, whites generally were not confronted with the reality of their position until the 1990s. As citizens by birth or registration,<sup>55</sup> or as permanent residents, they had little trouble leaving or re-entering the country. This, however, has now become more difficult, as the 1993 O'Hara case illustrates.

Terence O'Hara was born in Southern Rhodesia in 1958 and raised there, the son of a British migrant who held UK citizenship and was ordinarily resident in Rhodesia. O'Hara thus acquired a domicile of origin in Zimbabwe and was entitled to citizenship by birth. In 1984, O'Hara failed to renounce his British

53 *Parliamentary Debates*, 21 July 1982, col. 892.

54 An early casualty was cricketer Kevin Curran, barred from playing for Zimbabwe against New South Wales early in 1986. He held both Irish and Zimbabwean passports and failed to surrender his Irish passport by the 1985 deadline, making him ineligible to represent Zimbabwe.

55 Citizenship was also a status that could be conferred. Naturalisation, with its cultural overtones and invitation to join the national family (Anderson 1990:133), was heard only very occasionally in Zimbabwe (see *Parliamentary Debates*, 26 March 1986, col. 1594). The preferred terminology for this process was citizenship-by-registration. During Ian Smith's time, Rhodesian citizenship-by-registration or naturalisation could be granted in two years to privileged white immigrants. It could also be lost through failure to remain domiciled in the country. In contrast, Zimbabwean authorities claimed to be 'jealous' of the country's citizenship and were reluctant to confer it. Criteria were restrictive and based on stringent and largely unpublished factors, beyond the commonplaces of 'deserving' or 'earned by having contributed towards the development of this country' (*Parliamentary Debates*, 13 September 1994, col. 1616). Amendments in 1984 and 1994 extended the waiting period to five and 10 years respectively before permanent residence would be granted and only thereafter could an application for citizenship be submitted. In the interim, temporary permits of two or three years need repeated renewals. Citizenship-by-registration is thus difficult to obtain and consequently a rare occurrence today. There is nothing unusual in this. Creating connections through naturalisation or registration between an individual and a state is generally made with regard to the benefits the State sees accruing from the process (Kaplan 1993:253). By definition, citizens-by-registration were those who did not qualify as 'natural-born' citizens of Zimbabwe. Their citizenship was discretionary, dependent on meeting character and residence requirements before and after the event. These distinctions have been built into passports. Since the mid 1990s, 'born-ins' passports are accredited for 10 years, whereas 'not-borns' must be renewed every five years. 'Not-borns' lose their citizenship if they stay out of the country for more than five years; they must come back to 'validate both their passports and their citizenship' (*Parliamentary Debates*, 30 August 1994, col. 1080). 'Born-ins' can stay away as long as they like without jeopardising their citizenship. Citizens-by-registration claimed that this administrative distinction made them feel 'unwelcome' in the land 'we have chosen to call home' and in which they had qualified for citizenship. They preferred instead to portray their decision to 'adopt' the country as something moral and deserving. To the African majority, however, to choose one's nationality appeared 'unnatural', given that the nation was conceived in familial terms.

citizenship, to which he was entitled by descent, and thus ceased to be a citizen of Zimbabwe. In effect, he became a permanent resident with the recognised right to live and work in Zimbabwe. In 1987, he left for four years, training as a helicopter pilot in South Africa (Dumbutshena 1993:7). On his return in 1991, he was prevented from residing and working in Zimbabwe and reclassified by immigration officials as an alien. Under common law, domicile of origin cannot be extinguished by an act of the owner. The O'Hara dispute proved that in Zimbabwe this was not the case. In judgement, the Supreme Court recognised that its ruling departed from common law, but argued that the *Citizenship Act* of 1984 overruled the 1979 immigration regulations when it found that O'Hara's claim to a domicile of origin in Zimbabwe was not held in abeyance but rather lost by his departure and choice of domicile in South Africa (*Principal Immigration Officer vs O'Hara*, [1] ZLR 69 [s], 1993:69–79). In effect, the appellant had a second home, excising his claim to Zimbabwe as his domicile of origin and regardless of his intention to return to his place of birth.

