State Writing, Subversion and Citizenship in Southern Rhodesia's State of Emergency, 1959-1960

Jocelyn Alexander

Department of International Development, University of Oxford, Oxford, UK

I. Introduction

That colonial states relied on law and bureaucratic means to govern, drawing on all the appurtenances of courts, commissions, documentation, and legislation – the tools of lawfare, as it has been termed – is widely agreed. Also widely noted is the capacity of Africans to use these means themselves, to speak and write in the languages of law and bureaucracy, and to play on their inevitable contradictions and fissures in aid of diverse projects. These were "arenas of contestation" within which various forms of state writing were centrally important to constituting specific modes of government and particular notions of citizenship (see Comaroff 2001; Mann and Roberts 1991; Hansen and Stepputat 2001). The ways in which meaning and power were so constituted varied dramatically, however, and was by no means fixed. Acts of writing and documents themselves were embedded in institutions and in historically formed and legitimated practices and relationships, the assumptions of which were tested in moments of disruption. I seek to explore not only how state officials wrote their African wards but how their wards wrote back in the midst of an illuminating moment of political upheaval in Southern Rhodesia – the 1959 State of Emergency, in which a new set of state strategies was elaborated in the face of the demands of African nationalists.[1] The written word played a central role in delineating and redrawing the

"disjunctions of government and citizenship" in this process (Holston 2008, 14). In closely contested written exchanges, the boundaries of state authority and the content of citizenship as legal form and as "an imaginary in itself" were remade.[2]

To illustrate these processes, I explore two instances of writing. The first concerns the bureaucratic interactions between Native Affairs Department officials and the newly created legal category of detainee, made up largely of nationalists. State writing elaborated a sphere of material obligation for diminished citizens while detainees used writing in the form of the letter to test the meaning of subversion and to press claims for resources and social standing in the guise of citizens, clients, patriarchs and political opponents. The second instance is the state's use of police reports as proof of political crimes in the trials of nationalists. The prosecution's attempt to present this evidence as authoritative state writing was publicly unpicked in court. Hidden practices of writing were revealed that made a mockery of charges of subversion and laid bare the ways in which state writing was compromised by racial hierarchies and partisan agendas. These ways of writing had profound repercussions for both state authority and nationalists' understandings of themselves as citizens.

It is possible to tell these stories because of the preservation of written records. The record of the making of detainees and the contestations over their status are contained in a voluminous official archive that is ordered in bureaucratic mode, a material manifestation of a particular kind of state functioning. The story of police evidence is filtered in a different way – through the hands of supporters of detainees, members of the Southern Rhodesian Legal Aid and Welfare Fund (LAWF), who took notes of political trials. They were in part produced by, and they are held in the archive of, the historian – and one-time nationalist – Terence Ranger.[3] These are

highly distinctive archives. Interpreting them as well as the contestations they reveal requires historical context.

II. Southern Rhodesia's Emergency

The 1959 State of Emergency swept across the entirety of the Central African Federation, the political union of settler-dominated Southern Rhodesia and its northern neighbours, Northern Rhodesia and Nyasaland, but it did so with highly divergent effects.[4] In the latter two cases, the conflicts underlined by the Emergency led to independence and majority rule in 1964. In Southern Rhodesia, this moment marked a dramatic step in the opposite direction. Southern Rhodesia's settler government had already begun to pull away from the ambitious plans of the 1950s for state-led economic 'modernisation' and the always contentious promise of an extension of political rights to a growing black elite, glossed unconvincingly as "partnership". These plans had had their roots in a post-war Imperial commitment to a vision of development in which Africans would become civic actors and in which black social and political organisations had embraced widely circulating ideas about equality, rights and self-determination.[5] In this context, the turn to an entrenchment of white minority rule, enforced through a host of repressive measures, required a remaking of both state power and the content of citizenship.

The shift to repression in Southern Rhodesia is well documented.[6] In the late 1950s, Southern Rhodesian nationalism had taken on a newly demanding tone amidst heated debate over the future of the Federation, economic decline and a widespread, violent rejection of rural development policy (Alexander 2006, chapter 2). The Federation had allowed members of the Southern Rhodesian African National Congress (ANC) to make common cause with its more impatient northern

counterparts while rural revolt pulled the nationalist leadership into a newly confrontational mode. The response of Edgar Whitehead's United Federal Party was a drum beat of escalating repression. This included, in February 1959, the declaration of a State of Emergency and the banning of the Congress movements of all three Federal territories as well as that of South Africa alongside the passage of, *inter alia*, the Unlawful Organisations Act, the Preventive Detention Act and the Public Order Amendment Act.[7] Over 500 Congress members and leaders were gathered up in dawn raids and detained without trial. In January 1960 the banned Southern Rhodesian Congress was replaced by the National Democratic Party (NDP). Further unrest led to the arrest of NDP leaders in July 1960, sparking marches and riots and, in October, the first fatal shootings of Africans by state forces since conquest. The subsequent passage of the Emergency Powers Act and the Law and Order Maintenance Act criminalised a far wider range of political activity, enabling a new phase of state repression. The NDP was banned at the end of 1961, leading to a wave of arrests and restrictions, and the same pattern was repeated with its successor, the Zimbabwe African People's Union (ZAPU). The banning of ZAPU presaged the election of the far right Rhodesian Front in December 1962 and the definitive withdrawal, though it already lay in tatters, of the promise of a multi-racial "partnership".

The move to repression and exclusion is thus clear, but to leave it at that misses the ways in which the relations between state and citizen were reconstructed, and specifically the central role in the making of state authority and the expression of ideas about citizenship played by the written word. Writing mattered in post-war Southern Rhodesia, not only as a longstanding means by which the state coercively controlled the movement, domicile, employment and behaviour of Africans – most iconically and pervasively through the pass laws – but also as a means by which rights

were extended, claimed and contested in legal and bureaucratic realms.[8] The state had vested its authority in expertise and law in the post-war period as never before, producing a bureaucratic and centralised set of institutions with a tremendous reach into African lives, as well as a citizenry versed in rules and rights and highly attuned to the offer of an improved status that seemed to promise new forms of recognition and equality.[9] A fuller citizenship was widely imagined, and it was to be acquired through the trappings of respectability and, above all, through education, which conveyed authority in itself and the tools necessary to act in authoritative ways – to make claims, to engage the state, to rule. The nationalist leadership, overwhelmingly drawn from an educated, aspirant middle class, was at home with the written word. In this moment, both nationalists and state officials saw law and bureaucracy as means to legitimation and to coercion (Karekwaivanane 2017, chapter 3; Alexander 2011). The practice of Preventive Detention brought the tensions inherent in this mode of governance to the fore.

III. Preventive Detention: Rules, Resources and Rights

The Southern Rhodesian government's introduction of a State of Emergency in 1959 contrasted with that of its northeastern neighbour Nyasaland in that it did not pretend that there was a threat in existence. While Nyasaland concocted a lurid "murder plot" that threatened settler lives, Southern Rhodesia justified the Emergency as antidote to a future threat inherent in the trajectory of nationalism (Darwin 1993, 226-28). Preventive detention was the clearest expression of this approach and it required the state to remake citizens' rights. Nationalists so detained were denied access to law. Their standing was adjudicated by an administrative body, the Review Tribunal, whose reasoning and evidence, provided crucially by the Security Branch of the

police, was not subject to scrutiny or appeal in a court. Instead, the practices and meaning of detention were expressed in bureaucratic form. The modes of writing that ensued created political and social spaces in which claims, duties and obligations could be made and denied, allegiances given and broken, and economic and personal relations put within the state's ambit or withdrawn from it.

