RE-EXAMINING LIBERATION IN NAMIBIA

Political Culture Since Independence

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NORDISKA AFRIKAINSTITUTET 2003

Indexing terms

Human rights
Independence
Liberation
Political culture
Postcolonialism
Reconciliation
Namibia

Cover photos: Henning Melber

Language checking: Peter Colenbrander

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ISBN 91-7106-516-4

Printed in Sweden by Elanders Gotab, Stockholm 2003

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Preface

During 2001, the Uppsala-based Nordic Africa Institute (established in 1962 as The Scandinavian Institute of African Studies) initiated a research project on 'Liberation and Democracy in Southern Africa'.¹ It highlights processes of political and economic transformation, or the lack thereof, mainly, but not exclusively, under the liberation movements that seized legitimate political power and have occupied the state apparatus since independence (or, in the case of South Africa, since the first democratic general elections). The research network was initiated to explore the relationship between liberation (in the sense of decolonisation) and social transformation, with particular regard to the political sphere. The aim is to offer grater insights into the scope and limitations of the social emancipation in Southern Africa, and especially into the "democratic notion" of the liberation movements who control power. Their victory over colonialism came at a price—as increasing evidence, including some of the chapters in this volume, suggest—since anticolonial wars were hardly a suitable environment for instilling, cultivating, internalising and implementing democratic values and norms.

Within the research network, scholars have since 2001 provided insights into and evidence about Southern African affairs related to a political and human rights culture. A first consultative workshop was organised by The Nordic Africa Institute in December 2001 in local collaboration with the Centre for Conflict Resolution in Cape Town.² Soon thereafter, the controversies around the presidential elections in Zimbabwe brought some of the network participants together in an effort to cope with their frustrations.³ A subsequent international conference on '(Re-)Conceptualising Democracy and Liberation in Southern Africa' took place in collaboration with local civil society actors, the Namibia Institute for Democracy (NID) and the Legal Assistance Centre (LAC), in July 2002 in Windhoek.⁴ Most of the papers originally submitted to this conference have been published.⁵

1. See the first results in the initial stages of conceptualisation, Melber (2001). More details on the project can be obtained from the Institute's web site (www.nai.uu.se).
2. See for a summary, the conference report in *News from the Nordic Africa Institute*, No. 2/2002. Most presentations to the workshop were published as Discussion Papers (Davids et al. 2002, Neocosmos et al. 2002).
3. The results were published two months after the elections (Melber 2002b).
4. I am grateful to Clement Daniels and Theunis Keulder for their immediate enthusiasm for the joint project and would like to thank Doris Weissnar, Arne Wunder and Charlotta Dohlvik for their unfailing administrative and organisational support. For a conference report, see *News of the Nordic Africa Institute*, No. 3/2002.
5. An unabridged, detailed discussion and analysis of the impact of the strategy debate around armed struggle in South Africa was published soon after as a separate monograph (Legassick 2002). Most papers on topics other than Namibia have been revised and edited as a special issue of the *Journal of Contemporary African Studies* (Vol. 21, No. 2) and are also published in a slightly modified format by the South African Human Sciences Research Council (*Limits to Liberation in Southern Africa: The Unfinished Business of Democratic Consolidation*, Pretoria 2003). The Namibia chapter (Melber 2003d) was drafted as a separate effort to add the Namibian case to the regional picture. It has been included in a considerably revised version as an introductory chapter in this volume.

I wish to express gratitude to the Swedish International Development Cooperation Agency (Sida) for the material assistance rendered to the research project and the publication of its results, and The Nordic Africa Institute for the generous working environment in support of such activities.

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The papers presented on Namibia form part of this book,¹ which deals mainly with aspects of democratic and human rights culture as a result of the colonial legacy. The arguments raised and illustrated by the contributions touch upon issues of inherited inequality, structures and concepts of power within the political sphere.²

It is enlightening to revisit the revolutionary rhetoric of the anticolonial struggle preceding independence, as the chapter by *William Heuwa* does, in light of the postcolonial rhetoric and performance of the same social actors and stakeholders. It is, furthermore, instructive to recall the constitutional framework resulting from the transitional process towards a sovereign state in light of the document drafted and agreed upon by the country's elected constituent assembly. *Sufian Bukurura* undertakes this exercise with a comparative view on the Zimbabwean experience, and does so, from the perspective of a scholar in law. Given the clear and uncompromising protection of basic individual and collective human rights in the Namibian constitution, it is also illuminating to investigate the current situation of indigenous minority groups. *Clement Daniels* presents a complementary, rather sobering picture from the perspective of a practising lawyer and human rights advocate. In an updated effort to document the dark side of the liberation struggle in exile (which exacted a high price from those within the anticolonial movement's ranks perceived as 'dissidents') *John Saul* and *Colin Leys* submit recent evidence on the ex-detainees' continuing battle for rehabilitation. In addition, *Christopher Saunders* adds an in-depth analysis of the official rewriting of the liberation struggle's history through the biography of Namibia's head of state and leader of the liberation movement since its establishment, President Sam Nujoma. Saunders shows how new sagas are cultivated or constructed to replace the distortions of the now besieged, past colonial masters. This aspect of postcolonial nation building, by either re-inventing tradition or constituting a new memory culture in the public sphere, is analysed by *Reinhart Kössler*. In a related vein, *Minette Mans*, in her case study

1. It is also published in a German version by Brandes and Apse (*Namibia – Grenzen nachkolonialer Emanzipation*. Frankfurt/Main 2003). Conference papers revised for publication in this volume are the chapters by William Heuwa, Sufian Bukurura, Reinhart Kössler and Christopher Saunders. The chapters by Clement Daniels, John Saul and Colin Leys, Minette Mans and Andre du Pisani were the result of further networking activities. Unfortunately, the planned chapters by two female scholars/activists participating in the conference did not materialise because of unforeseen circumstances at very short notice and could not be substituted. The gender aspects—both in terms of the authors to this volume as well as the subject matters raised—are regrettably biased in an unintended way (the missing chapters would have been on "Women's Struggles and Independence" and on "Gender, Sexuality, and Liberation").

I would like to thank Nina Klinge-Nygård and Alexandra Swenning for their support in compiling the integrated bibliography, and my colleagues at the Institute's Publication Department for another job well done. The same applies to Peter Colenbrander's excellent language editing. I also acknowledge with gratitude the encouraging remarks by Jeremy Silvester and Jan-Bart Gewald. They offered constructive assessments as external reviewers of the original manuscript submitted to The Nordic Africa Institute (at that time, without my knowledge of their identity), which not only resulted in the decision to have the volume published but also in some improvements during the final stages of editing. The normal disclaimer of course applies: full and sole responsibility for all shortcomings rest with the individual authors and the editor.

2. This volume focuses—similar to the contributions in Keulder (2000)—almost exclusively on various aspects related to political and human rights culture. The relevant socioeconomic issues of (failed) postcolonial restructuring and redistribution of wealth require separate initiatives. They have to some extent been dealt with in other recent publications (cf., Halbach 2000, Melber 2000b, 2002c, 2002d and 2003b) or were in part included in other volumes of a stock-taking nature on Namibian society (Diener and Graefe 2001, Hess and Becker 2002, Melber 2002b, Winterfeldt et al. 2002). They are also to some extent addressed by the regular analyses of three eminent local 'think tanks', The Namibian Economic Policy Research Unit (NEPRU), the Labour Resource and Research Institute (LaRRI) and the Institute for Public Policy Research (IPPR).

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of music, shows how cultural diversity is not acknowledged in the official policy of the sovereign Namibian state and its agencies and institutions. In the concluding essay, *Andre du Pisani* underlines the fact that liberation from colonial rule and, hence, abolition of (at least formal) foreign domination does not necessarily go hand in hand with enhanced tolerance, greater permissiveness of the system and more liberal attitudes.

Despite all the critical analysis presented in this volume, the scholars base their methods, approaches, theoretical notions and arguments on the common conviction that critical analysis is part of a loyalty—if not to organisations, then to the concepts, values and norms once advocated by these movements. They do not claim to present ultimate ‘truths’, but relevant and sensible reflections on the state of political affairs. And they may also share in their efforts to explore and critically assess the sociopolitical realities of the post-apartheid era the understanding expressed in the epilogue of a novel by one of the combatants in the Angolan liberation war of the 1970s. In recalling the ‘unorthodox’ leader of the guerrilla unit (‘Fearless’) who fell in combat, the political commissar (‘New World’) states his own metamorphosis as a result of the learning process he was exposed to:

I think, like he did, that the frontier between truth and lies is a trick in the desert. Men are divided on the two sides of the frontier. How many are there who know how to find this sandy path through the midst of sand? They exist, however, and I am one of them.

Fearless knew as well. But he insisted that it was a track in the desert. So he laughed at those who said it was a path, cutting clearly through the green of the Mayombe. Today I know there are no yellow tracks in the midst of green. (Pepetela 1996:215)

Uppsala, August 2003

Henning Melber

Limits to Liberation

An Introduction to Namibia's Postcolonial Political Culture

Henning Melber

This introductory chapter highlights trends in the postcolonial political culture that are emerging under SWAPO in Namibia. Firstly, however, some more general aspects and issues related to processes of political transformation under liberation movements in Southern Africa are raised. These organisations seized legitimate political power and have occupied the state apparatus since the end of white minority rule. Reorganised as parties, they gained control over the political sphere and managed to consolidate their dominant position within the modified state structures. They have gained the power of definition in the political arena and shape public discourse within their societies to a considerable extent. In pursuance of their nation-building ambitions, they tend to operate with and along rather strict concepts of inclusion/exclusion.

The legitimacy of these governments is based on their being the—more or less democratically—elected representatives of the majority of the people. At the same time, however, the democratic notion is also contested territory. Postcolonial policies in most countries of Southern Africa at present lack (though in differing degrees) a commitment to democratic principles and/or practices. In particular, liberation movements in power tend to deviate from implementing originally declared policy aims and goals in terms of both democratic convictions and, even more so, of much needed policy initiatives towards socioeconomic transformation of their societies aimed at reducing inherited imbalances in the distribution of wealth.

Liberation Movements in Power—A Critical Assessment

Supported by international solidarity movements that also argued along moral and ethical lines (cf., Kössler and Melber 2002), liberation movements were fighting against systems of institutionalised violation of basic human rights. At the same time, they were not always sensitive to human rights issues and the cultivation of democratic virtues within their own ranks. The fight against unjust systems of oppression rooted in the totalitarian colonial rule of a minority did not protect liberation movements from falling prey to authoritarian patterns of rule and undemocratic (if not violent) practices, which were applied by themselves against dissenting forces. The desire for self-determination and national independence did not prevent liberation activists from abusing the power they

obtained. Even their popular support in the struggle was at times based more on coercion and the internal contradictions among the colonised than on genuine resistance against the colonial state, as Norma J. Kriger (1992) suggests with reference to Zimbabwe. Lauren Dobell (1998) argues—rather like Colin Leys and John Saul (1995)—in the case of Namibia for a visible lack of democratic conviction among the ranks of the organised social forces that seized political power. South Africa seems to emerge in this sense—despite all its comparative advantages in terms of a highly complex and differentiated society providing space for civil society actors—as just another ‘ordinary country’ (Alexander 2002; see also Neocosmos et al. 2002). A recent study suggests a high degree of political intolerance among South Africans. They dislike political enemies a great deal and perceive them as quite threatening. As a result, the combination of dislike and threat ‘is a powerful source of political intolerance’ (Gibson and Gouws 2003: 70–71).

Anticolonial liberation movements took over control of the state machinery and reorganised themselves as political parties. They claimed that their legitimacy to rule stemmed from their emergence from the decolonisation process as democratically elected representatives of the majority of the people. Since then, with varying results (and sometimes with the use of further organised physical violence, as the case of Matabeleland illustrates most prominently), they have been able to strengthen their political dominance and maintain control over the state. This is true, even if in Zimbabwe at present it can be seen that these governments will not last forever.

The social transformation of these Southern African societies shaped by settler colonialism, can at best be characterised as a transition from controlled change to changed control and, hence, is similar to processes that took place elsewhere on the continent. The result is a new ruling political elite operating from the commanding heights and shaped by and based upon the particular context of the post-apartheid societies and upon the selective narratives and memories of the war(s) of liberation and, hence, the constructed or invented new traditions to establish exclusive postcolonial legitimacy of one particular set of social forces (see Kriger 1995 and Werbner 1998b for Zimbabwe; Melber 2003a for Namibia). The mystification of the liberators plays an essential role in this fabrication. Hence, as Werbner (1998a:2) reasons:

The critique of power in contemporary Africa calls for a theoretically informed anthropology of memory and the making of political subjectivities. The need is to rethink our understanding of the force of memory, its official and unofficial forms, its moves between the personal and the social in postcolonial transformation.

The situational application of militant rhetoric as a tool for inclusion or exclusion in the postcolonial national identity is common practice. It demonstrates that the declared notions of national reconciliation, and the slogan of ‘unity in diversity’, do not always receive the desired acknowledgement in terms of political pluralism and permissiveness. Politically correct identity is, instead, defined increasingly by those in power along narrow lines of (self-)definition and (self-)understanding. This is reflected in a dichotomy of polarised perceptions along the we-they divide. If you are not with the liberator (as represented by the move-

ment, now party and state), you are considered to be an enemy. Given the blurred boundaries between party, government and state under an actual one-party system that dominates the state (see McGregor 2002 for Zimbabwe) and the growing equation of the party with the government and of the government with the state, any opposition or dissent is considered to be hostile and branded as antagonistic to the people and the national interest. As noted in the case of Zimbabwe:

Whilst power relations had changed, *perceptions* of power had *not* changed. The layers of understanding regarding power relations, framed by socialisation and memory, continued to operate ... actors had changed. However, the way in which the new actors executed power in relation to opposition had not, as their mental framework remained in the colonial setting. Patterns from colonial rule of 'citizens' ruling the 'subjects' *are* repeated and reproduced. (Yap 2001:312–13; original emphasis)

Tendencies towards autocratic rule and towards the subordination of the state to the party, as well as politically motivated social and material favours as a reward system for loyalty, or disadvantages as a form of coercion in cases of dissent, are obvious techniques. The political rulers' penchant for self-enrichment with the help of a rent- or sinecure-capitalism is a concomitant of the exercise of comprehensive controls to secure the continuance of their rule. Accordingly, the term 'national interest' means solely what *they* say it means. Based on the rulers' (self-)perception, individuals and groups are allowed to participate in, or are excluded from, nationbuilding. The 'national interest' hence serves the purpose 'of justifying all kinds of authoritarian practice' so that "anti-national" or "unpatriotic" can be defined basically as any group that resists the power of the ruling elite of the day' (Harrison 2001:391). Such selective mechanisms of exercising and retaining power have much in common with the commando structures that emerged during the liberation struggle, especially in exile. As a critical South African political activist summarised:

Many of my former comrades have become loyal to a party rather than to principles of justice ... Unfortunately it is true that those who have been oppressed make the worst democrats. There are recurring patterns in the behaviour of liberation parties—when they come to power they uphold the most undemocratic practices. (Kadalie 2001; see also Kadalie 2002)

Changed positions further influenced the behaviour of individuals, and rapid social change had an impact on social attitudes: 'It is interesting to see who still carries their own briefcase,' says one former ANC activist.

These are people I've known for years when we were in the field. Some of them are still great but some of them have become very pompous. When you have a car and a driver and you're travelling first class, some people change. (Younge 2001)

In the meantime, critical voices are growing even among those who followed the liberation struggles with great sympathy or assumed roles as active supporters. There is a growing trend towards critically analysing the processes by which victims in the role of liberation fighters became perpetrators. Breaking these taboos is necessary in a debate that deals increasingly with the content of liberation, and reflects (if not questions) the concept of past solidarity and marks the end of the cultivation of 'heroic narratives' (Harrison 2001:390; Kössler and Meibner

2002). The much-celebrated attainment of formal independence is no longer unreservedly equated with liberation, and certainly not with the creation of lasting democracy. Instead, there are increasing attempts to investigate structural legacies, which in most cases set far too narrow limits to realising societal alternatives in postcolonial countries. There is a growing insight that the armed liberation struggles were in no way a suitable breeding ground for establishing democratic systems of post-independence government. The forms of resistance against totalitarian regimes were themselves organised on strictly hierarchical and authoritarian lines, otherwise they would hardly have had any prospect of success. In this sense, new societies carried within them essential elements of the old system which they had fought. Thus, aspects of the colonial system reproduced themselves in the struggle for its abolition and subsequently in the concepts of governance applied in postcolonial conditions. New societies share the binary view of the colonial discourse of the past (Ashcroft 2001:21).

Similar mechanisms can be seen in many other societies around the world that are regarded as democratic states. That power corrupts is by no means a solely African truism. Nor that giving up power—even in long-established, democratically anchored and regulated conditions—is difficult for many once they have had a taste of it. This has been labelled in the African context as ‘repressive reversal’ (Hydén and Okigbo 2002:37), with reference to earlier processes of decolonisation. These arose under new nationalist governments in their efforts to refute challenges to their policies in ‘the transformation of the discursive realm from being civic and cosmopolitan to becoming parochial and local’ (Hydén and Okigbo 2002:38). To this extent, features of the colonial character were reproduced in the fight for their abolition and the emerging concepts of power were applied in the postcolonial reconstruction phase. After all, ‘identities and subjectivities were profoundly reshaped by the colonial experience and accordingly colonialism finds continued expression through a multiplicity of practices, philosophies, and cultures imparted to and adopted by the colonized in more or less hybrid forms’ (Abrahamsen 2003:204). This is neither a new phenomenon nor genuinely (Southern) African.