The O'Hara case, and others like it, fuelled anger within the white community, who perceived this to be a human rights issue as well as a legal matter and themselves as discriminated against in the application of the State's citizenship laws and immigration regulations. They, like O'Hara, presented themselves as citizens on the basis of birth in the country. But in the O'Hara case the court's decision suggested otherwise. For whites therefore, title to citizenship on the basis of birth has proved a less than satisfactory method of determining social membership. 'Facts' of birth have been construed as nothing more than 'accidents' of birth where other cultural, linguistic and racial connections to the country are lacking. Judgements handed down in the Zimbabwean courts reflect the importance of belonging not simply in terms of *jus soli* as a place of birth, but in terms of the principle of *jus sanguinis*, or law of blood, where descent is ascribed on the basis of cultural and historical factors indicative of a genealogically common past. Consequently, whites, unable to metaphorically trace a blood connection to the Munhumutapa Empire, are thought not to be part of a nation into which their ancestors were not born. Instead, their citizenship is founded on a colonial history. As racial and cultural aliens, they are termed 'children of Britain' and are advised to 'join their cousins' in the United Kingdom, the country whose language is their natal tongue and whose citizenship they may carry by birth or descent, but nonetheless a land they do not know in terms of domicile or employment.

O'Hara demonstrates the anomalous position in which some whites find themselves, caught between the legal provisions of the former colonial power and the post-colonial state, which highlights their discordant attachments. At one and the same time, they belong and do not belong; as insiders and outsiders, they assert a local and a diasporic identity. Apropos of which, various

informants raised concerns about becoming stateless in the future—a possibility when descent determines citizenship within a shallow number of generations after which entitlement was lost. They were aware that British immigration law had become successively more restrictive since the late 1960s (Brah 1993:23; Hintjens 1995:19, 23). The passage of the 1981 *Nationality Act* confined the automatic right of abode in the United Kingdom to citizens and those who had established their patriality prior to the enactment of the law in January 1983 (Nicol 1993:266). While access remained possible according to a range of limited visas, Zimbabweans, black and white alike, reported difficulty entering the United Kingdom or registering themselves or their offspring as citizens.

Back in Zimbabwe, would-be citizens were being shed in other ways. Constitutional Amendment Number 14 (Clause 2) of 1996 removed the right of citizenship for children of parents who normally and lawfully resided therein but were not citizens. Before this, children born in the country of permanent residents had, at the time of their majority, the opportunity to nominate which citizenship they wanted to embrace. This was no longer the case. The amendment posed a problem not only for whites, but more particularly to second and third-generation Zambians, Mozambicans and Malawians whose parents or grandparents came to the country as migrant labour during the Rhodesian era. The constitutional amendment potentially rendered their children, as well as those of whites who stayed on as permanent residents, stateless in the years to come.

Another clause of the same amendment (Clause 8) abolished the automatic right of foreign wives to reside in the country. Previously, foreign husbands had enjoyed no such right, the current and the Rhodesian regime (where the regulations were applied to discourage Indian immigrants) perceiving it as ‘unnatural’ for a man to move and live with his wife’s family. In this matter, the predominantly male legislators of both eras shared a common patriarchal ideology. For some years, human rights and feminist groups had lobbied the government to remove this source of discrimination. They advocated more liberal, gender-blind immigration regulations such that the rights applying to foreign wives be extended to foreign husbands. In support of their petition, feminists claimed that local women, if they wished their marriages to survive, were forced to leave the country, because applications for the renewal of their husband’s temporary permits must be lodged from outside the country.<sup>56</sup> Instead, the State decided in favour of conservatism and exclusivity, extending the encumbrances experienced by foreign husbands to foreign wives.

The next informant is a case in point. She described herself as ‘Zimbabwean by birth’. She, like many other young Zimbabweans, was out of the country on a

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56 See also Galvin (1991:65–8).

working holiday in 1985 and took no action.<sup>57</sup> She met her husband overseas and, once married, they decided to settle in Zimbabwe, where her husband held local citizenship. She was

shocked to find that my birthright was not recognised. I assumed I had a right to residence because I was born here. I am angry about this. Zimbabwe is one of the few countries in the world that does not recognise birthright. I feel unwelcome and rejected. I only have a tenuous right to be here. I am on a temporary permit that expires in April 1999. Then what? Do I have to reapply? I feel uncommitted [to the country] partly because they [the State] won't commit to me.