The creation of these spaces of interaction relied on the elaboration of a new set of official rules and practices. The 500 or so men arrested in February 1959 were at first held under prison regimes and often subjected to harsh treatment,[10] but under the Preventive Detention Act and the Curatorship (Detained Persons) Act, officials sought to remake detention as something other than punishment: detainees were not to be seen as criminals even if they were to be denied access to law. They became, in effect, unwilling wards of a state that asserted but did not demonstrate their subversive nature. In compensation for their lack of proven guilt – compensation that spoke of some officials' deep discomfort (Tredgold 1968, chapter 12) – the state undertook an obligation to ensure that detainees' dependents "should be in no worse position than they would have been had the detainee not been taken away".[11] In effect, it offered welfare provision in recompense for the detainees' denial of rights.

In the midst of political upheaval across the Federation, this was a complicated trade off to put into practice and it relied heavily on the Southern Rhodesian state's bureaucratic capacity. In developing the welfare provision side of the equation, officials set about an elaborate process of information gathering that enabled intervention in detainees' and their dependents' lives. The process was managed by "curators" appointed under the Curatorship Act, mostly Native Commissioners (NCs) and senior members of the Native Affairs Department (NAD). In practice, curating drew on the long-cultivated ethos of the NC as father to his wayward wards, which

meant the demands of detainees were often viewed with cynicism if not hostility, alongside a bureaucratic meticulousness intended to silence objections.[12] Curators were called upon to fill in 'history sheets' detailing information regarding the property, employment and dependents of detainees, work often delegated to Land Development Officers, extension agents, messengers and others, i.e. the labour and expertise that had made the 'modernising' interventions of the 1950s possible. This process extended to recording livestock holdings and fields, the rents detainees paid, their debtors and creditors, and any back pay they might be owed. Curators were charged with creating accounts in order to bank detainees' pay, with collecting debts and paying creditors, with the payment of allowances to dependents, and rents and school fees for detainees' families and children. They were supposed to arrange, in consultation with the detainee, for the designation of a manager of their business, their farm and their family affairs.

This system was not born fully formed. It was elaborated through a rule-making process in which social and economic standards were specified and re-specified in lengthy correspondence and consultation among ministries and legal experts, all eventually boiled down to the medium of the Chief Native Commissioner's (CNC's) circular minute. This was a means of assigning (or denying) rights to social categories by administrative means and thus systematically distributing unequal treatment (see Holston 2008, 7-20). NAD officials' calculations were fine grained. They sought to determine how, for example, to establish a scale of allowances for dependents. They wondered if it should be means tested or if distinctions should be made between more or less "advanced" Africans. They considered whether detainee food allowances should draw on the model of prison rations, in which class, race and diet had long been linked: some detainees' families

were thought to be "quite content with 'sadza and relish'" but others were in the "'roast and two veg' category". The Federal prison ration scales had the added appeal of science as they were linked to the Food and Agricultural Organisation's "food tables" and medical advice.[13] They pondered just how far the state's welfare obligations should go. Should, for example, rents be paid if a detainee's family was not occupying the property in question? Should they be paid if the detainee's wife was employed?[14]

As the nature of obligation shifted over time according to technical, legal and political criteria, it created a wealth of documentation, and opened the door to an intimate set of interactions among state officials, detainees and a host of other actors including the LAWF and International Committee for the Red Cross, mediated by reams of paperwork.[15] Despite the promise to leave detainees' dependents "no worse off," detainees rapidly made it known that the costs of detention were high. They did so through detailed correspondence that expressed their expectations regarding the state's welfare duties. They wrote to complain that the allowances paid their families entailed a drastic drop in income, or noted that businesses went awry when left in the hands of inexperienced relatives. They complained that homes and fields had fallen into disrepair or that they had lost their jobs and found it hard to obtain a new one owing to the stigma of detention. Some lost wives and families too. For detainees from Northern Rhodesia and Nyasaland, detention often resulted in deportation, forcing them to leave behind homes, jobs and sometimes families.[16] In the case of deportees, officials carefully set out and documented the boundaries of claims that might arise after the fact. Thus, for example, curators obtained sworn statements from deportees' wives of their intent to remain behind, while deported detainees were specifically prohibited from suing for damages for adultery.[17] Deportees' belongings

were sent to them by rail at government expense after having been inventoried, valued and insured.[18]

Fixing the boundaries of state obligation in this way was easier with deportees than with Southern Rhodesia's detainees, who remained under the state's direct control and who made ongoing claims that wore away at their often unhappy official interlocutors. Deprived of their most basic legal rights and confined in prisons and remote rural outposts, detainees drove NAD officials to distraction with detailed correspondence regarding their grievances. The NC, Nkai, for example, received with a sense of foreboding the "voluminous file" of Amos Todd Msongela, released from detention to his district, but still engaged in a letter-writing battle for allowances he believed were owed (after having corresponded at length over many other complaints). The NC wondered if Msongela was "merely out to get what he can – possibly in a spirit of revenge".[19] Such men wrote back to the state regarding their material and social standing, and in so doing expressed an expectation of redress backed up in meticulous detail, much in the style of the state's own documentation. Some detainees brought elaborate legal claims for losses suffered to businesses while in detention, forcing the NAD into detailed correspondence with Law Officers regarding liabilities, and fears that settlements would "involve a very considerable sum of money and make their detention pointless in the eyes of the population".[20]

A wide set of queries was raised in the correspondence of a group representing some twenty-eight of the first generation of detainees and restrictees, held since February 1959 and released two years later. They held that their absence had cost them dearly, and made clear that they expected the state to make good on it: "Because it is as a result of the Government's action in detaining us for nearly two years without trial and in disrupting the course of our lives that we find ourselves in this

unhappy state, we look to the Government to make some recompense for its action". They attached a detailed memo, formally addressed to the "Minister of Native Affairs of Her Majesty's Colony of Southern Rhodesia," and travelled to Salisbury to demand an interview. The memo detailed the detainees' "considerable financial loss". They found their homes "have been broken down, our houses in a bad state of repair, and our property neglected." John Makoni took the NC to task for failing in his duties: his store had been broken into repeatedly; the manager of the store had collected money from creditors and run off; money owed from the sale of mangoes was not received. B. Magwaza alleged that though he had received £10 compensation for the destruction of crops by a hippo in 1959, there was also the matter of three calves eaten by a leopard. The NC, Rusape, had not visited his home and his wife had been forced to pay taxes, contrary to policy. David Mbidzo complained of the Murewa NC's failure to prevent damage to his one-tonne Chevrolet truck and house. Gibson Nyandoro held that the NC, Hartley, had failed to find a market for his crops, as he had promised. Thomas Magwenzi complained over the destruction of his hut by white ants.[21]

SNA Morris met with this group of detainees as requested, but he offered only loans in the case of school fees and famine relief rations for the destitute. For urban residents, Morris informed the delegation that relief was only available if the ex-detainee registered with the Government Employment Exchange.[22] This was in effect a rejection of any special dues owed detainees: such avenues were open to any African deemed destitute. Morris' views reflected a shift of attitude over the two years in which the state practice of detention had been in place, a shift that indicated a growing hostility to detainees and their demands. Earlier responses had been more generous, and investigations often assiduous, even if evasion and cynicism were also

common among NCs. In the early days of detention, Head Curator H. A. K. Simpkins had not been shy to scold NCs who evaded the regulations or interpreted them meanly, fearing bad publicity that might play into the hands of the International Committee of the Red Cross or LAWF, but also in an effort to meticulously enforce – and be seen to enforce – the rules.[23] Simpkins' idea of state authority rested on these practices, but there was no stable consensus in this regard among officials or across departments. In practice and then in law the state's welfare obligations were scaled back.