It is interesting to take note in this context of the analysis presented by Alexis de Tocqueville (1805–59). His critical retrospective on the shortcomings of the French Revolution (the first volume was published in 1856) reflects the frustration provoked by the restoration of power structures under Louis Napoleon after his *coup d'état* in 1851. Tocqueville's studies of the old state and the Revolution (*L'ancien régime et la révolution*), provide relevant insights beyond the particular case.¹ He argues that the French revolutionaries, in the process of implementing the structures of the new system, maintained the mentalities, habits, even the ideas of the old state while using them to destroy it. And they took the rubble of the old state to establish the foundation of the new society. To understand the revolution and its achievement, he concludes, one has to forget about current society but one has to interrogate the buried one. His ultimate reasoning ends in the suggestion, that freedom has been replaced by another repres-

1. Roland Apsel made me aware of this inspiring comparative aspect through his reference to an article by the psychoanalyst Erdheim (1991).

sion: Revolutionaries, in the process of securing, establishing and consolidating their power base, sacrificed the declared ideals and substantive issues they were fighting for in the name of the same revolution.

This process is by no means confined to conscious and deliberate efforts, but even more so results from the particular socialisation processes shaping people and minds. Abrahamsen (2003) suggests in her stimulating attempt to reconcile postcolonial with sociological and political theory that the recognition of the relationship between power, discourse and political institutions and practices has much to contribute to the study of African politics. As she argues, 'postcolonial approaches illustrate the inadequacy of the conventional binary opposition between domination and resistance, and show how resistance cannot be idealized as pure opposition to the order it opposes, but operates instead inside a structure of power that it both challenges and helps to sustain' (Abrahamsen 2003:209). These internalised dispositions have a price and contribute to a perpetuation of structures beyond the abolition of the system that produced them. Hence, the seizure of state power and control over the means of production alone does not secure a solution, since 'change of economic and political structures of domination and inequality requires a parallel and profound change of their epistemological and psychological underpinnings and effects' (ibid.).

Liberation of such a restricted nature seems to be unfinished business. In the introduction to his collection of lectures on "Development as Freedom", Amartya Sen (1999:10) concludes: 'Freedoms are not only the primary ends of development, they are also among its principal means.' He points out that freedoms of different kinds are linked to one another. They include political freedoms, social opportunities and access to economic resources. Political regimes in many African societies do not recognise such contributing factors, or deny them. Instead, all too often the political environment has militated against freedom of thought and expression. This trend is explored further by means of the following evidence regarding the Namibian context in historical perspective.

The Case of SWAPO of Namibia

The transition to independence negotiated and implemented for Namibia under the auspices of the United Nations was a process of controlled change, which finally resulted in changed control. As a result of a negotiated settlement, the national liberation movement SWAPO reconstituted itself as a political party that made up the government, occupied the state structures and executed control over the political sphere within Namibian society. The compromise in this seizure of power was that it took place without providing adequate control over or a meaningful basis for intervention in substantial socioeconomic spheres of society. Instead, the structural legacy of settler colonialism remained alive. The same applies with regard to the profound changes of political culture required for the consolidation of democracy. In the course of these manifold and complex interrelated processes, vested interests are re-established and originally formulated goals of social transformation were either compromised or totally abandoned in favour of newly emerging class interests of an elite that is mainly

rooted in the sphere of a new nationalism and its power of definition. There are lasting structural and psychological effects resulting from the colonial legacy, and these retain their effectiveness during the postcolonial era of social transformation (see also Melber 2000a, 2001, 2002e and 2003a).

Decolonisation and Democracy

SWAPO's armed liberation struggle, launched in the mid-1960s, had a major impact on the further course of decolonisation. But Namibian independence was as much the result of a negotiated settlement, which, after the end of the Cold War, also reflected the strategic interests of the two power blocks. Independence paved the way for a legitimate government led by the previous liberation movement SWAPO after far too many delays and sacrifices. The goal of the struggle was national liberation. This was defined as political independence in a sovereign state under a government representing the majority of the people who had hitherto been excluded from full participation in society through the imposed apartheid system. The power of definition concerning the postcolonial system of political governance was exercised during this process mainly by the national liberation movement in interaction with the international system, represented by a variety of competing actors under the polarised conditions of superpower rivalry during the 1970s and 1980s. The agenda was first and foremost shaped by the goal to establish a formally legitimate and internationally recognised sovereign Namibian state. By implication, many of the forces involved may have had the expectation that this required democracy as the basis of a lasting political system. Explicit evidence for this, however, remains scarce and scattered. Throughout the 1970s and 1980s, the liberation struggle was understood and perceived foremost as the right to self-determination. Once achieved, the task to formulate and adopt further specifications was left to those policymakers who emerged as representatives of the Namibian electorate as a result of free and fair general elections. It was, therefore, not democratisation that was the priority agenda item for Namibia, but decolonisation.¹ From a logical point of view, this is an understandable approach, since there is no democracy under colonialism. Hence, only a decolonisation process provides the necessary framework for democratisation. Both can be and have been achieved to some extent, but it is important to note that the goals are neither identical nor necessarily congruent.

The mandate of the United Nations Transitional Assistance Group (UNTAG) under UN Security Council Resolution 435(1978) was to supervise free and fair general elections for a Constituent Assembly involving all parties registered

1. One might argue that the Constitutional Principles, which were drafted in the early 1980s by the Western Contact Group and adopted by (if not imposed upon) the conflicting parties (SWAPO and South Africa) as a common denominator and prerequisite for the implementation of Resolution 435 (1978) and as an agreed framework and point of departure for the foundation of the future independent Namibian state, were characterised by a democratic notion. Others might counter, however, that this democratic notion was mainly crafted to maintain a status quo under controlled change in terms of securing existing property relations and former privileges for those who benefited from minority rule. Along these lines, Dobell (1998:104) suggests that 'the nature of the transition process itself should be treated as an independent variable, which served to institutionalize democratic political structures in Namibia, while simultaneously helping to construct perhaps insurmountable obstacles to the extension of political democracy to social and economic institutions.'

Limits to Liberation

under the joint transitional authority composing the South African Administrator General and the United Nations Special Representative. The participants in the election, were not operating from a basis of equal opportunity. While South Africa's allies could rely on massive support from the colonial power, the other side (SWAPO) had the privilege of being the only internationally recognised representative of the Namibian people. The possibility of other forces not aligned with the two sides, gaining similar support was basically eliminated by the factual constraints arising from the increased polarisation that emerged during the 1970s. That the new political power would largely meet the definitions and expectations of a democratic political system was a desired result but not the main goal. After all, the democratically elected representatives of the Namibian population were to have the discretion and power to decide for themselves upon the character of the political system. The Republic of Namibia, as proclaimed on 21 March, 1990, resembled all formal aspects of a democratic political system. This in itself can be regarded as a positive surprise.

Democracy at Independence

The constitutional democracy that was formally institutionalised as a last step towards the formal sovereignty of the Republic of Namibia, confirmed in both its contents and its drafting procedures a negotiated compromise. Since the constitutional document had to be adopted by a two-thirds majority, none of the parties involved in the negotiations had the power to impose a unilateral decision on the other interest groups represented in the Constituent Assembly. SWAPO, with 41 seats (57 per cent of the votes) had failed to get the two-thirds majority. The DTA (Democratic Turnhalle Alliance), with its 21 seats (28 per cent of the votes), failed to emerge as a really powerful opposition. In this constellation, both parties preferred negotiated settlement to continued conflict. The emerging process has been described as 'an impressive example of successful bargaining by opposing political elites in a transitional democratic context' (Forrest1998:43). In the meantime, first-hand statements by actors involved serve to confirm the hypothesis advocated by Dobell (1998:38) that the negotiated settlement in Namibia resembled aspects of an 'elite pact'. The constitutional negotiations were the final chapter in a decolonisation process 'closely supervised by international forces, and facilitated by a "transitional pact"', which, 'alongside at least an instrumental commitment to democracy on the part of opposing forces, has surely also made a difference' (Bauer 2001:36). Erasmus (2000:80) points out in retrospect that the international settlement plan as set out in Security Council Resolution 435 (1978) 'gained an important additional element when it was decided to determine the basic content of Namibia's Constitution in advance. Constitution-making became part of the international peace-making operation.'¹ In other words, the negotiated settlement started

1. He refers to the impact of the UN Security Council's adoption of Document S/15287 of 12 July 1982 ("Principles concerning the Constituent Assembly and the Constitution for an independent Namibia") that introduced the procedural rules for the planned election under UN supervision and several 'Constitutional Principles' (see previous footnote).

under United Nations supervision continued to acknowledge the externally defined rules of the game even as the parties involved were 'eager to seize the reins of power' (Cliffe et al. 1994:213). The pragmatic give and take approach is documented by Namibia's first Head of State, who plainly states in his biography, 'we agreed without argument that Namibia would be a multi-party democracy with an independent judiciary and a strong bill of rights' (Nujoma 2001:424). Similar views, stressing the general consensus among the main parties, were expressed by both the then leader of the DTA and Namibia's first Foreign Minister during a conference among relevant actors and key stakeholders in the transition that was focused on recalling the Namibian decolonisation process (cf., Weiland and Braham 1994). And a local politician involved in the drafting process explained to Dobell (1998:101): 'Everybody wanted to be seen as a democrat during these negotiations'.

At this particular historic moment of shaping the legal framework for the sovereign Namibian state, 'land and property rights were never the subject of public debate' and the 'aspect of the Bill of Fundamental Human Rights that gave guarantees to existing property owners received surprisingly little attention' (Cliffe et al. 1994:205 and 214).¹ The package that paved the way for a sovereign Namibia under a SWAPO government implied a socioeconomic and political regulatory framework that emerged as a compromise between basically antagonistic social forces. It was an independence process under UN auspices, which has 'profoundly influenced the form of the new Namibian democracy' (Saunders 2001:10). The constitutional growing of formal political liberties and human rights secured a 'yardstick for good governance' (Erasmus 2000:98). To that extent, it has a meaningful impact as a tool contributing to a process of democratisation. The *Grundnorm* introduced, however, still requires societal acceptance. After testing this essence against some aspects of social reality, a law professor at the University of Namibia observed a 'discrepancy between the acclamation of the Constitution as the symbol of liberation and independence, and the translation of the Constitution into daily life' (Hinz 2001:91). The Undersecretary for Legal Affairs at the Ministry of Foreign Affairs had another important warning. 'To instil democratic and human rights values', he pointed out, 'is not enough, however; we also need to insist that institutions themselves become more democratic'. It is an irony, he continued, 'that although we have a widely admired Constitution, the organisations which are supposed to provide the officials who will protect this constitution, namely our political parties, are the most undemocratic institutions in the country' (Pickering 1995:107).

1. It is instructive to note that in marked contrast to eyewitness accounts by actors in this crucial episode of Namibian history, one of the proponents of a radical appropriation of land, to which the Namibian constitution is an obstacle, maintained during the late 1990s that 'the founding fathers and mothers of our Republic had neither moral nor political democratic nor legal right to entrench anything in the constitution without consulting the people' and that they 'went too far beyond their mandate', an action that qualified as 'illegal' (Ya France 1998). It is even more illuminating that the same critic was put on the party list for the next parliamentary elections and has been a Member of Parliament since 2000.

*Limits to Liberation**Political Culture Since Independence*

The most striking phenomenon in terms of political development during Namibia's first decade of independence has been the constant gain in and consolidation of political power and control by the former liberation movement. From election to election during the first ten years it has managed to add further strength to its dominant role. While SWAPO had originally failed to obtain the hoped-for two-thirds majority of votes in the elections for the Constituent Assembly in November 1989, it managed to grasp exclusive control over the parliamentary decision-making process with the national elections in December 1994.

Election Results 1989-1999 for the Bigger Parties

Election	Votes	SWAPO	DTA	UDF	CoD
1989 Constituent	687 787	384 567 (56.90%)	191 532 (28.34%)	37874 (5.60%)	----- -----
1992 Regional	381 041	256 778 (68.76%)	103 359 (27.68%)	9 285 (2.49%)	----- -----
1992 Local	128 973	73 736 (58.02%)	42 278 (33.26%)	7 473 (5.88%)	----- -----
1994 National	497 499	361 800 (73.89%)	101 748 (20.78%)	13 309 (2.72%)	----- -----
1998 Local	63545	37 954 (60.35%)	15 039 (23.91%)	4 191 (6.66%)	----- -----
1999 National	536 036	408 174 (76.15%)	50 824 (9.48%)	15 685 (2.93%)	53 289 (9.94%)

Source: Keulder 1998: 63 and official figures by Directorate of Elections for 1999

The election figures over the first ten years (see Table) reveal only a small absolute increase in votes for SWAPO. In fact, while SWAPO expanded its representation in the National Assembly by 17 per cent in 1994, and obtained more than the two-thirds majority (73.89%), the number of votes received actually dropped by 22,767. Due to a total decrease in total votes (almost 28 per cent less), the loss (5.9%) was more than offset. With a total of 408,174 votes in the 1999 national elections, SWAPO received 23,607 votes (or 6.1%) more than in 1989. Due to the lower number of total votes cast (151,751 or 22.1 per cent less than in 1989) the party increased its representation by another almost 2.3 per cent to 76.15 per cent.

Another characteristic of the first decade was the fact that no numerically meaningful opposition party could firmly establish itself as a relevant political factor. In stark contrast to this sober fact is the strong reaction provoked by the founding of the Congress of Democrats (CoD) as a new political party in early 1999. Many observers originally expected the CoD to have the potential to attract a meaningful number of frustrated SWAPO followers, thereby even challenging the two-thirds majority of the former liberation movement, from whose ranks some of the CoD activists had defected. Instead, the CoD mainly split the opposition votes and established itself as the second strongest political factor

only by a marginally higher number of votes than (and at the expense of) the 'traditional' opposition party, the DTA.¹

Opposition parties never managed to obtain enough weight to seriously challenge the dominance of SWAPO. On this basis, the strong reaction by SWAPO to the newly established CoD is even more disturbing. While this could have been interpreted prior to the 1999 elections as a sign of uncertainty and lack of self-confidence among party's leadership and activists, the ongoing almost paranoid witch-hunt, even after the election, displayed aspects of irrationality that may only be explicable in psychoanalytical terms. This also applies to the election post-mortems conducted by SWAPO's party organ *Namibia Today* and the unabated smear campaigns and character assassinations it has pursued with ever increasing vigour against anyone perceived to be in open or public disagreement with the official party line.

During the first decade of Namibian independence a political system emerged that displayed characteristics of a one party state under increasingly autocratic rule. As if to illustrate the point, SWAPO conducted its election campaign during 1999 using a brochure in which it states that 'saving democracy, or more appropriately saving the opposition, is the latest version of Europe's burden to civilise the natives' (SWAPO Party Department of Information and Publicity 1999:24). Based on its reputation as the liberating force and in the absence of serious political alternatives, SWAPO also managed to firmly entrench its political dominance by obtaining an even higher proportion of votes in a fairly legitimate way.² An increasingly repressive atmosphere during the election campaign in late 1999 might, by contrast, be perceived as a 'lack of consolidation of Namibian democracy' (Glover 2000:147). The far-reaching mandate encouraged the misperception that the government is supposed to serve the party and that the state is the property of the government.³ A slogan in the days of the liberation struggle claimed that SWAPO is the people, but the adjusted slogan for today might be that SWAPO is the government and the government is the state. This tendency towards abuse of state power fails to acknowledge the difference between formal democratic legitimacy (through the number of votes obtained in a free and fair general election) and the moral and ethical dimensions and responsibilities of such legitimacy.

Consequently, the constitution was changed for the first time in 1998. Despite strong objections from most other political parties and within the public

1. The 2,465 votes or 0.46 per cent that the CoD obtained more than the DTA should prove beyond doubt that—despite the same number of seats in the National Assembly—the CoD qualifies as the official opposition. Notwithstanding this, attempts were initiated to bypass this situation. The DTA and the UDF were prepared to assist SWAPO in this effort by entering a parliamentary coalition which was used to award them the status of official opposition. Common sense suggest no justification or rationale for such acrobatics, which take place at the expense of the legitimacy and credibility of the representatives of the political system in Namibia. Furthermore, such an arrangement made two opposition parties into active collaborators in the anti-democratic manoeuvres of the majority party in government.
2. See among the numerous reports on the different elections i.a. Commonwealth Secretariat (1995), Glover (2001), Keulder (1998 and 1999), Keulder, Nord and Emminghaus (2000), Kössler (1993), Lodge (2000), Simon (2000), Soiri (2001), The Electoral Commissions Forum of SADC Countries (1999), and Weiland (1995).
3. This equation is also suggested by the presentations of Tapscott, Weiland and du Pisani as documented in Forum for the Future (1999). See also Kössler and Melber (2001), Tapscott (1995 and 2001) and Weiland (1999).

sphere, SWAPO's elected representatives in both houses (the National Assembly and the National Council) adopted with the required two thirds majority the constitutional amendment allowing its President a third term as head of state. From a formal point of view, such policy interventions are legitimate and based on the mandate received through general elections by secret vote of all registered citizens. Such a move, however, despite its formal legitimacy ignoring and all the cautions that it might be perceived as the wrong signal, suggests that Namibia is not yet a sustainable democracy. In the same year (1998), the country joined in a war in the Congo as a result of the personally ordered intervention by the head of state. He is constitutionally entitled to undertake such a far-reaching single-handed initiative in the protection of the national security interest. However, its execution in this particular case raised the question whether there was the necessary urgent state of emergency. Indeed, this step was taken in total ignorance of the need to consult the elected political office bearers (and hence representatives of the people). Neither cabinet nor parliament was considered in the matter. During 1999, the failure of nation building in the Caprivi region became evident in an attempt at armed secession, which provoked a repressive response by state authorities and led to a new stage of national chauvinism (Hopwood 2000). From the end of 1999 onward, Namibian army forces were involved in military conflict with UNITA until its collapse after the death of Savimbi. This initiative turned parts of Namibia's own border areas into a low-key war zone, with serious sacrifices for the local civilian population.¹

Critical voices on these and other issues were labelled as unpatriotic. Loyalty to Namibia is equated with loyalty to SWAPO's policy and in particular the party's President. Dissenting views are marginalised. Nation building efforts take place at the expense of minorities. Gay-bashing and xenophobic sentiments are among the repertoire of the highest political office bearers, often combined with an 'anti-white' slant.² The independence of the judiciary is openly questioned when judges make unpopular decisions not favourable to the government's political will. SWAPO's newspaper attacks those not in line with what is considered (in a narrow sense) defined party policy, and party officials frequently articulate unconstitutional demands without being corrected by the leadership. Self-enrichment by higher ranking officials and politicians utilising their access to the state apparatus is tolerated at the expense of public morale (Kössler and Melber 2001) and illustrates the emergence of a new postcolonial class interest among the political elite (Tapscott 1995 and 2001).³

1. See for a summary of human rights abuses by state security forces in both Caprivi and Kavango between 1998 and 2000 the overview by Lamb (2002:35–37).
2. See for dominant perceptions, Áfreds (2000), Brynjúlfssdóttir (1998) and Melber (2000a and 2003a).
3. The current rent-seeking activities under the guise of Namibianisation of the fisheries sector is a particular case to illustrate the point that national wealth is privatised for the benefit of a privileged few instead of being utilised for the general good of the impoverished majority through redistribution via state revenue funds (cf., Melber 2003b). The issue of land redistribution (cf., Melber 2002c) is exploited for self-enrichment by higher ranking state officials and political office bearers too, as recent evidence suggests (see reports in *The Namibian*, 21 November 2002). An editorial on the matter critically concluded that certain officials 'in accordance with the unofficial policy of entitlement and cronyism, will ensure they get their farm, in addition to generous monthly salaries, and the other perks and benefits of affirmative action and black empowerment, such as fishing quota and mining concessions' (Lister 2002).