She suggests recognition as a fellow citizen would help infuse space with meaning, thereby evoking in her a sense of belonging (Shotter 1993:115; Peck 1992:78), aiding and supporting the production of the geographical location as her home (Gupta and Ferguson 1992:73). Now, however, classified as a foreign spouse, she found herself in the invidious position of having no moral claim to residence in her place of birth at a time when she knew no other place as home.

Thus, under the 1996 Constitutional Amendment (No. 14), made purportedly in the interests of gender neutrality, all foreign spouses are now subject to the same screening processes. Residence rights are granted according to skills and merit, not marriage per se, although the marriage may be a 'material factor' that immigration officials wish to consider.<sup>58</sup> Justifying this decision, male MPs argued that girls should be 'seriously encouraged' to marry local husbands. Marriages to foreigners were suspected to be nothing more than a 'matter of convenience'. Consequently, they are subject to oversight by the State. Fearing these marriages introduced Western customs incompatible with local traditions and lifestyles, legislators deemed abolishing restrictions on them would be harmful to the social fabric. Grounds immigration officers saw as sufficient to bring a marriage of convenience to court were, in the Hambly case, age differences, although this was not unusual where polygyny was practised and, more importantly, an intention not to procreate.<sup>59</sup> While the case was ultimately dismissed, the criteria reflected the assumptions of the African majority—that a marriage was not a marriage without children, and that where bride-wealth was paid, childless marriages were usually ended within a few years.

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57 The government's 1984 publicity campaign regarding the renunciation of foreign citizenship did not extend beyond state borders or overseas. I heard various complaints that approaches to Zimbabwean missions outside the country had been rebuffed in one way or another. Applicants were told the mission could not provide a service on citizenship matters and were advised to go back to Harare to regularise their status. In other instances, after 'asking a lot of questions', authorities took passports but they were never returned. I sought to substantiate these problems with an immigration consultant. He confirmed them and indicated that the bulk of his work entailed submitting applications for the reinstatement of citizenship.

58 *Parliamentary Debates*, 3 September 1996, col. 1052, 30 April 1997, col. 1971.

59 Judgement No. SC 147/98 in the Supreme Court.

In sum, independence set in train the transformation of the white population from privileged citizens into citizens of precarious status and disputed membership. Zimbabwe has moved away from the Rhodesian definition of citizenship as a status determined primarily by birth or residence, to place greater weight on common descent. Where this has been the case elsewhere, it has proved difficult for foreigners to become citizens (Castles 1996; Peck 1992). And while, 20 years on, white Zimbabweans continued to argue their case for citizenship in terms of human rights and Western criteria embedded in legal rules whose veracity could be determined by appeals to the courts, these very same legal rules and administrative regulations provided for their governmentality (Rouse 1994). Through their application, Zimbabwean authorities entered the lives of minorities and remade them as second-class citizens and aliens, their ambiguous status an outcome of state instrumentality.

## Conclusion

During the Rhodesian era, citizenship was the prerogative of settlers. Africans, unable to meet European 'standards', were confined to the inferior position of subjecthood. Citizenship was therefore hierarchical and exclusive, conferring little on the majority as racial classifications largely determined rights and access to resources. With independence, civic space was de-racialised and the discourse of citizenship reconfigured. The new regime extended the legal, political and social rights of the settler regime to all Zimbabweans regardless of race. Public statements, made soon after ZANU PF came to power, also contained proposals for redefining citizenship rules and the integration of minorities, proposals that were subsequently incorporated in legislative changes aimed at reshaping minority citizens. Today what matters is their preparedness not only to adopt Zimbabwe as a territory but, more importantly, to adapt to local culture, to live as a native in terms of immobility and inconvenience, to be present when the country faces hardships and to demonstrate the solidarity and loyalty of kinsmen. As an unequivocal expression of identification with the majority and confidence in the country's future, social legitimacy in Zimbabwe has more to do with meeting these ideals and is rather less about defining citizenship in Western terms as a bundle of distinctive rights, with attendant concern for access and equality issues (Kratochwil 1994:485). Thus, assimilation, now expected of non-Africans, has remained central. It is perhaps only under these circumstances that embracing local citizenship may be considered a form of decolonisation and an avenue for transcending the inequality of the colonial relationship (Memmi 1965:40, 149). Another discourse, dovetailing with citizenship and appearing in the 1990s, brought this point to the fore.