Detainees' welfare concerns were not limited to the strictly material. They also raised a complex set of questions regarding the role of the state in their familial relations and the maintenance of their respectable status. A key question concerned who should be defined as a "dependent," and so who was owed an allowance in the detainee's absence. Second wives were a particular source of rancour, but so were other relatives for whom detainees had accepted familial obligations unrecognised by the state.[24] Officials were forced into dialogue and at times into concessions, for example in the payment of detainees' families' rents or the school fees of their children, or by applying a "rather liberal interpretation" of the term "wife".[25] At other times, detainees went beyond appeals to bureaucratic rules, invoking a shared patriarchal understanding that drew on decades of NAD practice, and invited NCs into the domestic sphere.[26] For example, in his initial interviews with the curator, Matakala Legwane asked that his wife be told to "write to him regularly".[27] Bethwell Hlambelo asked that his wife be reminded "not to forget to go to church".[28] Daniel Tongo wrote to ask the NC to sell some of his belongings so that he (the NC) might pay his father-in-law his outstanding *lobola* (bride price) obligations.[29] Such missives entrusted delicate familial affairs to officials. Not all detainees were, however, willing

to do so: some cast efforts to obtain information about wives and relatives as an intrusion by a state that, by definition, could not have benevolent motives (e.g., Nyagumbo 1980, 139-40). Distinct notions of the private sphere and the political nature of the state's role in it were revealed and re-constituted in this correspondence.

The bureaucratic state as guarantor of detainees' welfare was thus one arena in which the written word was employed. It produced a mixed set of outcomes in which officials sought to situate detainees as the state's dependent wards and to differentiate rights and privileges among them, while detainees sought to both hold the state accountable to its own rules and to construct other bases of appeal.

This arena sat alongside detainees' efforts to contest the state's rewriting of them as disloyal so as to diminish their rights under law. The designation of detainees as "subversive" had confounded many members of Congress, an organisation that had operated openly prior to the Emergency, and whose leaders considered themselves respectable men whose social standing and comportment rendered them deserving of rights and dignity (see Shutt 2015, chapter 4). In the early days, many detainees were "bewildered, knowing where they were but not why" (Ranger 2013, 49). These men believed they had a stake in the Southern Rhodesian polity; they did not count themselves as subversive. For example, many of the leading lights of Rusape's Congress branches were drawn from among the members of St Faith's farm, a multi-racial Christian community. Their lawyers reported their accounts of the shock of detention:

> the St Faith's people whom we interviewed were obviously deeply concerned with the fact that they had been imprisoned without ever, as far as they could see, having done anything which could be regarded as subversive or

> advocating subversion, and especially as there had never been any warning from the Government that Congress was regarded by the Government as a subversive movement.

They believed, the lawyers reported, that they had "left the interrogating officer with nothing against them". John Mutasa had pronounced himself "deeply concerned" by the "stigma arising from being in gaol. Nothing like this had ever happened to him before"; he was outraged by the "injustice" of his imprisonment, based on his Congress membership and not his "conduct".[30]

As in many other cases, the Review Tribunal's affirmation that membership of Congress was sufficient grounds for detention left Mutasa and his colleagues not only in detention but without recourse save via the Tribunal's intermittent and inscrutable reviews. The designation as subversive, and the exclusion from the law, reverberated in different ways in detainees' communication with the NAD's curators, the Ministry of Justice and other officials. Edson Malibona Hikwa, for example, "expressed dissatisfaction, especially at having been detained at all." He informed the NC "that he is considering suing the government for unlawful arrest." Others sought to convince officials that their designation as subversive was based on a misapprehension. Goga Koga wrote to the Minister of Justice to draw his attention "to the point that I did not intend to work against the Government what so ever"; Peter Kapita Katanda wrote: "I surrender to the Government my previous activities. I shall not in future associate myself with any organization which work[s] against the Government." Thomas Kutshwa Ncube, a former policeman, wrote to explain that he had joined the SRANC "not knowing there were bad people in it." He protested that, "my behaviour is still as when I was in the Police force." Joseph Hlamba Moyo wrote

to the Minister of Justice to explain that he did not know that Congress "was to be used as subversive. I thought it was a peaceful organisation among all races". He asked to be "given some rules to guide me if necessary," in effect asking how not to be misrecognised as subversive. Detainees regularly cited their devotion to wives and children as grounds for release and stressed their good standing as family men: "My Lord, I am a middle-aged man, married, with two wives and nine children all dependent on me," wrote Joseph Moyo. Some pled for mercy; others signed off with the salutation "Your obedient servant".

These missives – both angry and submissive – addressed officials as patriarchs, Christians and civil servants, men who had imagined themselves as citizens and who were shocked to be caught out by the shifting political goalposts of the Emergency. Their pleas were, however, met with near universal rejection on grounds that it was only through the Review Tribunal's secretive considerations that they might be freed.[31]

Over time, the frustrations caused by the denial of rights on grounds of an unproven subversion led to new strategies designed, in effect, to gain access to the law through breaking it. These strategies signalled a shift in the imagination of citizenship. More radical detainees attacked their compliant fellows, sometimes physically, and segregated themselves from them where they could. Those held in the remote rural outpost of Gokwe, for example, divided themselves into groups of "co-operators" and "non-co-operators". The non-co-operators wrote letters protesting all aspects of their condition.They also assaulted officials and marched out of the restriction area on a "protest march". Several served sentences as convicted prisoners.[32] This group, and others for whom detention stretched into years, sought access to the courtroom, some revelling in the opportunity for public performance it

provided. Three men – charged with using insulting language and making false accusations (including allegations of the use of "Germany Gestapo Methods") in a letter to prison officer G. Meacher – used the court as a means to underline abuses and discrimination between European and African prisoners, receiving extensive press coverage in the process.[33] The Methodist Minister H. H. Morley Wright put his own gloss on the situation after a visit to the Gokwe restrictees in September 1961. In a letter to the Prime Minister he noted that the Gokwe men had endured two and half years of imprisonment without charge. In the face of this "natural grievance" they were "becoming more and more hateful of arbitrary authority that is afraid to lay charges against them in open court. Their continual desire for litigation is evidence of this." The Minister urged the Prime Minister to find the "moral strength" such that this "canker" was "removed from the body politic."[34]

In the first years of the Southern Rhodesian Emergency, state officials envisioned detention as a means to protect political order from anticipated threats. The loss of freedom was to be compensated for by a meticulous monitoring of material status, managed through forms and correspondence. This regime reflected the capacities of a centralised, bureaucratic state as well as the discomfort of some officials with denying access to law to men who had so recently been promised a route to rights. Detainees engaged with this regime in a variety of ways, but centrally used letter writing as a means of claim making in bureaucratic negotiations over property and the support of dependents. They sought the enforcement of rules; they also made claims as clients and supplicants. Many detainees were profoundly shocked by the attack on what they saw as their citizenship through the denial of access to law. Some sought to distance themselves from the idea of subversion; others questioned

the legitimacy of this regime, seeking to show it up before the law and to delineate a different kind of citizenship.