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John Saul (1999), based on this sobering reality questions whether decolonisation is 'Liberation without Democracy'. The track records of liberation movements with regard to their internal practices during wars of liberation, as well as their lack of democratic virtues and respect for the protection of human rights once in power are far from positive. Fighting against unjust systems of oppression that were rooted in totalitarian colonial rule of a minority, did not prevent liberation movements from resorting to internal oppression of the worst kind. As Lamb (2001:33) has put it with regard to SWAPO's violation of human rights in exile:

The international community turned a blind eye to human rights abuses, viewing the goal of Namibian independence as of greater importance. In particular, SWAPO had to be seen as morally superior to the South African security forces. This contributed to an environment in which human rights violators continued to act with impunity.¹

The result of such constraints is, at best, restricted permissiveness and scant receptiveness to criticism, especially within a public discourse. Non-conformity is associated with disloyalty, if not betrayal. The marginalisation, if not elimination, of dissent hence limits the capacity to reproduce the political system through constant modifications based on corrective innovations to the benefit of the public interest and the credibility and legitimacy of the system itself. The circle of political office-bearers tends to be restricted to those comrades who gained a reputation within and respected the display of personality structures in a command-and-obey system, not for their democratic convictions as independent-minded, autonomous individuals.

In the context of an appeasement strategy in the Southern African region, Namibia was the laboratory to test the scope of controlled change in South Africa too. The policy of national reconciliation reflected such pragmatic approach and also served the interests of the new government and previous liberators movement. With the notion of national reconciliation at hand, the liberators blocked any meaningful dialogue on the violation of human rights within their own ranks in the exile situation.² By doing so, they unintentionally—and in contrast to the approach adopted later by the ANC in South Africa—gave away their comparative advantage of being able to claim moral superiority as measured against the, by any standards, far larger atrocities committed by the apartheid regime.

More than a decade after independence, Namibia's political culture reveals some disturbing features. According to a recent survey among citizens of Lesotho, Mozambique, Namibia and Zimbabwe, only 57 per cent of interviewed Namibians (less than in the other countries) disagree that freedom of movement

1. For a detailed account by one of the victims of the mid-1970s wave of internal repression, see Nathanael (2002). More evidence of the more recent repressive stages in SWAPO's history is offered in the chapter by John Saul and Colin Leys to this volume.
2. A Media Statement by SWAPO 'on the so-called detainee issue' was issued on 12 March 1996 in reaction to the book by Groth, which a prominent SWAPO politician in a public speech suggested should be burnt. As the Statement argued, SWAPO 'cannot allow this country to be made ungovernable and be turned into a chaotic and lawless society by irresponsible, unpatriotic elements and foreign remnants (sic!) of fascism and apartheid'.

should be a basic human right that transcends national boundaries. Eighty per cent (more than in the other countries) shared the opinion that it is important for a country to define its borders as boundaries, which distinguish it from other states (Frayne and Pendleton 2000:16). A survey conducted at the turn of the century among six African countries (Mattes et al. 2000) ranks Namibia last in terms of public awareness of democracy. A summary of the report concludes with reference to Namibia and Nigeria, 'the consolidation of democracy is a distant prospect in both these countries' (Bratton and Mattes 2001:120). A survey by the Helen Suzman Foundation among six Southern African states produced another sobering result: Namibia was the only country in which a large majority would not accept the defeat of its party. It identified 'a complete collapse of confidence in the future', and finally noted that 'not much more than one third of respondents felt confident of democracy's future' (Johnson 1998). The most recent survey among Namibians aged 18 to 32 concludes: 'Namibia does not have sufficient young Democrats to make the consolidation of democracy a foregone conclusion' (Keulder and Spilker 2002:28).

Namibia and "The Pitfalls of National Consciousness"

The official responses from SWAPO and the Namibian government to the rigged presidential elections in Zimbabwe in early 2002 (see Melber 2002b) offer revealing evidence of the current state of mind of the country's political leadership. The Secretary General of SWAPO stated in a congratulatory message to the administrative secretary of ZANU-PF

On behalf of the leadership and the entire membership of SWAPO Party ... our elation over the resounding victory scored ...

Your party's triumph is indeed victory for Southern Africa in particular and the African continent at large. It is victory over neo-colonialism, imperialism and foreign sponsored puppetry. We in SWAPO Party knew quite well that despite imperialist intransigence and all round attempts by enemies of peace, democracy and the rule of law to influence the outcome of the elections in favour of neck-chained political stooges, people of Zimbabwe would not succumb an inch to external pressure. They spoke with one overwhelming voice to reject recolonization. Their verdict should, therefore, be respected unconditionally by both the external perpetrators of division and their hired local stooges, who have been parading themselves as democrats ...

As we join your great nation in celebrating this well deserved and indeed well earned victory over the forces of darkness and uncertainty, we wish to call upon the people of Zimbabwe to prove to the prophets of doom that they can do without their unholy blessing, through hard work. In the same vein, we call for unity of purpose among the African people as the only viable weapon to ward off outside influence."¹

Earlier on, the head of the Namibian election observer mission had already dismissed allegations of manipulation by ZANU-PF, by declaring that the system was 'water-tight without room for rigging' and that they 'are satisfied that an environment existed that enabled the people of Zimbabwe to exercise their dem-

1. SWAPO Party, Office of the Secretary General, Windhoek, letter dated 14 March 2002. Gwen Lister, the editor of an independent local daily newspaper commented on the message in her weekly column 'Political Perspective' under the title "The Stuff of Literature!" (*The Namibian*, Windhoek, 15 March 2002).

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ocratic right to elect a leader of their choice'.¹ While such a selective view seems unrealistic to the point of being irrational, such a dismissal ignores the inner logic of the attitudes and policies displayed not only by SWAPO, but also to a certain extent by other political office bearers of previous liberation movements. For them, the seizure of power signals in their understanding some sort of 'end of history'. Hence 'Mugabe's struggle to stay in power became a struggle for their own survival too. Supporting Zanu-PF was no longer just a matter of solidarity but of fundamental self-interest' (Johnson 2002). From this understanding it follows that a liberation movement should stay in power forever once it has succeeded in its anticolonial struggle:

The NLMs [national liberation movements] share what can only be termed a common theology. National liberation is both the just and historically necessary conclusion of the struggle between the people and the forces of racism and colonialism. This has two implications. First, the NLMs—whatever venal sins they may commit—are the righteous. They not merely represent the masses but in a sense they are the masses, and as such they cannot really be wrong. Secondly, according to the theology, their coming to power represents the end of a process. No further group can succeed them for that would mean that the masses, the forces of righteousness, had been overthrown. That, in turn, could only mean that the forces of racism and colonialism, after sulking in defeat and biding their time, had regrouped and launched a counter-attack. (Johnson 2002)

Namibia's head of state confirmed such a perception when he addressed the Namibia Public Workers Union (NAPWU) Congress and lectured the delegates about the necessity to fight Western imperialism and decay on all fronts:

Today it is Zimbabwe, tomorrow it is Namibia or any other country. We must unite and support Zimbabwe. We cannot allow imperialism to take over our continent again. We must defend ourselves ... In Namibia, we will not allow these lesbians and gays. We fought the liberation struggle without that. We do not need it in our country. We have whites who are Namibians, but they must remember they have no right to force their culture on anyone. If they are lesbian, they can do it at home, but not show it in public. I warn you as workers not to allow homosexuality. Africa will be destroyed.²

At the World Summit for Sustainable Development (WSSD) in Johannesburg in early September 2002 he blamed the British Prime Minister personally for the situation in Zimbabwe and went on: "We are equal to Europe and if you don't think that, then to hell with you. You can keep your money. We will develop our Africa without your money". Upon his return from Johannesburg he told his newly appointed Prime Minister and Foreign Minister:³

1. Quoted from *This Day*, Lagos, 15 March, 2002 (<http://allafrica.com/stories/200203150013.html>). Kaire Mbuende, the head of the Namibian observer mission, had previously been SADC Executive Secretary and has since then been appointed as Deputy Minister of Foreign Affairs. The editorial of *The Zimbabwe Independent* (Harare, 15 March 2002) described his statement as 'manifestly deceitful opinion' (<http://allafrica.com/stories/200203150187.html>).
2. Quoted in *The Namibian*, Windhoek, 19 August 2002.
3. To the complete surprise of everyone, the head of state had at the end of August 2002—obviously in response to some internal party differences over his own preferences—removed the Prime Minister from office and used the subsequent re-shuffle to appoint himself as the Minister of Information and Broadcasting (*The Namibian*, Windhoek, 28 August 2002). His following actions included instructions to the Namibian Broadcasting Company (NBC) to stop broadcasting foreign films and programmes that have a bad influence and to show films that portray Namibia in a positive light instead (*The Namibian*, Windhoek, 1 October 2002). In early May 2003, the President in another surprise move, abandoned the Ministry of Information again and transferred it as part of a wider re-shuffle—in what was considered to be a demotion—to the former Minister of Finance (*The Namibian*, Windhoek, 9 May 2003).

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I told them off. We are tired of insults (from) these people. I told them they can keep their money ... that these political good governance, human rights, lesbians, etc, that they want to impose on our culture, they must keep those things in Europe.”¹

Several weeks later, he lectured a journalist representing a widely read newspaper in Germany:

If you whites continue with arrogance, surely we will hit you! We will have the capacity to deal with you. Don’t rubbish our situation, we have the capacity to deal with you. You killed our people in this country—do you think we will just forget? And you write nonsense! If you don’t stop that, we will deal with you directly!²

Such pseudo-revolutionary rhetoric is in direct line with the mindset articulated in the President’s biography (Nujoma 2001). It goes hand in hand with the government’s currently dismissive attitude towards the notion of ‘good governance’ and the proposed peer review within NEPAD, the ‘New Partnership for Africa’s Development’ (cf., Melber 2003c). Prime Minister Theo-Ben Gurirab recently demanded that NEPAD confine itself strictly to economic matters and leave political issues to the African Union. According to him, NEPAD had ‘no business dealing with political, security and conflict resolution issues’ and he consigned its Peer Review Mechanism (PRM) ‘to the dustbin of history as a sham. I see it as a misleading new name for the old, discredited, structural adjustment fiasco ... Neo-colonialism—which is what the PRM is—is a killer disease: we must run away from it.’³

Along similar lines, the Minister of Agriculture warned, ‘Nepad should not be used as a political tool to demand human rights, democracy and other unnecessary conditions by the developed world’.⁴ One is tempted to ask why human rights and democracy are considered unnecessary, especially given that the country’s constitution bases its core values on exactly these notions and concepts, values and norms.⁵

More than forty years ago Frantz Fanon had already expressed in his revolutionary manifesto, *The Wretched of the Earth*, disgust for the emerging new elites he witnessed in independent (West) African countries. In a chapter entitled “The Pitfalls of National Consciousness” (Fanon 2002), he demonstrated that the pseudo-revolutionary rhetoric of the representatives of new state power was a misleading façade. His scathing attacks on a new hegemonic nationalist elite project, with its particular blend of populist nation building, questioned the extent of meaningful social change for the majority of the previously underprivileged colonised population in the wake of decolonisation. In contrast to the

1. Quoted from reports in *The Namibian*, Windhoek, 3 and 4 September 2002. The President made similar statements the same day in an interview with the BBC, broadcast worldwide (see *ibid.*).
2. Published in full in *The Namibian*, Windhoek, 9 December 2002. The interview appeared in a German version in *Die Welt*, 2 December 2002 as well as the local Windhoek daily *Allgemeine Zeitung*. Parts of the recorded talk were broadcast several times on national Namibian television as a news item and documentary.
3. Quoted from *The Namibian*, Windhoek, 7 April 2003. In another public statement shortly afterwards, ‘he warned of those trying to hijack and expropriate the ideals of Africa’s economic recovery programme, Nepad ... in exchange for funding’ (*The Namibian*, Windhoek, 13 May 2003).
4. Quoted in *The Namibian*, Windhoek, 15 April 2003.
5. See for critical comments on the emerging NEPAD-bashing tendencies, Gwen Lister’s commentary ‘Time Will Tell Who Commits’ (*The Namibian*, Windhoek, 17 April 2003) and my opinion article ‘Who is Afraid of Nepad?’ (*The Namibian*, Windhoek, 25 April 2003).

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settler colonialism endured for so many decades under the apartheid regime, the sovereign Republic of Namibia in its present state has, despite many shortcomings, much to offer most of its people. But it also fails to meet some of the more substantive and essential original ideals, ambitions and aims that were once articulated by the same social forces and their leaders who now exercise political power. During the liberation struggle, these leaders spearheaded the demands for human rights and dignity, social equality and a marked improvement in the living conditions of all Namibians. Measured against their own postulates, they were not always up to standard even then, and as the contributions to this volume illustrate, the indications are that their commitment and performance today also falls short in several respects.

Voices in the Liberation Struggle

Discourse and Ideology in the SWAPO Exile Media

William Heuva

This chapter discusses the character and content of the publications put out by the South West Africa People's Organisation (SWAPO) in exile. It highlights the ideologically charged messages carried in these publications.¹ SWAPO put out a number of publications in exile, which, according to Mwase (1988), had served as 'principle medium of agitation politics and instruments for the inculcation of the nationalist sentiments'. Some of these publications were produced under the auspices of the Department of Information and Publicity (DIP), while others were put out by the SWAPO Youth League (SYL), the SWAPO Women's Council (SWC) and by the armed wing, the People's Liberation Army of Namibia (PLAN). At home, the Windhoek head office published a newsletter, called *Ombuze ya Namibia*, during the late 1970s. When this office was closed down in 1979 because of repression and harassment by the authorities, an underground publication called *Nananab* was clandestinely produced by the militant youth reserves in the country. Other SWAPO publications were produced by its twenty-odd missions abroad and were specifically aimed at galvanising international support. In addition, international pressure groups such as the Anti-Apartheid Movement, as well as the United Nations Council for Namibia produced specialised publications that contributed to the popularisation of the Namibian cause.

SWAPO's first publication in exile, called *Solidarity*, was produced in Cairo, Egypt, in the early 1960s. It was launched with financial support from the Egyptian government. *Solidarity* was followed in 1967 by *Namibia Today*, first published in Tanzania, but later in Zambia. *Namibia Today* was the first SWAPO publication abroad to be funded from the movement's own resources. This publication was first called *South West Africa Today* and then *Namib Today*, before it was eventually renamed *Namibia Today*. Andreas Shipanga, then SWAPO Secretary of Information and Publicity, edited the first editions. *Namibia Today* was brought to Windhoek in 1989 and relaunched as a biweekly newspaper

1. This work forms part of my research into the Namibian print media (Heuva, 1992). For further related studies, see also Heuva 1993 and 2001. I thank Werner Hillebrecht and Jean Sutherland for offering me access to their private collections of SWAPO publications. Interviews were conducted (and used in this text) between November 1991 and July 1992 with the following persons (with their position in 2002): Nahas Angula, Minister of High Education, Science and Technology and Employment Creation; Tuli Hiveluah, Permanent Secretary, Ministry of Works, Transport and Communication; Pendukeni Ithana, Attorney General; Andreas Shipanga, retired politician; Mvula Ya-Nagolo, Feature Editor, Namibia Press Agency (Nampa).

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during the internationally supervised elections that led to the independence of Namibia. It has since been reactivated and is currently published as the party's weekly newspaper. Other important publications were the DIP's *Swapo Information Bulletin* (SIB) and the London office's *Namibia News*. The name of the latter publication changed several times—sometimes to *Kalahari News*—in order to evade the colonial police, since all SWAPO publications were banned inside Namibia.

Own Liberators

The SYL's *Namibian Youth* was established in the mid-1970s as a tool for 'propagating and agitating the ideals and objectives' of the youth movement. But, by 1979, SYL was experiencing financial difficulties. As it could not afford to print the magazine, it concluded an agreement with the youth of the then German Democratic Republic. The East German youth, according to the agreement, rendered 'technical and financial' support to SYL for the production of the magazine. They also took the responsibility for distributing the magazine in Europe. Like all other SWAPO publications, the *Namibian Youth* was 'smuggled' into the country by cadres of the armed wing. Despite the banning of SWAPO publications, *Namibian Youth* was 'quite available in a number of circles' inside the country. *Namibian Youth* covered issues related to politics and the armed struggle and featured articles on education, environmental protection, geography and the history of Namibia.

Tuli Hiveluah emphasised that the Youth League was the 'transmission belt of Swapo ideology' and the magazine was, therefore, a 'useful tool in the propagation of the ideology' of the mother body. He adds that with any youth movement formed on the basis of the political persuasion of the mother party, there 'will always be a certain ideological persuasion to follow'.

Our first ideological persuasion was to consistently fight against the system of colonialism and discrimination and to replace it with a system based on the wishes the Namibian people. Furthermore, Swapo ideology was internationalist in character, which was associated with [the] world workers movement. This particular ideological persuasion has helped the movement to solicit support from [the] international community, and from countries that embrace values of democratic principles. (Hiveluah interview)

However, SWAPO's 'basic point of departure' was that only Namibians could dislodge themselves from colonialism: international support could complement but not replace the struggle by the Namibian people themselves. Nevertheless, it was international support, both moral and material, that made the Namibian struggle possible. Thus, international support was a 'key concept in the lexicon' of the liberation movement with 'profound meaning' (Hiveluah interview). The movement, in one of the editorials of the *Swapo Information Bulletin*, unequivocally emphasises this point:

Our people know and are daily being made aware that while the brunt of the political and an armed struggle to liberate Namibia is being waged by the Namibian people themselves; it is the all-round and active support of the progressive, democratic and justice-upholding forces of the world which gives substance to our struggle. This support includes moral as-

stance (approval and admiration of the struggle and monolithic alignment with it) and direct material assistance. (SIB, April 1983:3)

Soliciting international support was one of the main aims and functions of SWAPO's publications. Most newsletters were published in English and distributed in foreign countries as a method of informing the international community about the situation in the country and as a tool for canvassing moral and material support. *Namibian Youth* was published in English, as well. It was produced in Europe and did not carry articles in the vernaculars. The Youth League, however, in addition to the magazine, issued pamphlets in different languages (Hive-luah interview).

Gender and the Struggle

The SWC's quarterly magazine *Namibian Woman* was launched in December 1984 as an organ through which women could 'send out voices' to the international community and to the rank and file in the settlements in exile and at home (Ithana interview). The first edition came out as a six-month workshop project sponsored by a Finnish donor agency to teach exiled Namibian women journalistic skills.

According to Pendukeni Ithana, then secretary of the SWC, the magazine was established because women did not get 'prominence' in the movement's publications. Women needed more than just the 'few pages' that were allocated to them and their issues in other SWAPO publications, according to Ithana. The magazine focused on women in the settlements (in exile) and psychologically prepared them for the hardships in those settlements. It also elicited a 'spirit of sacrifice' for the sake of the liberation of the country. It kept its readers abreast of issues, such as the developments on the battlefield and in the political and diplomatic arenas.

Other generally stated aims of the magazine were articulated in its second edition as follows:

Namibian Woman ... will not only serve as a mouthpiece for the Namibian women, but will at the same time help explain the national liberation struggle Swapo is waging and the very important role [that the] Swapo Women Council (SWC) is playing in its execution. It will help the SWC to mobilize women at home and abroad by raising issues pertinent to their future perspective in a free and independent Namibia. Furthermore, the magazine will help to marshal international support for the struggle of the Namibian people in general and that of women in particular. It will further function as a communication link, affording clearly their position and plight to the world at large. (No. 2, February 1988:4)

In addition, and contrary to other SWAPO publications, this magazine advocated a discourse of 'women's emancipation'. The magazine noted on this contested issue:

The struggle for national liberation is dialectically linked with the struggle for women's emancipation. The two struggles cannot be separated. However, it is an illusion to assume that with the achievement of national independence the problem of the women will automatically be solved. That is why it is imperative now to create awareness among both men and female Namibians to appreciate and fathom the extent of the problem pertaining to

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the liberation of the women and men, from old ways of thinking and doing things, to the new social and political order, which all patriotic Namibians are fighting for. (ibid.)

This issue of women's emancipation was the 'vocal point' of the magazine, according to Ithana, since it was a 'hard struggle' to convince men about the importance of women's emancipation. In the beginning, it was difficult to persuade men in the SWAPO leadership that their emancipation was not a 'type of European feminism' and that they were not fighting 'against nature'. Ithana added they were accused of luring women into 'lesbianism' and teaching them to hate men. She emphasised, however, that:

We were talking about things that happen in people's lives on daily basis ... We were not advocating women to marry each other or ... but for women to have equal rights with men, in terms of employment, salaries, benefits and all other things that is possible and practical ... We managed to clear these from the minds of men and women too. (Ithana interview)

In an article titled "Women in the Liberation Struggle", *Namibian Woman* maintained that 'fighters of new and just social order' were recognising the importance of women in the 'ideological struggle against the old social order of oppression and exploitation of man by man' (No.2, 1988:5). The article continued to argue that the first step in the direction of greater women's emancipation was 'ideological groundwork to create national consciousness', which would be collective, human and based on 'humanistic reasoning rather than on power and muscle flexing' (ibid.).

In the context of Swapo, this means that our women and men should live out the precepts of our Constitution and Political Programme. Presently, we are far from being faithful to those documents in this context. Any other approach is false. It is bound to be counter-productive and destructive. (ibid., p. 6)

The article noted in conclusion that national independence without the emancipation of women was a 'job half-done'. It called for the emancipation of women to go 'hand-in-hand with the re-education of men'. That, it said, was important if 'misunderstandings' were to be avoided (ibid.).

When the prospect of negotiated settlement came into view, *Namibian Woman* joined other publications in the election mobilisation. It stressed that women could play a 'decisive role in the coming election and determining the future government' since more than half of Namibia's population were women. The magazine urged women to be 'extra vigilant against intrigues'. In one of the last issues before it ceased to exist, *Namibian Woman* noted:

We must mobilize our communities, fellow women, husband, brothers and fellow workers to support the national liberation movement—Swapo. The long struggle must be crowned with victory at the polling booths ... In 1989, the Namibian women are called upon to rise to the occasion and take that decisive and historic action that will once and for all smash that chain of slavery that shackles us today. 1989 must witness the Namibian women's power. That power lies in all women voting for Swapo in order to finally liberate our country. (No. 5, December 1988:5)

Ideological Mobilisation

The Combatant was perhaps the most outspoken and articulate on the movement's strategies and ideology of all SWAPO's publications. It was established in 1979 as the official organ of the military wing, PLAN. It assumed the same format as other publications and carried a variety of news genres in addition to the editorial, including articles on development within the country and on the international scene, reports on functions, life and activities of the armed combatants, a "Readers' Corner", which contained political education articles as well as letters and poems dedicated to the country, the liberation struggle and to those who fell in the course of the struggle.

The introduction to the first edition noted that the magazine was launched by the PLAN leadership with the aim to assuage the 'disillusionment' of the Namibian people caused by 'daily misleading and bombarding bourgeois news media' (*The Combatant*, Vol. 1, No. 1, 1979:1). In addition, the edition noted that the magazine would record activities 'of the people directly involved in the war of the liberation struggle'. It was to carry 'academic lessons' on SWAPO, as well as 'political and military lessons'. The magazine saw its task as, among other things, to educate 'our young revolutionaries by acquainting them with the realities of the past historical events so as to enable them to cope with the present and future arduous tasks and conditions of the struggle' (ibid., pp. 2, 3).

Four years after its establishment, the magazine claimed it was launched at 'a time the movement intensified and consolidated its political and military offensive against the regime of illegal occupation in our country'. As a result of that 'intensification', it argued that:

... The racist appraisers [sic!] and usurpers, as usual helped by the hostile press in the West, launched a defamatory offensive against Swapo, its military wing (PLAN) and the Namibian people. In these circumstances it became essential for Plan to create its own mouthpiece to explain the task of the revolution in general in order to counteract the flood of lies and slander against our revolution, our people, and our political vanguard, Swapo. (*The Combatant*, August 1983:10)

As the majority (estimated at 90%) of PLAN combatants consisted of youth, the magazine addressed this group in a number of its columns. It carried education articles that were specifically aimed at them. In an article entitled, "Tasks of Revolutionary Youth", the message to the youth was lucid and unambiguous: that they had a 'responsibility assigned to them by history', namely to 'deliver the nation from colonial bondage' (*The Combatant*, June 1988:16). The youth, according to the article, was the 'transmitting belt' of SWAPO's policy and ideology and should, therefore, 'espouse a liberating political ideology'. The youth should, furthermore, be organised and mobilised for 'practical activities', the most notable of which was the 'prosecution of the armed struggle' (ibid., p. 17). *The Combatant* argues that ideology offered a 'coherent explanation' of why one form of organising society was preferred to another, and adds that all social, political and economic actions should be 'justified in ideology':

Ideology stipulates preferred values. Capitalists embrace liberalism as an ideology because it justifies capitalism, imperialism and colonialism. Indirectly it justifies racism and apart-

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heid, because they facilitate exploitation and the earning of super-profits. Because of super-profits, capitalist countries will only issue pious statements against apartheid but will never take practical action to end the system. (ibid., pp. 17, 18)

It was because of the 'collective experience of oppression and exploitation' of Namibians that SWAPO rejected capitalism and embraced an ideology 'which offers the people all that they had been denied under colonialism'.

Besides political independence, Swapo wishes to see a classless, non-exploitative society based on the ideas and principles of scientific socialism. The ideology of a classless society at once defines elements that must be part of the present national liberation struggle if the vision of a society free of oppression and exploitation is to be realized. (ibid., p. 18)

Elaborating on the reasons SWAPO took up arms, *The Combatant* said theirs was a fight against the present social system based on 'injustice and degradation'. SWAPO wanted to bring about 'favourable conditions in a liberated Namibia under which unity can be consolidated; peaceful labour of our people can be enhanced and the general all-round development can be realised in an atmosphere of peace, dignity and social progress' (*The Combatant*, November 1982:19). It noted further that,

The national war of liberation in Namibia has never and will never, therefore, mean [a] fight against the innocent Namibian civilians as widely speculated by the racist regime of South Africa, which can only be described as an ill intended instrument of propaganda campaign against Swapo. When we decided to take up arms to fight for the national liberation of our motherland, then we are referred to as terrorist instead of liberators. (ibid., p. 21)

Countering the Enemy's Struggle for 'Hearts and Minds'

The *Swapo Information Bulletin* (SIB) was published by SWAPO's DIP at its provisional headquarters in Luanda, Angola. The news genres of this 32-page journal were persistent and consisted of an 'editorial review', a 'war communique' (which recorded developments on the battlefield), poems, news items and press statements issued by the National Executive Committee and Central Committee members of SWAPO. The January editions always carried the SWAPO presidential 'New Year Message'. This was also broadcast by the *Voice of Namibia* (VON), which was beamed from six African countries (Riddle 1991). The inside on the back page of *SIB* carried times and frequencies, so that people could know when and where to tune into VON, while the back page itself carried addresses of SWAPO missions abroad.

SWAPO publications sought to challenge the South Africa ideological war, by analysing and exposing it (see Heuva 1992 and 1993). This was done on a continual basis. One of the *SIB*'s editorial reviews specifically focused on South Africa's 'winning the hearts and minds campaign'. It argued that South Africa was spending 'hundreds of thousands of Rands in winning the hearts and minds of the oppressed black Namibians'. In this campaign South Africa was said to have created a 'pseudo-cultural unit' in the northern part of the country. The unit, which was part of the military and headed by 'a white commander' of the SADF was variously known as 'Etango' (Sun) in Owambo, 'Ezuva' in Okavango

and 'Namwi' in the Caprivi region. The unit, according to *SIB*, conducted 'fake Bible studies' based on 'crude anti-Swapo lies', and travelled around rural areas in military vehicles showing 'vulgar films' (*SIB*, January 1987:3).

It also 'entertains' its captive audiences (mainly unemployed and poverty-stricken black youth) with sensuous disco music which appeals to the basest sentiments. The purpose of all this is to dull the Namibian youth's sensitivity to oppression and injustices and thereby divert their attention away from the current struggle for liberation in Namibia. (ibid.)

The editorial further said that South Africa tied bodies of 'murdered suspects' to the wheels of military vehicles and paraded them around rural towns and villages (see Heuva 2001). It goes on to say that people were summoned by the 'racist psychopaths of the occupationist army to such sordid scenes of desecration of human corpses and asked to view "their Swapos". The movement argues that the pursuit of 'such a strange mixture of brute terror against cheap propaganda courtship' of the Namibian people by SADF underlined the 'serious dilemma' that faced South Africa.

The regime knows that its apartheid colonialism in Namibia has, of necessity, to be maintained by the use of brute force. But, at the same time, it recognizes that brute force alone is no longer sufficient to sustain that colonialism in Namibia. Hence the attempt at 'winning the hearts and minds'. (ibid., p. 4)

Nahas Angula, some time Secretary of Information of SWAPO, argues that the struggle for 'hearts and minds' was between democracy and oppression. South Africa used 'excessive violence', while at the same time it tried to 'win the hearts and minds' of the population and that that 'alienated the people'. He adds that unless one got the support of the people there was no way one could win against a guerrilla movement, since the guerrillas had the support of the people. Angula further noted:

... but amidst all the things, the word of justice and freedom were more powerful and, eventually, they [SA] lost everything because as long as you are using force, as long as you are careless and don't care about human lives and their properties, while at the same time you claim to care for democracy, people won't believe you. That is why they lost despite that they had powerful means to disseminate disinformation. Their actions were louder than what they were saying. (Angula interview)

The role of the 'colonial press' had been under constant attack. The 'colonial press', according to SWAPO, did not reflect the 'scope and depth' of the interests of the Namibians, as its news reports stood for the 'deception and depression of their aspirations'. It was further seen as 'a tool of the government' in the process of winning the hearts and minds of the people, and in justifying its 'cold-blooded murder of the defenceless Namibians' (*The Combatant*, April 1986:28). SWAPO publications were also critical of 'internal settlement schemes' such as the 'interim government of national unity'. The *SIB* in one of its editorials, noted that since 1978, South Africa 'has been experimenting with a host of colonial schemes to cobble together some kind of a political alternative to Swapo' (*SIB*, February 1987:3).

The fundamental point which Pretoria and its puppets in Namibia must, however, grab is that the path of 'internal' or UDI solution is actually a dead-end street. No solution that

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ignores the genuine aspirations of the Namibian people, as represented by Swapo, can have any chance of success. (ibid., p. 4)

SWAPO's official mouthpiece, *Namibia Today*, carried almost the same type of articles as the others above. In one of its editions, the journal argued that as an 'official party organ', it reflected the wishes of the Namibian people's struggle for freedom, led by SWAPO' (*Namibia Today*, January 1977:3). The journal further claimed to 'speak for the people' by reflecting the situation as it developed in the country, on the battlefield and on the international scene. As an official mouthpiece of the movement, it covered and explained issues pertaining to the policy of the movement. It carried educational and informative material. An article, entitled, "Towards National Democratic Revolution: Perspective on Stages of the Namibian Revolution" noted at one point:

The issue of placing power in the hands of the people has been central to policy decision in our movement. Thus, there has been a deep commitment on the part of Swapo leadership, to consistently follow a democratic style of work in our liberation activity. (*Namibia Today*, January 1982:24)

It also acknowledges the existence of the different ethnic communities in the country and emphasises the need to unite these different groups. On language policy, it stated:

For Swapo, a democratic solution to the national question entails above all mutual respect for every ethnic group, its language, culture and traditions; and while adopting English as the working official language and arguing in favour of giving every Namibian an opportunity to learn that language, our movement has eschewed all forms of infringement upon the languages and cultural traditions of any of the ethnic groups of our country. (ibid., p. 25)

Disseminating 'Reality'

In addition to the above publications, SWAPO set up a news agency, the Namibian Press Association (Nampa) in November 1987. This step was dictated by the necessity to facilitate the widest possible dissemination of news and information and, therefore, 'lift the veil of secrecy' under which South African activities were conducted within the country. The movement felt that the world media, especially the Western media, neglected the Namibian issue as 'it did not receive the coverage it deserved' (*SIB*, November 1987:15).

Former SWAPO Secretary General, and current Minister of Prisons and Correctional Services, Andimba Toivo ya Toivo, stated at the launch of Nampa:

... [It was] against this background of the blanked news and information blackout and the conspiracy of silence by the western media that Swapo has decided to go on an information offensive ... We have taken steps to establish Nampa in order to penetrate the world media with the view to pushing Namibia to the front pages of the world press and to ensure that it gets the air and prime time it deserves. Nampa will, we believe, enable us to quickly, more efficiently and timely, reach the greater part of the world media with the correct up-to-date and legitimate side of the Namibian story. (ibid., p. 15)

Nampa was based at the SWAPO provisional headquarters in Luanda, but planned to have reporters inside the country and war correspondents attached

to PLAN, according to Ya Toivo. In addition, it was decided to have a 'global information network of stringers', of whom some could be attached to SWAPO representative missions abroad as well as setting up bureaus in different parts of the world (ibid.).

The birth of Nampa was, according to former SWAPO Secretary of Information and Publicity, Hidipo Hamutenya (since August 2002 Namibia's Foreign Minister) crucial, because the movement considered it to be a significant point in 'the battle of the hearts and minds of our people regarding the colonial conflict in Namibia and world public at large' (ibid.). After independence Nampa was relaunched as the government's official news agency, the Namibian News Agency, to become a fully fledged commercialised parastatal (state-owned company).¹

Conclusion

The SWAPO media enable us to grasp the 'craftsmanship' of SWAPO's activities in ideological constructions of powerful messages, which aimed at the creation of counter-hegemony. The ideological and political mobilisation function of SWAPO's media was not exclusively directed at party members and followers. It also aimed at canvassing support from the international community, which was crucial to the continuance of the liberation struggle. International public opinion needed to be mobilised against continued South African occupation of the country. Moral and material support could also be canvassed for the liberation cause, and members and supporters needed to be informed on the progress of the struggle from time to time.

The SWAPO media also highlighted, analysed and criticised the colonial government's strategies and manoeuvres, including attempts to create 'internal settlements'. In addition, the SWAPO media served as channels through which party policies and ideology could be transmitted. They served as a platform from which political activists could address issues critical to the liberation struggle and to the future of the country. To what extent the message, its rhetoric and ideology has been transformed, modified or maintained, is a question to be measured and ultimately answered in the context of postcolonial political culture and socioeconomic transformation.