Nationalists did not in this period reject the law and writing as modes of political struggle. Instead, the Emergency elicited a deep engagement with them as defining elements of a form of imagined citizenship that was under threat, and which many detainees sought to claw back. The state archive records the extraordinary machinations on both sides of this relationship, allowing a reconstruction of the turn to repression and the modes of its contestation.

IV. "Exact words": Authorship and Authority in the Courtroom

The Review Tribunal's frustrating impermeability to law stood in contrast to the ordinary courts, as detainees had discovered and demonstrated. The courts were also the site of high profile cases in which NDP leaders were charged with a fast growing array of political offences. Detailed accounts of a number of cases exist owing to the work of the LAWF in supporting nationalists' legal defence, and specifically the notes made by Terence and Shelagh Ranger of court proceedings in 1960. Their acts of writing, notably Shelagh Ranger's verbatim shorthand records of courtroom proceedings, subsequently typed up, allow a close scrutiny of these events (see Ranger 2013, 74). Her record reveals what the Review Tribunal's secretive practices hid: the police evidence of subversion. In the forum of the courtroom, this evidence was laid bare. What followed was a remarkable deconstruction of the production of police evidence that revealed the ways in which racial divides, educational disparities and political bias shaped authorship, authority, and ultimately the unequal application of law.

The appearances of a series of NDP leaders in the Magistrate's court in Salisbury in August and September 1960 had drawn huge crowds. Nationalist acquittals caused effusive celebration, while nervous policemen made heavy handed arrests among the crowds outside the courtroom.[35] Trials had become places of public political drama in which nationalists could use the law to gain a hearing, perform for sympathetic audiences and, sometimes, win redress (Karekwaivanane 2017, 97-109). When NDP president Michael Mawema's high profile trial began on the tenth of August it drew such disruptive crowds that it was moved to Inkomo Barracks, some thirty kilometres outside the city. A small audience attended and was at times disruptive even so. The case rested on two charges, one seeking to show continuity between the banned Southern Rhodesian ANC and the NDP, and hence the illegality of the NDP. The second, on which I focus here, related to charges under the Public Order Act which sought to show that NDP speakers had committed the offence of promoting "feelings of hostility" between "African members of the community" and "European members of the community".[36]

The case for the Public Order charges rested on the public speeches made by Mawema and other nationalists. At the initial hearing, Mawema's legal team trained its fire on the content of the speeches as presented in the prosecution's charges. Mawema was represented by a number of high profile lawyers, including Herbert Chitepo, Rhodesia's first black lawyer and the future leader in exile of the nationalist party ZANU. The star turn was Israel Maisels, imported at great expense from South Africa where he was already well known for his role in defending the South African ANC.[37] In the initial consideration of the merits of the Public Order charges, Maisels held that the words produced in the indictment were the prosecutor's "gloss": they were not the "real words" but his "interpretation" thereof. The prosecutor, Mr

McCormac, responded that the words used in the charges were in fact the "ipsissima verba" – the "exact words" – though he admitted they required "slight amendment".[38] They were duly amended (and the charges altered) and reconsidered. The prosecutor confidently re-asserted that "the Crown looks to words and words alone to support the charges". Over the objections of Maisels and Chitepo, the Magistrate, Mr St John S. W. Burton, ruled the charges in order.[39]

The focus in the trial was thus placed on the evidence produced by the police of the NDP speeches. Central to the defence was uncovering the means by which NDP leaders' spoken words had been converted into written evidence. This emerged as a multi-staged process in which the speeches were initially converted to notes, largely in this case by the black Security Branch police who routinely attended nationalist meetings, usually in pairs. These were men of long service who had typically been promoted first into the Criminal Investigation Department (CID) and then the Security Branch; they had a Standard 5 education or better, making this one of the best educated of African police forces, a standing that had allowed black detectives growing roles in investigation, report writing and courtroom testimony in the 1950s (Stapleton 2011, 78-79; chapter 3). In the Mawema trial, they consistently testified that their mode of operation required them to immediately return from political meetings to police headquarters, where the more senior black policeman among any contingent would, with the help of his junior, dictate his notes to a white detective who typed up their account of the meeting. The typed report was then read and signed by the black officers. This was portrayed as a collaborative process that converted (usually) two individually produced, hand-written notes of speeches into a single typed report.[40] Both the original notes and the typed reports were relied upon in court.

In the trial, the weight of the cross-examinations fell almost entirely on the black detectives who had attended the NDP meetings. The more senior white officers who had typed the reports (and who at times also attended NDP meetings) did not testify, despite the defence lawyers' efforts to call them.[41] I focus here on the fate of two black Detective Sergeants, named as Magama and Hode, whose testimonies caused the greatest contention. Magama, a policeman for twenty three years, had moved from the CID to the Security Branch in 1959; Hode had served nine years in the CID and four in the Security Branch. Both had extensive experience of testifying in court.[42] Nonetheless, Maisel's cross-examination of the two men was devastating. Their words exemplified (if at times in exaggerated form) the weaknesses evident in the testimony of other black policemen, as well as the common strategy adopted by black police witnesses, though not by the sole white member-in-charge whose testimony was recorded by Shelagh Ranger. This consisted of denying any memory whatsoever of the meetings attended, instead repeating again and again the phrase, "without referring to my notes I can't remember."[43] At times this stock reply drove Maisels to distraction. He snapped at Magama: "You can't remember anything unless it is written on a piece of paper?"; Magama: "That is right."[44]

The police witnesses not only maintained that the written notes were the only record on which they could draw, but also that what they recorded was invariably a true account. Over the course of the trial, Magama and Hode uttered the phrase "if it is in my report, it is correct" over and over.[45] It became a kind of mantra intended to invoke the authority of police writing. This strategy may have been meant to protect the police witnesses from questions regarding their personal recollections and views. It may have reflected the confidence of their superiors in the written evidence, and particularly in the typed reports produced by white officers, which had the additional

advantage of having been censored in order to remove "expressions of opinion" before being handed over to the lawyers.[46] If so, such confidence was to prove badly misplaced. Instead of reinforcing the authority of police writing, and so the police – and so the state – it did the opposite.