1. See Republic of Namibia, *Namibia Press Agency Act*, 1992 (Act No. 3 of 1992). This objective was only achieved in 2001, when Nampa acquired the status of a parastatal. The financial viability and competitiveness of the agency, however, leaves much to be desired. The Auditor General's Report of 1999/2000 stated that the agency received N\$6 million in state subsidies during the year, but generated income of only N\$1 million. This dilemma faces a number of the country's state-owned enterprises (SOEs). Nampa and others are seen as a 'burden' on the state, and can be considered as targets for the neo-liberal state policy of privatisation. Under these global-capitalism driven privatisation projects, SOEs providing public service are not given special consideration, for information is no longer a public good, but a commodity. This is the danger facing all the public information and communication institutions in the 'information age'.

Between Liberation Struggle and Constitutionalism

Namibia and Zimbabwe

Sufian Hemed Bukurura

I would say that the whole life of any thinking African in this country is driven continuously to a conflict between his conscience on the one hand and the law on the other...The law as it is applied, the law as it has been developed over a long period of history, and especially the law as it is written by the Nationalist Government is law which in our view is immoral, unjust and intolerable. Our consciences dictate that we must protest against it, that we must oppose it and that we must attempt to alter it. (*Nelson Mandela 1962*)

My Lords,

We find ourselves here in a foreign country, convicted under laws made by people whom we have always considered as foreigners. We find ourselves tried by a Judge who is not our countryman and who has not shared our background.

You, my Lord, decided that you had the right to try us, because your Parliament gave you that right. That ruling has not and could not have changed our feelings. We are Namibians and not South Africans. We do not know, and will not in future, recognise your right to govern us; to make laws for us in which we had no say, to treat our country as if it were your property and us as if you were our masters. We have always regarded South Africa as an intruder in our country.

(...) I was not, and could not remain a spectator in the struggle of my people for their freedom. I am a loyal Namibian and could not betray my people to their enemies. I admit that I decided to assist those who had taken up arms. I know that the struggle will be long and bitter. I know that my people will wage that struggle, whatever the cost. (*Herman Toivo ja Toivo 1968*)

If you must break the law: do it to seize power; in all other times observe it. (*Julius Caesar*)

Namibia's and Zimbabwe's independence in 1990 and 1980 respectively came about after years of bitter liberation struggles against colonial tyranny, injustice, unfairness and discrimination. All those who were persecuted under colonialism and apartheid, either for leading the struggle or for being involved and supporting it, or by leading their lives under it, felt vindicated that the struggle was for a just cause and was worthy of engaging in. Injustice, unfairness and discrimination, however, did not necessarily end.

Whereas Zimbabwe achieved its independence through a bilateral agreement between itself and its former colonial ruler, Britain, under the Lancaster House process, Namibia's independence came about under a multilateral process involving the United Nations (Weiland and Braham 1994). The two processes

were not only different, but the results achieved through them led to significantly different norms and institutional arrangements. These differences notwithstanding, there are significant similarities too. Both countries are not only proud of having constitutional governments, they also have constitutional protection for individual human rights. Both are legitimate members of the global village and are, therefore, subject to international standards and its consequent pressures.

This chapter examines some of the confusions and predicaments related to constitutionalism against the background of a liberation struggle. These confusions are located in the differences in fundamentals that inform both liberation struggle and constitutionalism. On the one hand, liberation struggle was predicated on defiance of colonial authority and the laws on which it was based. On the other hand, however, constitutionalism is anchored on respect for the rule of law and constitutional limits of power. Put differently, liberation struggle was based on deliberate and concerted violation of law, with confrontation being the basic strategy. Constitutionalism, for its part, depends on adherence to law and the limits it imposes, where tolerance and compromise are the basic methods. Looking at it from the unity of opposite points of view, one could even say that inviting tolerance and compromise into the liberation process might have undermined the struggle against colonialism, and political independence could probably have taken longer to achieve. In the same vein, if confrontation and intolerance were to become component parts of constitutionalism, social diversity and pluralism would struggle to flourish.

These are significant differences that need to be recognised and kept in mind when addressing the issue of post-independence governance. It cannot be over-emphasised that justice and fairness are not necessarily fully achieved through political independence. Tyranny, injustice and unfairness can develop and grow even after independence. Those in power, and society at large, need to recognise and, consequently, safeguard and nurture mechanisms capable of dealing with competing interests without causing undue frustration. In this respect, one needs to be aware that the principle aim of constitutionalism is predicated on fairness. Blatant disregard of constitutionalism has not only direct and immediate consequences, it also amounts to sowing the seeds of discontent among their citizenry in the long term.

Confusion and Confusing Signals: Some Examples

Irrespective of who is in power, power of necessity requires the mediating of many competing interests, and involves striking delicate balances. The realities of governing the country bring to light areas in which those in power, and those being governed, are confused about the changes brought about by political independence (and constitutionalism). There are many dimensions of confusion and confusing signals, only two of which are highlighted here. First, there are public utterances and actions that are confusing, and that may, in the long run, be dangerous to constitutionalism. Of the many statements made and actions taken by people in positions of power or influence, only brief sketches of a few

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are given as illustrations. Secondly, there are confusing signals arising from the background within which law and legal institutions in general, and judicial officers in particular, operate. Confusions arising from the second dimension are outlined in the second part of the paper. Although confusions from the two facets may be different in scope and intensity, they appear to lead to some sort of related consequences regarding the purpose and usefulness of constitutionalism, to which we will turn in the third part.

Zimbabwe

Observers of political developments in Zimbabwe suggest that at independence there were grave concerns regarding Mugabe's Marxist rhetoric. The concerns were dispelled when, contrary to expectations, Mugabe openly invited his former enemies not only to stay and build the nation, but also assured them that his government would do everything possible to make sure that they stayed (Blair 2000). As noted from events of recent years, the strong language of the liberation struggle is back, and so are calls for another *Chimurenga*.

In his evaluation of the Zimbabwe situation, Justice Antony Gubbay (2001) has identified two phases of the way in which leaders of the country responded to judicial decisions. In the first phase (1980–90), government was inclined to disregard court orders related to the release of detainees and the payment of damages to victims of human rights violations. Phase two (1991–2000), on the other hand, saw the constitution being amended either to lessen government obligations with respect to human rights, or overrule court decisions that pronounced on human rights violations and granted particular remedies (see also Rowland 1994).

In addition to changes made to the constitution, statements and pronouncements that send confused signals (and seem to carry dangerous messages amounting to violation of law) have been made. Leaders and opinion makers have not only made comments within the national borders, but some statements and counsel have even been available for export. The extreme manifestation of this is from Zimbabwe to Namibia. His Excellency President Robert Mugabe thought it prudent for Namibians to learn from their Zimbabwean counterparts. Mugabe called upon Namibians to invade white-owned farms. 'Do it our way', President Robert Mugabe said in his speech at the opening of Cresta Lodge in the northern part of Namibia. According to a newspaper report,

... President Robert Mugabe says landless Namibians and South Africans should emulate the example of his country and forcibly claim back their land if white farmers are not prepared to give land to the indigenous people.

Addressing an Africa Day rally at Ondangwa in the North yesterday, Mugabe said Zimbabweans had refused to continue to be ruled by foreigners—'that is why you hear that Zimbabweans are taking back their land'.

'We want our land back now and we are going to get it now', he said.

Between Liberation Struggle and Constitutionalism

Commenting on the possibility that the land hungry in Namibia and South Africa, which also have a skewed pattern of land distribution, could copy the land grab in Zimbabwe, Mugabe said: 'If the other neighbouring countries have problems similar to the ones we have encountered, why not apply the same solution as Zimbabwe. It is a simple solution'.

The Zimbabwean leader's electrifying address was punctuated by loud applause from a sizeable crowd. Also at the gathering were his Namibian counterpart, Sam Nujoma, several cabinet ministers and other high-ranking Government officials.

'If they (the white commercial farmers) are ready to discuss with you and give land then there is no need for a fight ... But in Zimbabwe the British are not ready and we are making them ready now', Mugabe said.

He added that if foreigners occupying huge tracts of land in Zimbabwe, Namibia and South Africa were not ready to share they should be made to remember that the landless people were prepared to go back to war for the land.

'What we did yesterday we can still do today', Mugabe said to loud applause.

He said landless Namibians should not accept 'No' for an answer from those occupying vast lands in the country. 'A boyfriend can accept a NO from a girlfriend but a freedom fighter can never accept a NO from an imperialist', Mugabe said.

Namibians and Zimbabweans should be prepared to knock down whatever stood in their way as they worked towards total emancipation, the Zimbabwean leader added.

Namibians and Zimbabweans should remember that 'the enemy we defeated is still there and planning to reverse the gains we have achieved through independence'.

Colonial powers continued to use their economic strength to fight their former colonies which had still not attained economic independence, he said.¹

Such statements border close on inciting public violence, an offence some journalists have been charged with in Zimbabwe in recent times. Most recently, President Mugabe, at his presidential inauguration, revealed his defiance of international opinion in the following words:

Beyond our borders, our country has in recent years attracted a good deal of international attention, most of which has been extremely negative and quite hostile. Indeed it could even be said, colloquially, that Zimbabwe or Mugabe-bashing has become an obsessive compulsion in certain circles abroad, but especially in Britain, and in particular in No. 10 Downing Street.

But this is our country. That message has not been accepted in Britain, that Zimbabwe is for Zimbabweans first and foremost. It is our land, our land, Sir Mr. Blair. We have no ambition to possess any piece of land in Britain, none at all, none at all.

It is greatly to be regretted that we live in an age where racial and socio-economic injustices still prevail after centuries of their callous and systematic perpetration against many of our African communities. We still are faced with racism, blatant racism. It is showing itself much more now, as we interact more closely with the west. And that ugly head that we thought with our anti-colonial struggle we had smashed, no. We left it alive and it is rearing again, perhaps calling for another much more devastating blow, blow to the head and no longer to the body of the monster, that's what we need at the moment. (Mugabe 2002)

1. *The Namibian*, 26 May 2000.

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Namibia

Namibia got its political independence ten years after Zimbabwe. The Constituent Assembly has been widely praised for its smooth operation and the ultimate product (Weiland and Braham 1994). A new nation was born and new leaders came to power. Like Zimbabwe, the President of Namibia was very conciliatory and openly invited his former enemies and their collaborators to stay in the new Namibia. Like Zimbabwe, a policy of national reconciliation was also declared. That honeymoon lasted for only a short time.

Soon, strong words began to be heard. It was said, for example, that the once praised constitution was allegedly 'imposed on us',¹ and was 'neither a Bible nor a holy cow'.² The President of Namibia, like his Zimbabwean counterpart, has been having a lot to say about homosexuality, for example (Cameron 2001). On one occasion, he said 'gays were idiots who should be condemned ... [as they are] destroying the nation and the youth ... they are unAfrican'.³ Addressing University of Namibia students on an occasion that appeared to have no bearing on the issue of homosexuality, the President said 'we do not allow homosexuality and lesbianism here. Police are ordered to arrest you and deport you and imprison you too'.⁴ At one stage the Minister for Home Affairs stated in parliament that the government was planning to make laws that would outlaw homosexuality. The Prime Minister came out a few days later to say that his government had no such plans! In September 2000, the Minister for Home Affairs told police officers not to tolerate gays and lesbians. Following such statements, and others on the same subject, members of the paramilitary police (Special Field Force) went on a rampage harassing people suspected of being gays and lesbians (NSHR 2001:39–40).

Some time in 1997, the President announced on the radio that there was a requirement for approval and written police permission before public demonstrations or processions could be held in the country. Police officers in Opuwo relied on, and used, the announcement to prevent and ban meetings from being held in their area (Chief Kapika case P/A 329/97 of 6 August 1997).⁵ On another occasion the Minister for Home Affairs called upon the police to defy an interim order issued by a High Court in the Osire Stars case.⁶ The minister went further: he labelled the judge who issued the order as a reactionary foreigner, who should be sent back to his home country. He promised his audience, the police officers, that his ministry would review the judge's work permit.⁷ It was the Minister for Justice who came out to announce to the nation, and presumably the whole world, that the policy of government was to respect the rule of law and the constitution.⁸

1. Ponele Ya France in *Windhoek Observer*, 6 June 1998.

2. Fidelis Sheyapo in *The Namibian*, 13 May 1998.

3. *The Namibian*, 26 June 2000.

4. *The Namibian*, 20 March 2001.

5. See further details on this incident in the chapter by Clement Daniels.

6. A music band composed of refugees, who had played at an opposition party rally and were, hence, prosecuted for interference in the political affairs of the host country.

7. *The Namibian*, 28 July 2000.

8. *The Namibian*, 4 August 2000.

When farmers obtained an interim order from the High Court in the Omitara case restraining farm squatters from illegally occupying their land (case P/A 8/2000 of 15 January 2001), one trade union leader asked why the farm owners went to court in the first place. That union leader went on to call upon the alleged squatters to defy the court order.¹ Statements of this kind have been made many times by people in positions of power and influence.

Legal Institutions: Between the Past and the Present

Legal institutions, and judicial officers in particular, are part and parcel of the necessary mechanisms of governance all over the world. The set-up and functions of these institutions are categorically outlined in the respective constitutions. These functions are known to be critical if society and its members are to live in harmony and peace and to survive as a nation. Decisions given by these institutions are sometimes a cause of frustration among litigants, including government, especially in high profile cases. In this section, an attempt is made to sketch the role played by law and legal institutions in the past, the legal requirement that certain office bearers subscribe to an oath before assuming office, and the change of legal perspectives with the shift from parliamentary sovereignty to constitutional supremacy. The question is asked what all this means to constitutionalism in general, and the section tries to put into context the predicaments facing legal institutions and judicial officers, and, hence, constitutionalism in general, in the two countries.

Law and Legal Institutions in the Past

During colonialism in Namibia and Zimbabwe, as elsewhere in Africa and beyond, the legal machineries were put into full use and served to benefit the colonial enterprise. Although constitutionalism and the rule of law were known and practised in the metropolitan countries, these mechanisms were relied on neither to legitimate colonial power nor as tools for preventing tyranny or as safeguards for fairness and justice (Seidman 1969, 1978). The extent to which courts and judicial officers lent a hand to, and became part of, colonial tyranny and oppression, particularly in South Africa, has been well documented and need not detain us.

Given that unpleasant background, it may not be surprising that suspicions continued to surround these institutions and their personnel after independence. The roles played by, and the image of law and legal institutions, appear to be not only part of the impediment to the acceptability of constitutionalism as a source of power, but also continue to be perceived as a tool of oppression (Dyzenhaus 1998 and Klaaren 1998). Yet, institutions of justice administration in general seem to survive, almost unscathed, after the long and bitter years of liberation struggle. In addition to, and irrespective of, that miraculous survival, constitutionalism and the rule of law place in the hands of these same institu-

1. *The Namibian*, 25 January 2001.

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tions and personnel the task of protecting and safeguarding constitutionalism, and passing judgment on those who fail to observe constitutional limits. Litigants, be they private individuals or government departments, look to courts in general and judicial officers in particular for authoritative interpretation of the law of the land, and whether that law has been observed in letter and spirit. Little is known about whether attempts have been made to dispel these suspicions, and the extent of their success, if any. As will be seen below, the exercise of judicial functions and the implementation of judicial decisions continue to be an arena of dispute, as well as being one of the causes of unease, after the liberation struggle.

Content and Significance of Oath

Certain public offices and functions have in history been surrounded by ceremony and pomp. One of the historical ceremonies that continues to be part and parcel of modern governance is the taking of oaths. The constitutions of Namibia and Zimbabwe, like the previous laws under which the two countries were governed, require that certain office bearers take an oath before entering into and performing functions related to those offices. Heads of state and others, including cabinet ministers, for example, are expected to and do take such oaths. Members of the legislature take an oath before assuming the duties associated with their offices. The oath of office has to be taken by judicial officers of all ranks, from magistrates in lower courts to judges of the High Court and the Supreme Court. What do they say in the oath and what is its significance?

Article 2(6) of the Constitution of Zimbabwe, for example, provides that

Before entering upon his office, a person elected as President shall take and subscribe before the Chief Justice or other judge of the Supreme Court or the High Court the oaths of loyalty and office in the forms set out in Schedule 1, (as follows)

Oath or Affirmation of Loyalty

I, do swear [or solemnly affirm] that I will be faithful and bear true allegiance to Zimbabwe and observe the laws of Zimbabwe.

So help me God. [To be omitted in affirmation]

Oath or Affirmation of Office

I, do swear [or solemnly affirm] that I will well and truly serve Zimbabwe in the office of.....

So help me God. [To be omitted in affirmation]

Unlike the situation in Zimbabwe, Article 30 of the Constitution of Namibia provides for one detailed oath to be administered by the Chief Justice or a judge designated by the Chief Justice for that purpose.

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Oath or Affirmation

I,, do hereby swear/solemnly affirm,
That I will strive to the best of my ability to uphold, protect and defend as the
Supreme Law the Constitution of the Republic of Namibia, and faithfully to
obey, execute and administer the laws of the Republic of Namibia;

That I will protect the independence, sovereignty, territorial integrity and the ma-
terial and spiritual resources of the Republic of Namibia; and

That I will endeavour to the best of my ability to ensure justice for all the inhab-
itants of the Republic of Namibia.

(in the case of an oath)
So help me God.

In his discussion of the historical significance of oath taking, Frank (1949:45–46) observes that those who take an oath undertake to do good in fear of being visited by supernatural powers. That might have been successful in the past. Today, in the era of technological advances, not many people care about or greatly fear supernatural powers. During the apartheid era, judges and other judicial officers, together with most other government office bearers, subscribed to some form of oath. Yet, subscription to oaths did not prevent or mitigate against the tyranny and the attendant unfairness, injustice and discrimination that is known to have been perpetrated for many years. It is not clear whether violation of the contents of the oaths has been sanctioned or whether the wrongdoers will be punished at all, and if so, when. Notwithstanding that background, however, the founding fathers and mothers of the constitutions of Zimbabwe and Namibia went ahead to include the taking of the oath as a prerequisite for the assumption of certain offices and performance of certain duties. What did they wish to achieve? How did they expect to measure the outcomes? What sanctions did they want to attach to violations? These are some of the questions rarely asked, and consequently they remain unanswered.

Law and Legal Institutions during the Constitutional Era

The ushering in of political independence and the requirement for adherence to constitutionalism, means that law and legal institutions are caught between the part they played and the image they created in the past and the needs and demands of the present. In other words, whereas constitutionalism challenges law and legal institutions to play an important role by mediating and adjudicating diverse and multiple competing interests, that task has to be performed against the background of dissatisfaction with, and suspicion about, what happened (or did not happen) in the past. Judicial officers at all levels find themselves in a predicament. Like other members of society, judicial officers have to come to terms with what is required of them by the principles enshrined in the new constitutions as they deal with and dispose of the disputes that come before them. Yet they carry with them that dark stain from the past! Put differently, judicial officers are given new tools and expected to manipulate them in new circumstances from a position of weakness. How do judicial officers reconcile their

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past and, at the same time, perform their duties as custodians of constitutionalism?

David Blair, a British journalist who worked in Zimbabwe during its period of turmoil in 2000, observed the scenes in the Supreme Court during the hearing of a case brought by white farmers. He makes the following observation that captures the situation and explains part of the predicaments. He notes:

An artist who wished to capture a single instant that illuminated the conflict between Mugabe and his white opponents would have done well to choose 10 a.m on 6 November, the moment when Adrian de Bourbon rose in the Supreme Court to represent the Commercial Farmers' Union. A senior white lawyer stood before the white Chief Justice and pleaded the case for white farmers, speaking in legalistic English, in a setting suffused with colonial tradition. For Mugabe and his followers, this symbolized every thing that was unacceptable in Zimbabwe.

After 20 years of independence, the ultimate fate of white farmers still appeared to rest in the hands of an elderly white man, wearing a wig and robes, who collected stamps in his spare time and held an honorary fellowship at Jesus College, Cambridge. Whenever I watched Gubbay preside over the Supreme Court, I was filled with admiration and wonder. Admiration because every softly spoken word he uttered and every movement of his wise, bewigged head, was redolent with integrity and good sense. Wonder because it seemed unbelievable that such a creature could still hold high office in Mugabe's Zimbabwe. Gubbay was a glorious, inexplicable anachronism. (Blair 2002:198-99)

Similar observations could have been made of the legal process, and the confusions it creates, in Namibia as well. In Namibia, Zimbabwe and South Africa, for that matter, the problem is more manifest, and has an additional dimension, the skin colour that seems to be an easy reminder of the problems of the past as well as the defeated enemy or enemies. Many things arise from these observations. Is there anyone to blame for this situation? How do judicial officers regard the institution they preside over and can they do anything about it? What is the role of courts in general, and judicial officers in particular, in creating an image that corresponds with the new era? Are courts and judicial officers the problem anyway?

These are not easy questions and no answers are suggested here. What needs to be said, however, is that courts and judicial officers may be seen to be part of the wider problem, but not the cause. Courts in general, and judicial officers in particular, do not bring into being the disputes needing resolution. Instead, courts are created, and presided over by judicial officers, to resolve disputes that arise elsewhere. Courts, therefore, are but arenas for displaying disagreements. The plurality, diversity and heterogeneity of societies of necessity demand the creation of institutions like courts. Such institutions become part and parcel of constitutional arrangements that must be in place for the survival of society and its ideals. Diverse and competing interests have to be delicately balanced and someone has to be trusted to do it on the basis of some accepted principles. In constitutional democracies, principles are laid down in constitutional documents, with courts and judicial officers being entrusted with the duty to strike difficult balances.

Legality: Between Defiance and Obedience!

Long and bitter liberation struggles in Namibia and Zimbabwe, as elsewhere, were fought against colonialism and apartheid with their attendant unfairness, injustice and racial discrimination. The two statements made separately from the dock by Nelson Mandela in 1962 and Herman Toivo ya Toivo in 1968, were typical expressions of dissatisfaction with colonialism and its legality. Mandela and Ya Toivo were partly stating the obvious, echoing the voices of the oppressed majority and the exhortations to struggle in order to get rid of tyranny and oppression and, consequently, seize power. Liberation struggle led to the assumption of power by some of the freedom fighters in Namibia and Zimbabwe. If the liberation fighters who assumed power were to heed Julius Caesar's counsel, one would have expected that once power had been seized, adherence to and observance of law would begin. That does not necessarily seem to be the case in these two countries.

During the colonial era in both Namibia and Zimbabwe, legal institutions and the judiciary were partly based on and guided by the doctrine of parliamentary sovereignty. Laws made by parliaments were regarded as legitimate, and were not to be questioned. It is on record that Chief Justice Kotze of South Africa, for example, was sacked in 1875, because he attempted to assert the power of the High Court to question the legality of laws made by the parliament in that country. There is abundant literature showing how most judicial officers adhered to apartheid laws unreservedly. In the final analysis, many judicial officers connived with, and became part and parcel of the forces of oppression and of extreme and systematic injustice and unfairness. Legitimate opposition was, for example, subjected to harassment at the hands of both the executive and the judiciary. As a result, the opposition was both stifled and ultimately led into underground activities. Defiance of these laws and legal machinery laid the foundations for, and fuelled the fires of the liberation struggle. But both the Lancaster House and the Constituent Assembly processes that led to political independence in Zimbabwe and Namibia, were based on the assumption that constitutionalism would be the sole source of and a guide to the exercise of power. In other words, the legitimacy of power in independent Zimbabwe and Namibia would be derived from, and limited by, the respective country's constitutions.

Supremacy of Law and Constitutionalism

Political independence brought with it a new ethos of constitutionalism. Constitutionalism recognises social heterogeneity, diversity and pluralism, as opposed to homogeneity, uniformity and consensus. Constitutionalism is based on, among other things, the recognition that the constitution of the country is the supreme law of the land that sets out relationships between different institutions of government as well as between individuals and their government. The constitution provides the minimum standards that need to be upheld, respected and protected by all, including those in power. Invariably, in most situations, constitutions also enumerate fundamental rights and freedoms as part of the minimum

standards. Put differently, all powers exercised are subject to constitutional limits, and where disputes arise, the judiciary will be called upon to perform adjudicatory functions, also enumerated under the constitution. Evidently, constitutionalism has not been very successful in legitimising power in these two countries. Successes achieved in liberation struggles are continually appealed to. The common enemies that were identified when the struggle began, fought against and defeated continue to be targeted at least in public pronouncements. In that respect, the past becomes a unifying factor in the present. Reference is made to the common enemies, without stating categorically who they are. The enemy's intentions and hidden agendas are referred to without any attempt at identifying what these are. But can the bonds of the past hold firmly today, and be relied on to continue holding into the future?

Fazal (1984) and Ghai (1976) have identified other legitimating factors and institutions that have emerged and played a part in weakening the monopoly of law and legal institutions as the central source of authority. To what extent, and in which ways, does constitutionalism reconcile itself with the existence of other legitimating factors and forces? How able are lawyers, legal institutions and constitutional practices to accommodate other legitimising mechanisms, and vice versa? It was shown earlier that the language of defiance has become commonplace in both Namibia and Zimbabwe. How does one reconcile that with practices of constitutionalism? Put differently, what does post-independence defiance mean in relation to long-term goals of building sustainable constitutionalism and the culture of human rights in the two countries?

Some Liberation Struggle Practices and Constitutionalism

Liberation struggles were fought against forces of domination, injustice and unfairness. Participants in the struggle saw themselves as bound together by a common purpose based on a consensus as to who the enemy was. The liberation struggle was partly a war fought by 'us against them'. Within liberation movements themselves, however, there emerged various forms of domination, injustice and unfairness (Armstrong 1989, Saul 1999, Sithole 1999). This suggests, however partly, that certain practices in liberation struggles compromised and in some ways continue to play a part in respect of pluralism and diversity of views after independence. In other words, betterment and enhancement of constitutionalism after independence is partly inhibited by relationships and practices that were carried over from the process of liberation itself. As a result, some fundamentals of constitutionalism appear to be irreconcilable with some lessons learnt and practices observed during the liberation struggle. Some lessons learnt in the liberation process may, themselves, not be favourable to the furtherance of diversity, political pluralism and respect for, and sustenance of, a human rights culture.

The following quotation from the writing of an influential Namibian captures the situation succinctly:

But the task of instilling positive values and inculcating a sense of outrage is often a difficult one, and, in Namibia today, many of these values have become distorted and cor-

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rupted. We are in many ways living in a corrupt society where what was evil yesterday is applauded today; where honesty, hard work and compassion are punished; where duplicity and manipulation are rewarded; and where opportunists are today's heroes. In this new Namibia, with its distorted values, one is invariably reminded of George Orwell's *Animal Farm*. (Pickering 1995:102)

The above observations, made in respect of developments in Namibia, seem to reflect what is going on in Zimbabwe as well. It may not be an exaggeration to suggest that liberation struggle and constitutionalism may be at odds in more than one way.

Between the Past and Future: Searching for Answers

Liberation struggles were and must be understood in more complicated and sophisticated ways. These struggles were more than merely struggles for political independence. The struggles envisaged broader liberation from economic, social and cultural, and all other forms of discrimination, unfairness and injustice. Winning political independence, therefore, should not be an end in itself, but the beginning of a process to achieve other broader objectives. As much as achieving political ends involved different strategies, realisation of those other needs involves differences of opinion on goals as well as strategies. The ideas and strategies of those who assume power after liberation struggles are only a part of a wide range of contestation to achieve other ends. Social processes, therefore, should not be frozen in history. Continual engagement, and in many cases, differences have to be expected and thrashed out. Political independence should neither provide room for complacency nor become a window for a monopoly on ideas. This means that some difficult soul-searching questions need to be continually asked and answers sought. The questions include: what prompts people in power and influential positions to be defiant and/or call upon others to disobey the law they swore to uphold? Is it not true that such defiance could be sowing the seeds of perpetual defiance and never-ending liberation struggles. How can high-level defiance be dealt with? What is the correct balance between cherishing and appealing to the past and building a culture of constitutionalism, rule of law, tolerance, and respect for the law to meet the needs and demands of the future? When does the past end and the future begin?

In this chapter, an attempt has been made to raise questions rather than provide answers. First, what are we to make of defiant statements made in Namibia and Zimbabwe in the recent past? Second, can the defiance of the law that partly informed liberation struggles reconcile itself with the diametrically opposed requirements of tolerance and compromise expected in constitutionalism? The questions are posed in the context of a lack of reliance on constitutionalism during the colonial era and apartheid. An attempt has been made to highlight the negative image of law and legal institutions, and the judiciary in particular, which are central to the constitutional enterprise. On the whole, the interplay of forces of the past and present seem to have partly contributed to the unsuccessful implementation of constitutionalism in both countries.

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In sum, three aspects have been sketched by way of exploratory questions. First, the fundamentals of constitutionalism, the rules and guidelines that inform it, are new to most of the important actors, be they those in power or judicial officers in the new dispensation, not to mention members of the general public. Second, institutions of governance and personalities who run the institutions come from backgrounds that lack knowledge of constitutionalism in general and have limited inclination towards it. Third, notwithstanding the above two constraints, those who are assigned the duties that depend on constitutionalism do not receive any meaningful orientation towards the new requirements. Most of the role players are expected to know the requirements when they are already in their jobs. This is, in many ways, very inhibiting.

The discussion above is neither about finding excuses for defiance nor is it an apologetic rationalisation or justification of events and processes in the two countries. On the contrary, it is an attempt to highlight some of the predicaments attendant on and accompanying constitutionalism, to stimulate thought and to initiate debate. Requirements and standards set out in constitutions, and institutions entrusted with enforcement, need to be critically evaluated in the light of emerging practices. The questions are critical and answers need to be sought. Without these, uncritical assumptions arise to the effect that enacting constitutions automatically leads to adherence, without reference to the background against which they came about and are enforced. In other words, what is said and done in Namibia and Zimbabwe should be critically examined both in an historical context and a philosophical framework. Reflection of that kind could be pivotal in enriching our understanding of the unease and difficulties surrounding post-liberation governance in these two countries, and elsewhere. So far, reflection has been very limited both in depth and scope.

The Struggle for Indigenous People's Rights

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At independence, Namibia adopted a liberal constitution as the basic law and its system of government is generally described as multiparty constitutional democracy. The constitution provides for a separation of powers among the executive, judicial and legislative branches of government. This is, however, not always observed in practice, since Namibia has a dominant majority party, which enjoys almost 80 per cent of national support. There are three tiers of representative government, namely a national parliament, which consists of the National Assembly and National Council, regional councils in each of the thirteen political regions and local authorities in the form of local municipality, town and village councils.

Before independence, the colonial administration applied policies of racial discrimination against the local population in almost all areas of social, economic and political life. A vast number of people were dispossessed of their land and restricted to certain parts of the country, the so-called communal areas (reserves). These areas were neglected, with the state providing very little development assistance (if any) to these communities. Private ownership of land and resources was severely restricted. The constitution has perpetuated the situation by explicitly stating that the land, water and natural resources of Namibia belong to the state, if they are not otherwise lawfully owned (Articles 100 and 124). This provision has further dispossessed the majority of Namibians from ownership of land and has limited their capacity to participate in the national economy.¹

There is no specific recognition of the rights of indigenous people or minorities in the constitution and neither is Namibia a signatory to any of the international conventions recognising the rights of indigenous people. The definition of 'indigenous people' is problematic and many countries have avoided it. Namibians popularly define 'indigenous' by reference to European colonialism and ascribe indigenous status to almost anyone born in Africa, who is of an African bloodline. *The Traditional Authorities Act*² defines all Namibian traditional communities as 'indigenous'. This certainly creates a problem for indige-

1. People in communal areas cannot use the land, which they have worked for centuries, as collateral to obtain loans or capital investments because they are not the legal owners. Because of the 'red line', which still exists twelve years after independence, Namibians are not allowed to freely sell their livestock in the area south of the red line. For a more detailed discussion of the implications of the red line, see the paper by Gottfried Wellmer (2001).
2. *Act 17 of 1995* (as amended in 1997).

nous minorities in Namibia and there is, accordingly, a need to develop criteria to recognise indigenous minorities and provide for a form of 'affirmative action' to address the special needs of such minorities.

After years of colonial rule and divide and rule tactics, Namibia has adopted a policy of national reconciliation as a tool for nation building. The Constitution prohibits discrimination on grounds of ethnic or tribal affiliation. Nation building and national reconciliation discourages the use of 'ethnic', 'tribal' or traditional identities, but in reality, tribal affiliation plays a very prominent role when it comes to the redistribution of wealth and national resources. 'Ethnic' identities were emphasised during the colonial era as part of the policy of divide and rule, and it is accordingly very difficult to ignore such identities. It is also sometimes politically expedient and convenient to use tribal and ethnic identities.

This paper focuses on the sociolegal status of the San and the Himba communities as indigenous minorities in Namibia. It relies heavily on a recent comprehensive assessment study of the situation of the San in Namibia by James Suzman (2001) and the social impact assessment of the Epupa Project by Michael Bollig (1997). The chapter includes a number of studies of cases dealt with by the Working Group for Indigenous Minorities in Southern Africa (WIMSA)¹ and the Legal Assistance Centre (LAC)² to illustrate the difficulties experienced by the San and Himba communities in surviving in post-independence Namibia.

The Himba and San: A Profile

The Himba are an independent pastoral society of approximately 16,000 people who live in the rocky terrain of northwest Namibia. They have been described as one of the most successful and economically independent subsistence farmers in Africa (Bollig 1997:8). The Himba are sometimes called the Red People because they traditionally cover their bodies, hair and the animal skins they wear with a mixture of butterfat and an ochre powder ground from iron ore (cf., Ezzell 2001).

The Himba are politically organised under four chieftaincies along the Kunene River basin (Bollig 1997:13). For decades, they have lived in relative isolation, and even the successive colonial administrations rarely interacted with them. Recently, the Himba's main contact with outsiders has been with soldiers during Namibia's liberation struggle with South Africa and yet more recently, with the tourists and scientists who have frequented the area.

According to Bollig, Himba pastoralists were engaged in various forms of economic diversification before 1920. They traded with Portuguese and Ovambo communities, fought as mercenaries for the Portuguese colonial army, and entered wage employment with traders, hunters and farmers. The South African colonial administration placed restrictions on the movement of live-

1. WIMSA is an umbrella organisation representing most San organisations in the region and is actively involved in promoting San human rights, land rights and development. Its head office is in Windhoek, Namibia.
2. LAC is a law centre that is involved in public interest litigation, in particular on land and environmental issues affecting the poor and marginalised communities of Namibia.

stock and cut off opportunities for trade and wage labour. The Portuguese also constrained the economic activities of the Himba on the Angolan side of the Kunene River. Bollig accordingly believes that the subsistence economy, which characterises Himba communities today, was artificially created and enforced by the colonial administration.

The San consist of a number of socio-linguistically diverse communities, of between 32,000 (Suzman 2001:4) and 38,000 (Useb 2001) people who are settled throughout much of the northeast and east of the country. Unlike the Himba, who are relatively wealthy and successful pastoralists, the San constitute a highly dependent, impoverished and marginalised minority who, in terms of a broad range of socioeconomic and development indicators, are considerably worse off than any other Namibian language group.

The ancestors of many of Namibia's contemporary San peoples were once the sole occupants of much of Southern Africa. Indications are that these peoples lived in small, flexible and dispersed groups located in areas with sufficient natural resources to make settlement viable. For the most part, these groups hunted and gathered, developing a formidable knowledge of their local environment and how to exploit it, but on occasion they also traded with one another (and, later, with others) in addition to raising livestock (Suzman 2001:5).