Maisels was able to show that the notes taken by Magama and Hode at NDP meetings were far from complete or accurate. They had often been produced in noisy and cramped conditions in which police (as they admitted under cross-examination) could not hear or record proceedings in detail or indeed at all. Maisels subjected Magama to a note-taking test in which he struggled to record more than a few lines of Maisels' speech. Magama was forced to admit that his notes were "very incomplete" and "unreliable" – though such admissions did not put a stop to his oft-repeated claim that the reports were "correct".[47] One of Hode's notebooks contained a mere three pages of notes of direct speech of a meeting that had lasted for hours and at which a host of nationalists had spoken.[48]

Maisels spent a good deal of time demonstrating that a great many omissions and contradictions became apparent when the notes and the typed reports were compared.[49] He showed that the white officers had selected what to type up from the notes, rejecting some aspects and adding others, changing the order of events, and changing the order of sentences. The invariable effect was to produce an account that was more incriminating than the words recorded in the original notes, transforming statements from something perfectly "proper" to something "sinister," as Maisels put it.[50] Maisels sarcastically remarked of one white officer's inventive work, "he is a marvellous typist, that man!", and joked about another "typist's" alteration of a Vauxhall described as white in the original notes to grey in the formal report, suggesting that he did so "just in the same way as he has probably altered black to

white". Adding to the questionable relationship between notes and reports, several of Hode's notebooks turned out to have been "lost," leaving only the typed report as evidence.[51] A large proportion – half in Magama's case – of the typed reports referred to had in addition not been signed by the men who had taken the initial notes.[52]

Maisels further unpicked the connection between notes and reports by showing that Magama and his colleagues did not understand words and phrases used in the typed reports (but not the notes), and read out by them in court. Magama could not explain the meaning of words such as "primed," "ovation," "excommunicated" and "reserved clauses". Hode defined "subversive" as a "group of people" and could not explain the meaning of "colonialism," "political innuendo," "political flavour," "anniversary," or "orator".[53] The Magistrate was unimpressed by these performances, and made his views known in court. He described Hode as "slow-witted," and "not conversant in English".[54] After his cross-examination, the Magistrate commented, "the witnesses do not seem to understand the reports that they have signed." The Prosecutor forlornly interjected, "I am only too aware of it." Referring to Hode, the Magistrate continued, "He is virtually refreshing his memory from something he does not appear to comprehend, and I think that that criticism can be levelled at the previous witness [Magama], too."[55] The black policemen's defence to these charges was that the changes in the typed report were a result of the typist trying to "fit a good English" to make the sense clearer, an act of goodwill on the part of white officers towards their black subordinates.[56] All of this notwithstanding, the Magistrate ruled the evidence admissible on the grounds that the "substance" of the report remained the work of the witness.[57]

The humiliating treatment of the black officers by the Magistrate and by Maisels was ultimately uncomfortable even for Mawema's supporters, revealing the

complexities of race and social status as it played out with regard to black civil servants (see Shutt, 2015; 2018, 15-17). Maisels was single-mindedly concerned to place in question the authorship and accuracy, and so the authority, of the police writing that stood at the heart of the state's case, regardless of their race. Nationalists were intensely aware that more was at stake: black professionals posed an important challenge to Rhodesia's racial hierarchy whether they were police or not. For this reason, the firebrand NDP leader Enos Nkala, not one for moderation in this moment or indeed in his high profile post-independence career, was moved to defend Magama, who had achieved notoriety due to front-page newspaper coverage of his testimony. When the crowd at a large NDP meeting in the township of Highfield derisively shouted out Magama's name for the benefit of two white CID men present, Nkala rebuked them. He "told them that 'Magama is just doing his job as you are doing your job. You must not hate the man but must hate the system.'"[58] It was a comment that spoke both of the crowd's keen understanding of the damage being done to the state's authority, and of an ongoing respect for the educated black professional, even one employed as a policeman. As the trial showed, African police sent to meetings were easily identified, at times well known, and often remarked upon by speakers – they were called out, for example, as "the secretaries of Sir Whitehead," in reference to the Prime Minister.[59] But they were also subject to a knowing banter that recognised their social standing even while chastising them for their relationship with white authority figures and the state (see Alexander 2017, 170-172).

Nationalists who stood trial nonetheless shared a concern with their lawyers over being incorrectly 'written' by the state. In one of his speeches, Enos Nkala had warned Gwanda's white member-in-charge (as the officer testified in court) not to "make any mistake about what you are writing." The officer recounted that he had, in

reply, held up his hand and said, “You are talking in English and if you will speak more slowly I won’t make mistakes”.[60] The concern for “mistakes” reflected nationalist speakers’ awareness of their vulnerability to the political biases of the police. This worry was repeatedly vindicated in the evidence given at Mawema’s trial. The state’s rewriting of nationalism as subversive took more or less elaborate forms. A speaker’s target might simply be renamed and so the import of his words reframed. When NDP leader Sketchley Samkange gave a speech suggesting that the insecticide Gamatox might be used to rid the house of “bugs,” the “bug” he was referring to was Esau Nyandoro, who had recently been expelled from the NDP, and was at that moment disruptively addressing a rival meeting outside the hall in which Samkange was speaking. “Nyandoro” was transformed into “Prime Minister Whitehead” in the police report. In Magama’s testimony, which entailed reading out the typed report of the meeting, Samkange had said: “The only thing to do if you have bugs in your room is to burn gamatox in your room so that all the bugs will die. I am referring to the Prime Minister Whitehead.” Hode’s name was also appended to this report, but his original notes of the meeting were among those that had been lost. Maisels’ cross-examination of Hode effectively undermined his account, making it clear that Nyandoro was the target but that Whitehead had been substituted instead, thereby giving the speech its criminal freight.[61]

In other cases, parables were retold or simplified to mislead. A story popular among nationalist speakers, according to the notes of the policemen, told of how the Ndebele King Lobengula had been tricked by the Europeans, who were said to have taken the “plates” as well as the “food”. Maisels tried to wring from Hode an explanation of this seemingly cryptic assertion but he could not. The meaning of the nationalist telling of the story that Maisels assembled in court was considerably more

subtle – as well as apposite to the political uses of the written word in the courtroom. It told how Lobengula was misled by a missionary who tricked him into signing the infamous Rudd Concession by mistranslating it. The metaphor of food and plate referred to mineral wealth and the land: Lobengula had intended to allow mining but not to cede his territory, but Rudd had taken both the minerals and the land, the food and the plate. In nationalist speeches, Lobengula's signature, an X, was portrayed as an indication that the Concession was wrong, a mistake (as even Hode conceded), not that he had given it his assent. Adding further to the layers of the telling and writing of this story, when it was recounted in the courtroom, the lawyer Herbert Chitepo had to intervene to correct the court interpreter, who replaced the word "missionary" with "European," thereby once more suggesting the criminal intent to create racial hostility, rather than a charge of duplicity against a specific missionary, and a warning about language and literacy.[62]

The effect of these lengthy exchanges was to demonstrate the failed authorship of the black officers and the partisan agenda of their white counterparts, men who did not in the end face Maisels in court and so remained unaccountable. The authority of these documents was certainly undermined by the repeated demonstration of their inaccuracy and distortions. It was also undermined in a more subtle and more uncomfortable way by the demonstration of the ways in which the narratives the documents contained were a product of the unequal relationships wrought by race, education and power within the Rhodesian state's police force. These matters exercised nationalists of this era not only because this kind of state writing threatened their freedom. Nationalists were products of a politics, rooted in the post-war period, in which claiming rights, economic opportunity and social status – as well as leadership within the nationalist movement – hinged to an important degree on

education. Nationalists' education was supposed to prepare them to rule. The distorted relationship between race, education and state authority embodied in police writing demonstrated a terrible betrayal of these 1950s ideals.