Soon after independence, the government showed a willingness to resolve all San-related issues and problems, such as matters relating to land rights, education and culture, social welfare and economic issues. A number of initiatives to improve the situation were implemented, but very few have yielded positive results. Many San are arguably worse off in some important ways than they were immediately before independence. Suzman (2001:1–2) summarised the socioeconomic situation of the San in 2001 as follows:

- Despite almost universal dependence on the agricultural sector, only around one-fifth of San have *de jure* rights to land. Large numbers of San people are consequently highly mobile and spatially unstable, lack security of tenure and are economically dependent.
- Very few San have adequate access to schooling. Despite the efforts of the government, attendance levels are more than 50 per cent below the national mean, while literacy levels are lower than 20 per cent. Only a small proportion of San have attended school and a negligible number of them have completed formal education at school level.
- Per capita income among San people is the lowest in the country. The majority of San lack access to any independent means of subsistence. A sizeable number have no direct cash income and are almost entirely dependent on a single, declining sector of the economy.
- San life expectancy is some 22 per cent lower than the national average, indicating their poor nutritional and basic healthcare status. In addition, a variety of serious social problems have arisen in San communities, including alcohol abuse, high levels of domestic violence, crime, depression and boredom.
- Many San feel alienated in the 'new Namibia'. As a group, they remain under-represented in government structures. Although they have some rep-

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- resentation in the Council of Traditional Leaders and the National Assembly, San have no effective representation in local and regional elected bodies.
- Few San outside the NGO sector feel that they have any real say regarding their future or the direction their development should take. In almost all government-run projects, a highly paternalistic top-down approach has been pursued.
 - Dominant perceptions of the San are mostly negative and San complain that they are confronted by prejudices towards them and are discriminated against on a daily basis.

The Constitution and the Protection of Civil and Human Rights

The constitution of Namibia was adopted by the Constituent Assembly in February 1990 and is founded on five basic principles:

- Namibia is a secular and unitary state;
- Namibia is a multiparty democracy with a universal franchise;
- The state shall uphold the rule of law and justice for all;
- A separation of powers between the three branches of government; and
- An enshrined bill of fundamental human rights and freedoms.

The constitution is the Supreme Law and among other things, it recognises the right of all citizens to practice their respective cultures, subject to the rights of others and the national interest of Namibia (Article 19). All people, including indigenous minorities, are entitled to and protected by the same rights guaranteed under the constitution. It is, however, difficult and sometimes impossible to enforce rights on the ground. The existing liberal democratic legal system makes it virtually impossible for poor people to access the courts and the justice system. Equality before the law and justice for all remain principles on paper, since most individuals and communities lack the capacity to use the law effectively.

The Namibian constitution is unique in that it provides for the automatic application of international treaties in the domestic legal system, once they are ratified by parliament (Article 144). Namibia acceded to the International Covenant on Civil and Political Rights during 1994.¹ The International Covenant on Civil and Political Rights accordingly forms part of the domestic law of Namibia. Under the Covenant, all peoples have the right to self-determination, as well as the right to 'freely determine their political status, freely pursue their economic and social development and to freely dispose of their natural wealth and resources'. Namibia is also a signatory to the Covenant on Economic, Social and Cultural Rights and the Convention on the Elimination of Racial Discrimination, which indirectly addresses the rights of indigenous people, and which they could use to lobby for their own interests.

Namibia is a member of the International Labour Organisation (ILO), but like many other African countries it is not a signatory to ILO Convention 169, which is the only legally binding international convention dealing with the rights

1. *Debates of the National Assembly*, Vol. 41, p. 30.

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of indigenous people.¹ In Southern Africa the issue of minority rights always had bad connotations, since it was linked to the claim by 'whites' that they are entitled to protection as a minority and have the right to self-determination. Suzman (2001:72) believes that it is unlikely that the government will endorse Convention 169, or the forthcoming UN Convention on the Rights of Indigenous People, if it remains broadly similar to its current draft form.

The San Communities and Insecurity in Northeastern Namibia

After the Namibian government allowed the Angolan armed forces (FAA) to operate against UNITA from Namibian soil in 1999, the Kavango and West Caprivi region became insecure because of increased banditry activities by the UNITA rebel movement. Several people died because of landmine explosions and many more were shot dead or abducted into Angola. The increased presence of the Namibian security forces and the Angolan government's armed forces also contributed to the insecurity of the area, as many residents complained about harassment, arbitrary arrests and detentions and assaults at the hands of the Namibian law-enforcement authorities.

The San communities living in the West Caprivi have suffered large-scale harassment at the hands of the Namibian security forces during this period of insecurity. The traditional leadership believes that these communities are being victimised because they were used by the former South African government forces in their military operations against SWAPO's liberation fighters.

Several hundreds of San people fled to Botswana after 1998 as a result of insecurity and harassment. Most of those did so spontaneously, leaving behind not only their livestock, but also essential items such as blankets, knives, pots and clothes.² They have been granted refugee status and are kept at the Dukwe Refugee Camp in northwestern Botswana. The former Kxoe leader, Kipi George, and some 650 of his subjects from the locations of Omega III and Chetto were among the refugees who fled to Botswana. There were approximately 2,400 Namibian refugees in Botswana by early 2002 (many of them have been repatriated since).

The security forces were also harassing development workers working on Community Based Natural Resource Management (CBNRM) programmes, thus making their work—such as the prevention of poaching through community game guards—very difficult. One worker was killed and another arrested for no apparent reason, only to be released after lawyers of the LAC threatened to go to court to get him released. Several international donors have temporarily withdrawn their technical support for most of the development activities while the period of insecurity in the Caprivi region persists. This, of course, has set back the community development activities tremendously.

In January 2001, the traditional leadership of the Kxoe instructed the LAC to lodge a formal complaint against the security forces with the Office of the

1. Namibia has not ratified this convention, despite the fact that ILO membership is written into the Namibian constitution.

2. Reports in *The Namibian*, 12 and 17 November 1999.

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Ombudsman. As a result of the complaint, the Ombudsman and her staff visited the communities in West Caprivi in February 2001 and had a day-long meeting with the traditional leadership and local development workers. Despite the visit by the Ombudsman, harassment of local communities continued and to date no official report of the visit has been issued.

In July 2001, the LAC launched a High Court application for the release of fifteen men who were arrested in August 2000 and have never appeared in Court. This application, which was opposed by government, continued for a number of court days and judgment was finally handed down in early December 2001. The court found that on a balance of probabilities the fifteen missing people were not in the custody of the Namibian Defence Force, as alleged by the applicants.¹ Despite several investigative trips to the region and consultations with the community and witnesses, the fifteen people remain missing.

In a sequel to the unlawful arrests and detentions of the local people, Thaddeus Chedau, the acting Chief of the Kxoe community in West Caprivi, was arrested in September 2000, but released 36 hours later without being charged or questioned. The LAC represented him in a suit he brought against the police for his unlawful arrest and detention, and he won a compensation award against the police of N\$23,000. At the time of writing several similar matters were pending against the police and the Namibian Defence Force arising from the harassment of the Kxoe and Vasekele communities in West Caprivi.

The human rights situation seems to have normalised since early 2002. With the death of rebel leader Jonas Savimbi, war might finally end and peace return to the Namibia border area. In April 2002 the United Nations High Commission for Refugees and the governments of Namibia and Botswana signed an agreement for the voluntary repatriation of Namibian refugees from Botswana. There are, however, fears for the safety of the returnees, and NGOs and churches will have to play a very important role in the repatriation and integration process.

The Himba and the Epupa Hydropower Scheme

The proposed Hydropower Scheme on the lower Kunene River, also referred to as the Epupa Dam Project, has focused both local and international attention on the plight of the Himba community in northwestern Namibia. The idea of damming the Kunene River was suggested during the German colonial era, but it was only after independence that NamPower (the Namibian parastatal for the bulk supply of electrical power) began to advocate for the construction of a hydropower scheme in the Epupa area.

In the mid-1990s discussions regarding the building of the dam gained momentum and a major feasibility study was undertaken by the government of Namibia, with the support of Norway and Sweden. The first phase of the consultation process commenced in 1991 when Nampower and government offi-

1. *Thaddeus Chedau and others v. The Government of the Republic of Namibia* (unreported judgment delivered on 6 December 2001)

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cials visited the affected community in the Epupa area. This visit resulted in misunderstandings and most of the Himba were left with the impression that the Epupa Dam would be a very small dam for livestock water consumption. The crucial issue of the inundation area was either not addressed or misrepresented by the officials.

During the feasibility study in 1997 the Himba were informed of the size of the dam, the inundation area and other important factors that would have a major impact on their community. The Himba were obviously not happy about the earlier misrepresentation. This caused a lack of trust in government and parastatal officials and raised questions about the government's commitment to disclose information and listen to the views of the community.

In response to Himba suspicions, the government sought to undermine Himba opposition to the dam by claiming that only a minority of Himba were opposed to the project. The reality is, however, that in February 1998, 26 of the 32 traditional leaders from the Kunene region, in which the project is situated, signed a petition stating that they were opposed to the dam. Government has argued that Himba opposition to the dam is a result of manipulation by foreign environmentalists and local tour operators.¹

Due to the difficulties in dealing with government officials and the complexity of the matter, Chief Hikuminwe Kapika approached the LAC to represent the community and to obtain legal advice concerning their rights, which would be affected should the project proceed. The government was not impressed with this opposition and tried to downplay community concerns and accused the community of being against development and the national interest. The government was very sensitive about the international publicity generated by this issue and tried different means to silence the community, including discouraging journalists and environmentalists from having contact with the Himba and monitoring community meetings.

During July 1997, legal practitioners from the LAC travelled to the area to consult the community and to obtain instructions on the environmental and social impacts of the scheme. On Saturday, 26 July 1997, they met with Chief Hikuminwe Kapika and approximately 70 community members in a riverbed near Okongwati. It is the custom of the community to meet in the open and there are no suitable buildings for indoor meetings. While the meeting was in progress, several residents of Okongwati who are not part of the Himba community and whom the community regards as government agents, approached the consultation and indicated that they wished to attend the meeting. Chief Hikuminwe Kapika turned them away. Within minutes a contingent of uniformed police of the Special Field Force based at Okongwati, heavily armed with automatic rifles, surrounded the meeting and informed the leaders that the meeting was unlawful because they had not obtained advance permission from the police. The leaders and the lawyers tried to convince the police that the meeting was of a private nature between legal

1. Michael Bollig, who conducted the social impact study indicated that the interactions with foreign tour operators and environmentalists are so limited that it is incomprehensible that they could have an impact on Himba decisionmaking.

practitioners and their clients and that they did not require permission for such a meeting, but the police refused to listen and forced the meeting to break up.

It was only after the LAC obtained a court order from the High Court that the Epupa community was able to meet with their lawyers without fear of intimidation and harassment from government agents.¹ The police action was clearly in contravention of Articles 21 (d) (Freedom to Assemble Peacefully); 21 (j) (Freedom to Practice any Profession); and 13 (Right to Privacy) of the Namibian Constitution, but to date no action has been taken against the police officers involved in disrupting the meeting.

The disruption of this meeting further undermined the relationship between the Himba community and the government. This incident created the impression that government was not serious about objectively assessing the findings of the feasibility study before making its decision, and that government was not serious about listening to the views of the community, but was instead bent on suppressing those views.

The impact of the proposed dam on the Himba has been summarised as follows:²

1. The Himba will lose valuable land resources, since the Epupa site will flood 110 permanent dwellings, while the Baynes site would flood fifteen such dwellings. Although the Himba are nomadic, there are families who are very well established in certain areas, as well as others who visit these areas on a regular basis. The Epupa site will have an impact on about 1,000 'permanent users' and 5,000 'occasional users', as compared to 100 'permanent users' and 2,000 'occasional users' at Baynes.
2. The loss of riverine forests, which are a crucial source of grazing and browsing in dry seasons, will destroy the social and economic status of the Himba. It will result in the loss of an annual crop of hundreds of tonnes of the palm nuts, which are crucial in drought periods. The dam will also bring an end to gardening in the fertile soil along the river-bank.
3. Loss of grazing will produce a ripple effect, which will multiply its impact. It is estimated that the cattle displaced by a dam at Epupa on the Namibian side of the river alone will require some 17,500 hectares of grazing elsewhere at all times, and an additional 70,000 hectares of grazing elsewhere in times of scarcity.
4. Himba in the Epupa area have frequently named the destruction of ancestral graves as their major objection to the proposed dam. A dam at Epupa would flood 160 graves, while only fifteen graves would be flooded if the Baynes site is chosen. According to the feasibility study, this loss 'is highly significant and cannot be valued in monetary terms'. The Himba leaders say that their culture will be at risk if the ancestral graveyards along the Kunene are inundated. For the Himba, a grave is not just the location of the physical remains of a deceased person—it is a focal point for defining identity, social relation-

1. *Kapika v. Government of the Republic of Namibia* (unreported September 1997).

2. Presentation by Andrew Corbett, former Director of the Legal Assistance Centre, on behalf of the Himba traditional leadership to the World Commission on Dams, Geneva, July 1999 (adapted).

ships and relationships with the land, as well as being a centre for important religious rituals. All places which are permanently used as settlements have at least one graveyard associated with them.

5. The Epupa site is expected to cause a health risk by producing higher incidences of malaria and bilharzia (schistosomiasis), a disease caused by a parasite associated with still or slow-flowing water. The influx of a labour force from other areas will probably lead to the spread of sexually transmitted diseases, including HIV, which is very low in the local Himba communities.

Discussions around the building of the dam have been on hold for the past three years, due to a lack of interest from the Angolan government.¹ Given recent hopes for a sustainable peace, the Namibian and Angolan governments may take up the issue of the dam more vigorously.

Participation of Indigenous People in Mainstream Politics: The Kxoe's struggle

The participation of all citizens is necessary to maintain and nurture the newly established democratic order in Namibia. Like many other Namibians, the overwhelming majority of the San and Himba communities do not understand their rights and obligations in the new political dispensation. Their recent experiences with the democratically elected national government have also not convinced them of the virtues of democracy or its ability to protect their interests. Many San are apathetic about mainstream politics. As a small, marginalised minority, they feel that they have little or no influence on national issues and developments. The Himba, on the other hand, seem to have their own understanding of government's role and have the confidence and courage to engage government (even the President) in a very confrontational manner with regard to the protection of their rights and interests.

Despite the general lack of interest in mainstream party politics, in the ten years since independence some San community leaders, such as the late Kipi George, the Ju/'hoansi leadership of Nyae Nyae, and others have developed an increasingly sophisticated understanding of mainstream political processes. They have utilised public support and national NGOs to articulate their concerns and are asserting what they consider to be their rights and, indeed, others' violations of these rights (Suzman 2001:105). In the 1999 parliamentary elections, the first San Member of Parliament, Kxau Royal /O/Oo, was elected to the National Assembly on the ruling party ticket.

Some Himba from the broader Kunene region are represented at various government levels, but the communities from the Kunene River basin are not directly involved in national or regional politics. They are normally invited to and participate in regional ceremonial events, but are not involved in political decisionmaking. The leadership is respected as part of the Herero tribe. They have normally expressed their views and lobbied for support through the Herero

1. The Angolan government has indicated previously that the building of the dam is not a national priority, but rather that establishing peace in Angola is.

leadership, which is well represented at all levels of government (Bollig 1997:56).

The constitution provides for the devolution of limited powers and an 'advisory' role to Namibia's 'traditional authorities'. This constitutional provision recognises the important role of traditional leaders in certain parts of Namibia and tries to incorporate them into the civil and political structures of government. The colonial system of divide and rule and the creation of tribal reserves have revived (or in some cases reinvented) 'traditional' leadership structures among peoples such as the Herero, Mbukushu and Kwangali. The majority of San were dispossessed of their land and their largely vulnerable leadership structures that evolved in reaction to the presence of outsiders were effectively dismantled during the colonial period. At present only two of the six established traditional San authorities, namely of East and West Tsumkwe, are formally recognised by government. The fragmentation of social groups at all levels of organisation through the loss of land and the need to provide labour in exchange for a livelihood undermined the very integrity of San leadership. The Himba community on the other hand, remained well organised, with strong traditional leadership structures, and with effective control over their land and natural resources. Most of their leaders are recognised by government and have some political influence in the Kunene region, in particular their area of jurisdiction.

The *Traditional Authorities Act* requires traditional authorities to apply for recognition to the state. They must be recognised before they can assume their legally mandated roles and receive remuneration from state coffers. The Kxoe Traditional Authority is one of the best established San traditional authorities in Namibia. While the social and political structures of the San were under threat elsewhere in Namibia, the Kxoe were in the process of establishing a more centralised traditional authority. In the 1950s, the Kxoe Traditional Authority emerged in response to increasing pressure from their neighbours in West Caprivi. According to oral histories, the former chief of the Kxoe, Kipi George,¹ was elected in Omega in 1987 to succeed his grandfather, Tlaxa Ndumba. The community formally installed George as chief of the Kxoe following the death of Ndumba in 1990.

During the initial registration of Traditional Authorities immediately after independence, chief Mbambo of the Mbukushu indicated that Kipi George and his people were Mbukushu subjects and, by virtue of this, that the lands they occupied were Mbukushu traditional lands. In doing so, Mbambo laid claim to the entire West Caprivi from the Kavango River to the Kwando River. At the same time, the Mafwe Chief, Boniface Mamili, also made claims over the Kxoe and the lands of the West Caprivi. He claimed that Kipi George was a Mafwe councillor. Few Kxoe consider themselves to be subjects of the Mbukushu or Mafwe Traditional Authorities and written historical sources support this notion unequivocally (Brenzinger 1997). The Kxoe Traditional Authority also submitted a separate application for official recognition.

1. Kipi George fled the Caprivi region with some of his followers to Botswana in 1998. He became very ill and was granted permission to return to Namibia in 2000 by the government. He subsequently died in his home village.

In March 1998, government announced that 31 leaders, and hence 31 Namibian 'traditional communities' had been formally recognised.¹ Not one of the six traditional authorities from the San communities that initially applied for formal recognition was listed. Following a formal complaint, the government requested them to submit their claims in writing, which they did. These claims were submitted to the Investigating Committee on Tribal Disputes for assessment. This committee recommended that only the two traditional authorities that retained an autonomous land base should be recognised, and that further consultations would be required regarding the four outstanding applications. The government finally decided at the end of 2001 not to recognise the Kxoe Traditional Authority. The community has accordingly instructed the LAC to proceed with legal action for the recognition of their traditional authority and leadership, as well as their ownership of the disputed land. The matter requires detailed anthropological evidence and had not gone to court at the time of writing.