The Magistrate's verdict in the Mawema case underlined the centrality to the state's authority not of writing and law but of race and demeanour (see Shutt 2015). In the trial, the latitude the Magistrate had allowed different actors foretold this end. While the white lawyers were allowed to engage in sarcastic and aggressive, not to say insulting, banter with one another as well as witnesses, when the Magistrate deemed that the single black lawyer, Herbert Chitepo, had "nodded" in an attempt to influence a witness, he was kicked out of the courtroom.[63] In his judgement, the Magistrate ignored the devastating undoing of the "exact words" on which the prosecution case rested, instead gauging the evidence based on his assessment of the characters of the witnesses. Unlike Maisels, he found nothing "sinister" in the disappearances of notebooks, refused to accept that the European officers who had typed the reports "could have distorted the utterances" or, if they had, found the distortions "of little consequence". Even where there had been contradictions in police evidence and incomprehension of the typed reports on the part of black policemen, the Magistrate considered that the "demeanour" of the police indicated that they were "truthful" and "reliable" nonetheless. Mawema, on the other hand, was judged a "poor and unconvincing" witness. The Magistrate found him guilty on all counts.[64] That this was not the only face of the Rhodesian judiciary was, however, revealed by Mawema's acquittal on appeal in the High Court, an outcome that vindicated the investment in legal defence and the faith still placed in law and the word.

These different lessons in the law and the written word – the exclusion from the law represented by the Review Tribunal, the distortion or wholesale invention of subversion in the authoritative police document in court – did not stop nationalists from appealing to the law but they were stark indications of its limited ability to obtain or protect the political rights nationalists sought. Such lessons resulted in changed expectations and strategies, focused on forcing a delivery of justice, or publicly, theatrically showing the state unable to deliver justice. In effect, they spelled out the profound disjunction between "government" and "citizenship" that this political moment had produced.

V. Conclusion

The practices of detainees, curators and police in the upheaval of Southern Rhodesia's State of Emergency revealed an intimate interaction over the nature of citizenship that was, to an important extent, conducted through the written word. The state wrote nationalists as subversive and tried to make them lesser citizens; nationalists wrote back in an effort to defend a notion of citizenship that they had imagined amidst the promises and possibilities of the 1950s.

The documents drawn up by curators on the basis of detailed investigations were intended to delineate and to limit the obligations of the state. They were used and contested by detainees, largely through the medium of the letter, in an effort to hold the state accountable to its own rules and to contest the state's newly invented categories. In negotiating welfare obligations, documents and letters were a means of recording and claiming rights and duties that reached into private spheres, a space the state was at times invited into and at others rejected from, and constituted different kinds of relationships for detainees, as clients, supplicants, citizens, fellow patriarchs

or radicals. Officials did not succeed in making detainees into quiescent wards: the model of state authority that that invoked could not be reconciled with detainees' understandings of state obligations and duties.

The exclusion from law entailed by detention caused a different kind of crisis. It caused shock and confusion for those who had deemed themselves upstanding members of a political organisation that expressed legitimate demands. For some of those denied access to the law by their detention, litigiousness became a means of gaining a hearing: breaking the law was a route to accessing it, and finding a public audience for silenced political stories. For nationalists charged with political crimes in the courts, the possibility of confronting the state allowed another form of engagement with state writing. These courtroom dramas put a spotlight on a form of state writing essential to the charge of subversion: the police reports of nationalist words. As we have seen, they were minutely deconstructed in the courtroom, laying bare the corrupting confluence of race and power on the state's claims to authority through law and expertise.

The archival record left by these interactions testifies to the elaborate 'lawfare' of a bureaucratic state and to the shifting territory in which nationalists developed their understandings of citizenship – as an aspirational imaginary, a legal condition, and a practical tool – through the written word.

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Notes on contributor

Jocelyn Alexander is Professor of Commonwealth Studies at the University of Oxford and has written widely on Zimbabwean social and political history. Her current research is concerned with two topics: the history of political imprisonment in Zimbabwe, and the transnational lives of southern African liberation movements.

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Notes

[1] Much of the excellent literature on state writing (much of it concerned with bureaucratic functions) does not address the use of writing in reply to, or addressed to, the state. But see e.g. the approaches of Gready (2013) and Vaughan (2005).

[2] White (2015, 39). White is discussing late 1950s Southern Rhodesia but refers to wider work on post-World War II African colonial contexts (notably Cooper 1996),

which has argued for seeing citizenship as far more than a formal set of rights and obligations. This is of course not just an African or post-war debate. See e.g. Banerjee (2010) and Sieder (2001).

[3] The Terence Ranger Papers (TRP) are held in the Weston Library, Oxford University. When I read them, they were in Terence Ranger's possession, and I use the box designations he used. Ranger's memoir (2013) relies on these sources, offering them as political and personal narrative. The state archives used here are held in the National Archives of Zimbabwe (NAZ), Harare. Many other actors supported detainees and nationalists in this period, some of whom, such as Eileen Haddon, have left private papers, and there are a handful of memoirs by detainees (Alexander 2008). For a fascinating study of the archive of a South African Bantustan, and discussion of a wide-ranging literature on the archive and state making, see Ally (2015). Also see Peterson and Macola (2009) and Barber (2006).

[4] See Darwin's (1993) overview of all three emergencies. For a recent history of the Central African Federation, see Cohen (2017).

[5] On these questions in Southern Rhodesia, see Karekwaivanane (2017) and White (2015).

[6] See Barber (1967), Bhebe (1989), Bowman (1973), and more recently White (2015).

[7] On the introduction of repressive legislation, see Tredgold's personal account (1968, chapter 22), and the comprehensive study of Palley (1966).

[8] There is a large literature on pass and related laws used to control movement, labour and urban residence. For a classic on Southern Rhodesia, see Van Onselen (1976).

[9] See Shutt (2015), West (2002) and Ranger (1995) on the politics of middle-class Africans, multi-racialism and respectability. See Karekwaivanane (2017) and Alexander (2006) on law and expert bureaucracy.

[10] See accounts in McCracken (2011, 540-541), Nyagumbo (1980, 125, passim), and Tekere (2007, 57-59). For the wider history of political prisoners, see Munochiveyi (2014). The official number of detainees was 511: 311 from Southern Rhodesia, ninety-eight from Northern Rhodesia, and 102 from Nyasaland. NAZ, S3338/2/2/1, Restrictees, 1959-63, Statistical Analysis of the Arrests and Disposal of Persons Arrested during the Emergency in Southern Rhodesia in February 1959, n.d. [c. January 1960].

[11] NAZ, S3338/2/2/1, Restrictees, 1959-63, M. Campbell, PNC, Mashonaland East, to SNA, 9 March 1959; S. E. Morris, CNC, to all Native Department Stations in Southern Rhodesia, Circular Minute No 35, 1959, Public Order Act, 1955, 19 March 1959.

[12] On the establishment of this system, see the detailed correspondence, reports and circulars in NAZ, S3338/2/2/1, Restrictees, 1959-63, and S3338/2/1/1/4, Detainees' Arrangements, Que Que, Shabani, Buhera and Selukwe, 1959.

[13] See NAZ, S3338/2/2/1, Restrictees, 1959-63, H. A. K. Simpkins, Curator, to S. G. A. Hinds, Under Secretary for Justice and Internal Affairs, 18 April 1959.

[14] See the debates on these topics in NAZ, S3338/2/2/1, Restrictees, 1959-63, and the instructions set out in S. E. Morris, CNC, to all Native Department Stations in Southern Rhodesia, Circular Minute 52/59, Emergency (Temporary Detention) Regulations, 1959, 21 April 1959, and revised in Circular Minute No. 143 of 1959, 24 December 1959.

[15] Ranger (2013) details such interactions from the point of view of the LAWF.

[16] These complaints are amply recorded in correspondence in NAZ, S3338/1, Political Detainees and Restrictees, 1959-62, see especially Peter Mtandwa, J. Ruredzo

Makoni, Wonder Shawah Mutsagu, Thomas Magwenzi, D. Munyoro Mbidzo, G. Nyandoro and M. A. Gudza Mabvuku, to H. J. Quinton, Minister of Native Affairs, 7 February 1961; S3338/2/2/1, Restrictees, 1959-63; S3338/2/1/1/4, Detainees Arrangements, Que Que, Shabani, Buhera, and Selukwe. Edgar Tekere (2007, 57-59) reports that his wife sued for divorce during his first stint in detention. Over half of the Northern Rhodesian detainees were deported, and over two-thirds of those from Nyasaland. The remainder was "released" in Southern Rhodesia after "screening". NAZ, S3338/2/2/1, Restrictees, 1959-63, Statistical Analysis of the Arrests and Disposal of Persons Arrested during the Emergency in Southern Rhodesia in February 1959, n.d. [c. January 1960].

[17] E.g., see S3330/T1/1/8A/1/3, Emergency (Temporary Detention) Regulations, 1959. Account required to be lodged by the Curator in terms of Section 7(7), Salisbury, 12 June 1959, Albert Wegani Kangomi.

[18] NAZ, S3338/2/2/1, Restrictees, 1959-63, S. E. Morris, CNC, to all Native Department Stations in Southern Rhodesia, Circular Minute No. 49/59, Emergency (Temporary Detention) Regulations, 1959, 21 April 1959.

[19] NAZ, S3338/2/1/1/1, Political Detainees and Restrictees, 1959-62, E. D. K. Maclean, NC, Nkai, to PNC, Matabeleland, 3 May 1961.

[20] NAZ, S3338/2/1/1/4, SNA to the Secretary for Justice and Internal Affairs, 10 June 1959, Re: Claim for losses due to detention: Daniel Matongo, R.C. 5958 Mazoe. This file contains many complaints lodged by detainees.

[21] NAZ, S3338/1, Political Detainees and Restrictees, 1959-62, Peter Mtandwa, J. Ruredzo Makoni, Wonder Shawah Mutsagu, Thomas Magwenzi, D. Munyoro Mbidzo, G. Nyandoro and M. A. Gudza Mabvuku, to H. J. Quinton, Minister of Native Affairs, 7 February 1961.

[22] NAZ, S3338/1, Political Detainees and Restrictees, 1959-62, S. E. Morris, SNA, to Peter Mtandwa, Mabvuku, 24 February 1961.

[23] E.g., see NAZ, S3338/2/1/1/4, Detainees Arrangements, Que Que, Shabani, Buhera and Selukwe, 1959, H. A. K. Simpkins, Assistant CNC, to the Acting NC, Buhera, 3 June 1959, and S3338/1, Political Detainees and Restrictees, 1959-62R. C. H. Wood for SNA, to PNC, Mashonaland East, 27 June 1960. Such cases are dotted throughout the files on detainees. On the role of the LAWF, see Ranger (2013, 46).

[24] E.g., see NAZ, S3338/2/1/1/2, Political Detainees and Restrictees, 1959-62, Kefas Chimutsa, HM Prison, Khami, to the Master of the High Court, Salisbury, n.d., R. C. H. Wood for the SNA to Master of the High Court, 17 December 1959.

[25] The quote is from NAZ, S3338/2/2/1, Restrictees, 1959-63, NC H. L. George, Sipolilo, to PNC, Mashonaland East, 3 April 1959. Also see cases in NAZ, S3330/T1/1/8A/1/2, Emergency Temporary Detention Regulations 1959, such as Simon Bhebhe, Marandellas [Prison], to Minister of Justice and Internal Affairs, 16 September 1959; H. A. K. Simpkins for SNA to Simon Bhebhe, 28 October 1959; H. A. K. Simpkins to Secretary for Justice and Internal Affairs, Re: Education Expenses: Dependents of Detainee Hatiwenda Temba Chiweshe, n.d.

[26] On debates over the patriarchal alliance of the NAD and African men, see Schmidt (1990), Jeater (1993), and Barnes (1997).

[27] NAZ, S3330/T1/1/8A/1/3, Emergency (Temporary Detention) Regulations, 1959. Account Required to be Lodged with the Curator in Terms of Section 7(7), Salisbury, 20 May 1959: Matakala Legwane, Victoria Falls, 18 June 1959.

[28] NAZ, S3338/2/1/1/4, Detainees Arrangements, Que Que, Shabani, Buhera and Selukwe, Emergency (Temporary Detention) Regulations, 1959. Account Required to

be Lodged with the Curator in Terms of Section 7(7), Salisbury, 20 May 1959: Order made against Bethwell Hlambelo.

[29] NAZ, S3338/2/1/1/4, Detainees Arrangements, Que Que, Shabani, Buhera and Selukwe, Daniel Tongo (Detainee) to the Native Commissioner, Que Que, 31 March 1959.

[30] NAZ, MS335/1, The Detention Cases, Memorandum by Mr Holderness on action taken by Scanlen and Holderness in relation to the detention of Mr Clutton Brock and others from St Faith's by the Southern Rhodesian Government, n.d.

[31] See S3330/T1/1/8A/1/3, Emergency Temporary Detention Regulations 1959, Assistant CNC H. A. K. Simpkins (Curator), Salisbury, 1 November 1959, Emergency (Temporary Detention) Regulations, 1959, Account Required to be lodged by the Curator in terms of Section 7(7), 17 April 1959: Edson Malibona Hikwa; Goga Koga, Marandellas Prison, to Minister of Justice, 19 September 1959; Peter Kapita Katanda, Marandellas Prison, to Minister of Justice, Salisbury, 19 May 1959; Thomas Kutshwa Ncube, Forest Camp, Gokwe, to the Administering Government Officer, Salisbury, 14 October 1959; Joseph Hlamba Moyo, The Forest Area, Gokwe, to Minister of Justice and Internal Affairs, Salisbury, n.d.

[32] See extensive correspondence in S3338/2/2/2, Restrictees, 1959-63.

[33] F220/LP/615/4, Press Criticisms, "Gestapo Prison," *Rhodesia Herald*, 5 April 1963. The men accused were Mandishona Matimba, Philip Foya and Mishek Makena.

[34] S3338/2/2/2, Restrictees, 1959-63, H. H. Morley Wright, Methodist Minister, Gokwe, to the Prime Minister, Salisbury, 11 September 1961.

[35] See Ranger's account of such events (2013, 73-76), and TRP, Box 86, 1960 Trials of Sketchley Samkange, Stanlake, Malianga, Nkala, "Notes by TOR.", beginning "On the morning of Monday, August 22cnd [sic], a number of Africans were arrested outside the magistrate's court…".

[36] See TRP, Box 86, Trial of Michael Mawema 1960, Regina versus Michael Andrew Mawema, 8 August 1960, which sets out the original charges. See also Karekwaivanane (2017, 100-102).

[37] On Maisels' career, see Maisels et al. (1999). T. Ranger's handwritten notes in TRP, Box 86, Trial of Michael Mawema, indicate that Maisels commanded a fee of some £700 per day. The use of NDP funds to pay for legal costs caused deep divisions in the party, eventually leading to Mawema's resignation (Karekwaivanane 2017, 101).

[38] TRP, Box 86, Trial of Michael Mawema 1960, Notes on Proceedings in Magistrates Court No. 14, Regina –v- Michael Mawema, 10th August 1960 [notes by Shelagh Ranger].

[39] TRP, Box 86, Trial of Michael Mawema 1960, Regina –v- Michael A. Mawema, Proceedings in the Magistrate's Court, Salisbury, on 22nd August, 1960 [notes by Shelagh Ranger].

[40] See, e.g., account in TRP, Box 86, Trial of Michael Mawema 1960, Regina v. Michael Mawema, Proceedings at Magistrate's Court, Inkomo, 23rd August, 1960 [notes by Shelagh Ranger].

[41] See TRP, Box 86, Trial of Michael Mawema 1960, Regina v. Michael Mawema, Proceedings in the Magistrate's Court, Inkomo, 6th September, 1960.

[42] See TRP, Box 86, Trial of Michael Mawema 1960, Regina v. Michael Mawema, Proceedings at Magistrate's Court, Inkomo, 23rd August, 1960; 24th August, 1960, 25th August 1960 [notes by Shelagh Ranger].

[43] See multiple examples in TRP, Box 86, Trial of Michael Mawema 1960, Regina v. Michael Mawema, Proceedings at Magistrate's Court, Inkomo, 23rd August, 1960; 24th August, 1960, 25th August 1960 [notes by Shelagh Ranger].
[44] TRP, Box 86, Trial of Michael Mawema 1960, Regina v. Michael Mawema, Proceedings in the Magistrate's Court, Inkomo, 24th August, 1960 [notes by Shelagh Ranger].
[45] See for multiple instances Magama's testimony, TRP, Box 86, Trial of Michael Mawema 1960, Regina v. Michael Mawema, Proceedings at Magistrate's Court, Inkomo, 23rd August, 1960; 24th August, 1960, 25th August 1960; and Hode's testimony, in the 25th August 1960 Proceedings [notes by Shelagh Ranger].
[46] TRP, Box 86, Trial of Michael Mawema 1960, Regina v. Michael Mawema, 25th August 1960, Inkomo, Cross Examination of Magama continued [notes by Shelagh Ranger].
[47] TRP, Box 86, Trial of Michael Mawema 1960, Regina v. Michael Mawema, Proceedings in the Magistrate's Court, Inkomo, 24th August, 1960 [notes by Shelagh Ranger].
[48] TRP, Box 86, Trial of Michael Mawema 1960, Regina v. Michael Mawema, 25th August 1960, Inkomo, Cross Examination of Magama continued [notes by Shelagh Ranger].
[49] E.g., see TRP, Box 86, Trial of Michael Mawema 1960, Regina v. Michael Mawema, Proceedings at Magistrate's Court, Inkomo, 23rd August, 1960 [notes by Shelagh Ranger]. This strategy was deployed by other lawyers in political cases, such as Leo Baron. Allison Shutt, pers. comm., 24 July 2017.
[50] See TRP, Box 86, Trial of Michael Mawema 1960, Regina v. Michael Mawema, Proceedings in the Magistrate's Court, Inkomo, 24th August, 1960 [notes by Shelagh Ranger].
[51] See TRP, Box 86, Trial of Michael Mawema 1960, Regina v. Michael Mawema, 25th August 1960, Inkomo, Cross examination of Magama continued [notes by Shelagh Ranger].
[52] TRP, Box 86, Trial of Michael Mawema 1960, Regina v. Michael Mawema, Proceedings in the Magistrate's Court, Inkomo, 24th August, 1960 [notes by Shelagh Ranger].
[53] See the testimonies of Magama and Hode in TRP, Box 86, Trial of Michael Mawema 1960, Regina v. Michael Mawema, Proceedings in the Magistrate's Court, Inkomo, 24th August, 1960, and Regina v. Michael Mawema, 25th August 1960, Inkomo, Cross Examination of Magama continued [notes by Shelagh Ranger].
[54] TRP, Box 86, Trial of Michael Mawema 1960, Regina v. Michael Mawema, 26th August 1960, Cross-examination of Hode by Mr Maisels continued [notes by Shelagh Ranger].
[55] TRP, Box 86, Trial of Michael Mawema 1960, Extracts from Court Proceedings, Regina v. Michael Mawema, Inkomo, Southern Rhodesia, 26th August 1960 [noted by Terence Ranger].
[56] TRP, Box 86, Trial of Michael Mawema 1960, Regina v. Michael Mawema, Proceedings in the Magistrate's Court, Inkomo, 24th August, 1960 [notes by Shelagh Ranger].
[57] TRP, Box 86, Trial of Michael Mawema 1960, Extracts from Court Proceedings, Regina v. Michael Mawema, Inkomo, Southern Rhodesia, 26th August 1960 [noted by Terence Ranger].

[58] The meeting, which took place on 28 August 1960, in the midst of the trial, was attended by Terence Ranger. This is his account (Ranger 2013, 76).
[59] TRP, Box 86, Trial of Michael Mawema 1960, Regina v. Michael Mawema, 25th August 1960, Inkomo, Cross examination of Magama continued [notes by Shelagh Ranger].
[60] TRP, Box 86, Trial of Michael Mawema 1960, Regina v. Michael Mawema, Proceedings in the Magistrate's Court, 26th August, 1960, Inspector Wickenden, B. S. A. Police, Gwanda.
[61] TRP, Box 86, Trial of Michael Mawema 1960, Regina v. Michael Mawema, Proceedings in the Magistrate's Court, Inkomo, 24th August, 1960; 25th August 1960, Inkomo, Cross Examination of Magama continued; 26th August 1960, Cross-examination of Hode by Mr Maisels [notes by Shelagh Ranger].
[62] For the testimony of Hode, see TRP, Box 86, Trial of Michael Mawema 1960, Regina v. Michal Mawema, 25th August 1960, Inkomo, Cross Examination of Magama continued; 26th August 1960, Cross-examination of Hode by Mr Maisels [notes by Shelagh Ranger]. The nationalist story of Lobengula is recounted in a number of places in the Ranger papers. See TRP, Box 86, 1960 Trials of Sketchley Samkange, Stanlake, Malianga, Nkala, Leopold Takawira, Statement taken by A. C. Bowles, on 8th August 1960; Mark Nziramasanga, Statement taken by A. C. Bowles, on 8th August, 1960; Regina v. Morton Malianga, Monday, 15th August, 1960 [notes by Shelagh Ranger].) In the Mawema trial, the story is referred to in Count V of the charges and in the Prosecutor's questioning of police witnesses. The sense of the story is clear in Maisels' cross-examination of Hode, and its coherence there is likely due to his knowledge of nationalist uses of the story in depositions and other sources.
[63] In other political trials, Chitepo would do much more: when he took a lead role in cross-examining white policemen in one such, he "inverted the racial hierarchy in a way that made the magistrate very uncomfortable," as Karekwaivanane (2017, 106) writes.
[64] See TRP, Box 86, Trial of Michael Mawema 1960, Regina v. Michael Mawema, Judgement given by Mr Justice St John Burton at Inkomo Magistrate's Court on 22nd November, 1960 [notes by Terence Ranger].