The *Act* makes specific provision for 'traditional communities' that may not have had formal leaders in the past, and for communities whose leadership structures were ignored and destroyed by the colonial regime. Section 2(1) of the *Act* states that 'every traditional community shall be entitled to have a traditional authority'. From a legal perspective, therefore, the assessment of the San leaders' demands for recognition should be based entirely on whether the different San groups involved constitute bona fide 'traditional communities'. There is reluctance from government to recognise the Kxoe as a separate traditional community entitled to its own leadership structures. The government's failure reinforces marginalisation and poverty and creates opportunities for other communities to oppress the San.

Land Rights

Many Namibians were dispossessed of their land during more than 100 years of colonial rule. The colonialists regarded the land under the ownership and control of Africans as *res nullius*, since Africans were incapable of private ownership of land. One of the key objectives of the independence struggle was to return the land to the people who were dispossessed. Since independence, Namibia has addressed the land issue, but the process has been very slow and linked to political expediencies.²

Most of Namibia is characterised by low, highly variable rainfall and poor soils that contain low levels of moisture. Due to erratic rainfall the availability of grazing on rangelands is variable and, even in years of good rain, livestock carrying capacity and crop productivity are low. Despite these constraints, most land is used for agricultural purposes.³

1. *Government Gazette* (No. 1 828)

2. It can be shown that most of the major policy and legislative developments in the land reform process coincided with general elections in Namibia (see Daniels 1999).

3. Namibia's National Assessment for the World Summit on Sustainable Development 2002, January 2002.

Land is the basis for survival for the majority of Namibians. However, as part of Namibia's colonial legacy, it is unevenly distributed. Close to 65 per cent of Namibia's population practise subsistence agropastoralism on communal land, which constitutes approximately 41 per cent of the total land area, while less than 10 per cent of the population (mostly white farmers) live in the freehold farming areas that constitute approximately 44 per cent of the total land area. Unequal distribution of land and inequitable access to resources remain a bone of contention, but despite a clear policy and legislative framework there is a lack of political will to address the land issue in a constructive and accelerated manner.

In terms of the constitution, communal land is state-owned, which means that the majority of Namibians don't have ownership of the land they have been living on for centuries. Without secure tenure rights over land and natural resources people are reluctant to care for the land and invest in its improvement. Secure tenure is also a prerequisite for stopping economically and environmentally unsound land use practices, which in turn cause environmental degradation and reduced production. That is why it is imperative that some form of ownership or greater tenure security should be provided to people in the communal areas. Unfortunately, government has been dragging its feet since 1991 in implementing communal land reform legislation.¹

The 1991 National Land Conference clearly stated that the restitution of 'ancestral' land claims by any group or individual would not be entertained in Namibia. This decision was later incorporated in the National Land Policy of 1998.² Notwithstanding the complexity of such claims, it should be noted that if a land-restitution programme were to be conducted on the basis of ancestral claims, San speakers would be entitled to claim much of Namibia. If the San were given 'special support' as an 'historically disadvantaged community', and if they were treated favourably under the land reform legislation, then the question of ancestral land would not be an issue. Failure to provide such treatment might leave the San with no other option in future.

For most San, existing rights to land for residential, farming or other purposes are *de facto* rights, and are not guaranteed by civil customary law. This is most self-evidently the case on commercial farms, where workers' rights to residence are entirely contingent on their employment on a particular farm, or on the farmer granting them squatting rights. Outside the former Bushmanland, neither civil nor customary law guarantees San land rights. Whereas the majority of rural Namibians can claim at least partial tenure rights in terms of state and/or customary law, most San outside of the Tsumkwe District cannot claim such rights. This is not to say that San are unable to gain *de jure* rights to land in these areas, just that these rights are in no way guaranteed or automatic.

1. The Communal Land Reform Bill was adopted by the National Assembly in April 2002 and has proceeded to the National Council for review.
2. Section 101 of the policy state that restitution of land rights abrogated by the colonial and South African authorities prior to independence will not form part of Namibia's land policy. However, this policy does commit special support to all landless or historically disadvantaged communities.

San, Herero Land Invasions, and Resettlement

Due to their vulnerable social structure, poverty and insecurity, San communities remain under threat from stronger and better-organised ethnic groups. Even in areas where San are allocated land, such as the Nyae Nyae area, or under the resettlement programme, the San remain vulnerable to dispossession unless the state provides adequate protection. San leaders have accordingly argued that land given to them should be firmly and exclusively under their control. This desire for exclusive resettlement is motivated in part by the awareness that others often perceive land occupied by the San to be 'open land'.

Hereros who were repatriated from Botswana in 1990 and resettled at Gam demonstrated this. On several occasions, they invaded southern Nyae Nyae and tried to permanently occupy parts of it with their cattle. They used force and other means, such as free alcohol, to persuade certain villagers to accept their presence in the area. The Ju/'hoansi leadership in Nyae Nyae was obviously not satisfied, because it feared that the invasion of stronger groups would eventually lead to the dispossession of their land. It accordingly lobbied government on several occasions to intervene and stop the illegal settlements. After the intervention of high-ranking politicians, the Herero settlers were convinced to leave the area. The illegal settlement by other groups would have had a negative impact on the Nyae Nyae Conservancy that was in the process of being established, as the Ju/'hoansi leadership would have had little control over other stronger groups in the Conservancy area. Some outsiders believe that the community's enthusiasm for the Conservancy was motivated by the fact that it would provide them with a legal means to prevent the settlement of outsiders in Nyae Nyae. At the moment the San communities in West Tsumkwe district are facing continual land invasions from Herero pastoralists. The continued drought situation in the area will create further tensions.

After independence, government was faced with the reality that a number of people were impoverished and displaced as a result of many years of colonial exploitation, the liberation war and the deteriorating economic situation. Government initiated a resettlement programme with a view to providing land to the landless and to impoverished rural dwellers. After years of trial and error, a final resettlement policy was adopted in 2001. The main target group for resettlement includes San, ex-soldiers, returnees from exile, disabled people and displaced agricultural workers (Harring and Odendaal 2002).

According to the National Resettlement Policy as formulated in the White Paper of October 2001, the principal aims of resettlement are:

- to redress past imbalances in the distribution of economic resources, particularly land;
- to give some sections of the population an opportunity to produce their own food with a view to self-sufficiency;
- to give the opportunity to disadvantaged sections of the population to own land which they claim to be their home;

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- to bring small-scale farmers into the mainstream of the Namibian economy by enabling them to produce for the market;
- to create employment through full-time farming;
- to alleviate human and livestock pressure in the communal areas; and
- to offer the opportunity to citizens to reintegrate into society after many years of displacement by the colonisation process, the war of liberation or other circumstances;

According to Suzman (2001) the most far-reaching intervention that can be made on behalf of the San in Namibia is the protection and expansion of their land rights. In this regard, the stated aims of resettlement directly address some of the key difficulties faced by San communities. According to these aims, resettlement should provide a safety net by allowing landless and impoverished settlers to gain autonomous rights to land and become self-sufficient at a basic subsistence level. The reality on the ground is, however, very different from the stated objectives.

Only a small proportion of San are beneficiaries of the resettlement programme. At present approximately 7,000 San are resettled in eleven resettlement projects. Very little assistance is provided and the San are deliberately resettled with other more powerful groups. This creates conflict and leads to further impoverishment. The trend has been to settle large numbers of San in small areas, where natural resource limitations restrict the capacity of settlers to become self-sufficient. This problem is most serious at Skoonheid and Drimiopsis, where between 500 and 700 settlers are expected to make a living from a total of 2,762 hectares of land.¹ Under these circumstances, it is impossible for settlers to achieve any form of economic self-sufficiency as farmers.

At Skoonheid Resettlement Camp, large numbers of other groups who are not regarded as targeted groups, have settled and continue to occupy 80 per cent of the land, to the detriment of the impoverished San and Damara settlers. This is causing tremendous social conflict and is detrimental to the development of all settlers. The government is powerless to and unsuccessful in its attempts to evict these illegal settlers through legal channels, and the illegal settlers do not see why they should move for the sake of the San (Suzman 2001:99).

Kxoe and the Divundu Prison Farm

Divundu Rehabilitation Centre, a prison farm that is situated next to the San community-run campsite at Popa falls, N//goavaca, was built in 1995 on the premises of a defunct government agricultural project. Although the Rehabilitation Centre is located on land under the jurisdiction of the Kxoe Traditional Authority, they were not consulted during the planning stages. A letter from them requesting the government to disband the project was ignored. The Kxoe wrote the letter because of their concern that the Rehabilitation Centre might have a negative impact on community-based tourism in the region. The building

1. This figure is based on the area available to San settlers at Skoonheid, rather than the hectareage of the entire farm.

of the Rehabilitation Centre proceeded with the consent of the Mbukushu Traditional Authority.

After the prison was completed, the government announced plans to extend it into the area currently occupied by the N//goavaca community campsite and the White Sands Lodge, adjacent to Popa Falls on the Kavango River, and decided that the Kxoe living there would be compensated and resettled elsewhere. The Kxoe objected to these plans and, with the assistance of WIMSA, the Kxoe traditional authority appealed to government to work with them to find an amicable solution. The government agreed to convene a meeting to try and resolve the land dispute between the Kxoe and the Mbukushu. The meeting was convened, but according to the Kxoe delegation and other observers, both government officials and the Mbukushu delegation were biased and demeaning towards the Kxoe.

At the end of the meeting, the chairperson made a number of unilateral resolutions (cf., Suzman 2001:110):¹

- The N//goavaca Community Campsite and the White Sands Lodge were illegal and had to be moved;
- An evaluation of compensation for the Kxoe would be conducted;
- The Kxoe would be allocated another place for a campsite;
- Land allocation in West Caprivi was henceforth to be handled by the Mbukushu Traditional Authority; and
- The prison farm expansion would go ahead as planned.

In response, the Kxoe leadership sought redress in the High Court in December 1997 and, represented by the LAC, filed a fifteen-point motion in which they requested that:

- Their traditional authority be recognised with immediate effect and the contradictory claims of the Mafwe and Mbukushu be disregarded;
- The court declare that they are the owners of the land situated between the Kavango and Caprivi subject to the limitations of law; and
- The plans to expand the Divundu Rehabilitation Centre and evict them from N//goavaca be stopped immediately.

Government initially opposed the motion, but later expressed a desire to resolve it without recourse to the courts. Thus, in early 1998 the Attorney General's office notified the Kxoe leadership that government had not only revoked its decision to evict the Kxoe from N//goavaca, but also that it was willing to reconsider the traditional leadership issue, and, moreover, that it would defer to a judicial commission of inquiry as far as the land issue was concerned.²

As mentioned above, the government made a final decision in 2001 not to recognise the Kxoe Traditional Authority and the land claim remains in dispute. The Kxoe have instructed the LAC to proceed with the above claim. The court

1. Martin Kapewashe, former Deputy Minister of the Ministry of Lands Resettlement and Rehabilitation.

2. See reports in *The Namibian*, 6, 9 and 21 January 1998.

application for the recognition of the Kxoe Traditional Authority will also address their land claims.

The Hei//om and the !Kung

The Hei//om San community were the original owners of the area that is now known as the Etosha National Park, one of Namibia's renowned tourist attractions. Although the park was proclaimed in 1927, the Hei//om were forcefully evicted from the park only in 1953. They have since been living and working on commercial farms and some resettlement areas in the Oshivelo corridor in extreme poverty and miserable conditions (Suzman 2001:13).

In 1997, members of the Hei//om community blockaded the two main entrances to the Etosha National Park. It was the first protest of its kind in Namibia since independence. Armed with bows and arrows, they prevented traffic (and tourists) from entering the park in a bid to draw public attention to their landless plight, as well as to their ancestral claims to areas in and adjacent to the park. The police were called in and broke up the demonstration with teargas and sjamboks. Many of the protestors were arrested and spent a few days in detention, although all charges against them were later dropped. The government subsequently agreed to negotiate with Chief Aib of the Hei//om regarding their claim for alternative land to be resettled on, together with certain concession rights to run tourism enterprises in the southeastern part of Etosha National Park. The continuing negotiations were hampered by internal leadership disputes.

The !Kung, Vasekela, Ju'hoansi and Mpungu San groups, together with a few settlers of Kavango and Herero origin, are settled in a number of small villages in the Tsumkwe West District in northeastern Namibia. The !Kung form the majority of the population of between 4,000 and 5,000 people and have been settled in the area since 1981. In October 2000, the Tsumkwe regional councillor visited the community of M'kata in Tsumkwe District West. After informing the community about ideas to bring development to the area, he also informed them that the government intended to resettle refugees from the Osire Refugee Camp to a new site in the M'kata area. He added that this would bring jobs and development to the area. He did not mention that the Osire refugees to be resettled amount to 20,000 people, mainly from Angola.

As early as February 2001, when the community became aware of the nature of the planned influx, it informed the government and the United Nations High Commission for Refugees of its serious concerns and objections to the scheme. The community raised objections to the proposed relocation on the following grounds (cf., Pakleppa 2001):

- The San people who live there need the land and have plans for the land, despite its limited natural resources. There is not sufficient water for such a large influx of people.
- The impact on natural resources and on the social status of the San in the Tsumkwe District is a matter of great concern.

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- The scarce firewood and trees will be utilised by the refugees to cook their meals and to build houses next to the refugee tents.
- The veld food, mainly staple food such as *Morama* and *Mangetti*, will be collected by the refugees and little or nothing will be left for the resident population.
- The impact on the health of people as a result of the relocation of large numbers of refugees (20,000 into a population of 4,000) is a matter of great concern.
- The peace and security of the district could be disturbed by the relocation of the refugees, particularly because of the proximity of M'kata to Angola.

In January 2001, the traditional Chief John Arnold of the !Kung, approached the LAC for assistance. WIMSA and the traditional leadership of the !Kung conducted community consultations on the issue. After these consultations, the community instructed LAC to represent them in this dispute. If the government goes ahead with the planned resettlement of the refugee camp, it will mean the effective dispossession and demise of the !Kung in the area.

CBNRM and Nyae Nyae Conservancy

The Community Based Natural Resource Management (CBNRM) policy and legislation,¹ was implemented soon after independence. The policy aims to promote the sustainable use of natural resources; the devolution of rights over and responsibilities for wildlife and tourism to rural communities; and to encourage and assist communities to acquire skills to manage their areas and actively direct their own future. Through the CBNRM programme, rural communities have been given an opportunity to benefit from the CBNRM policy by establishing conservancies to create income through low-impact wildlife and tourism enterprises. One of the major shortcomings of the policy and legislation is that it does not allocate ownership of the land to the conservancies established on the land. The Conservancy's rights are limited to the sustainable use of the natural resources on the land.

This policy has been implemented on over four million hectares of communal land. During 2001, rural communities earned an additional income of approximately N\$6 million through CBNRM programmes. By the year 2005, CBNRM activities are expected to cover an area of over eight million hectares and to generate an income of approximately N\$15 million.² There are currently three San community-based tourism projects under way: the N//goavaca campsite at Mutciku in West Caprivi, the Nyae Nyae Conservancy in East Tsumkwe and the Omatako Valley Community rest camp in West Tsumkwe. Approximately 4,500 San people of Tsumkwe West applied almost three years ago for the establishment of the N#u Jaqna Conservancy, but to date they have not received a positive reply. It is believed that the delay is linked to government's proposal to relocate 20,000 refugees into the area.

1. *Nature Conservation Ordinance*, No. 4 of 1975 (as amended).

2. Namibia's National Assessment for the World Summit on Sustainable Development 2002, January 2002.

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The Nyae Nyae Conservancy was established in 1997 and is one of the major success stories among the post-independence projects that are managed by the San. The Conservancy is situated in East Tsumkwe, has a membership of approximately 1,600 people and employs 30 locals in various capacities. It should be noted that years of planning, capacity building and extensive financial support and expertise from a number of donor partners contributed to the learning experiences and successes of the Conservancy. In fact, the Ju/'hoansi of East Tsumkwe were organised long before independence and the CBNRM policy were formulated. In 1984 film-makers John Marshall and Clare Ritchie founded the Ju/wa Foundation, which developed into the Nyae Nyae Development Foundation of Namibia in 1990. Also in 1990, the Ju/wa Farmers Union, which was established in 1986, was renamed the Nyae Nyae Farmers Cooperative.

At present, the Conservancy and the Foundation work side by side and manage various development projects in the Nyae Nyae area. The presence of the Foundation and the Conservancy has developed the capacity and confidence of the Ju/'hoansi and today they are articulate, confident and have perhaps the most capable San leaders in Namibia (Suzman 2001:43). With the promulgation of the conservancy legislation in 1995, the Nyae Nyae Farmers Cooperative grasped the opportunity to transform its area of operation into the Nyae Nyae Conservancy and itself into the Nyae Nyae Conservancy Committee. Although encouraged by NGOs and government, the decision to transform the farmers' cooperative into a Conservancy was ultimately a community decision, and was motivated in part by a desire to live with and benefit from local wildlife.

One of the major sources of income for the Conservancy is through the production, marketing and sale of craft products, in particular, beads and necklaces. International experts who assisted the Conservancy encouraged craft-makers to produce high-quality, original crafts for sale locally and internationally. Income to the different villages has been significant: For example in 1998 craft-makers from 30 villages collectively earned approximately N\$64,000. The development of the Conservancy was, however, not without hiccups and some people tried to take advantage of the business opportunities. The Conservancy and a private tourism and hunting enterprise entered into a joint hunting agreement in 1997, according to which the Conservancy would receive trophy-hunting fees. A dispute arose with regard to the interpretation of the agreement, since the Conservancy was losing several thousands of dollars per annum as a result of foreign exchange fluctuations. After a year of fruitless negotiations, the Conservancy requested the assistance of the LAC to resolve the dispute. On advice from the LAC, the agreement was terminated and the Conservancy entered negotiations with new partners. Hunting without a valid permit is forbidden in Namibia. However, hunting by 'traditional' means has been legal in the Nyae Nyae area since 1987.¹ With the approval of the Conservancy, households are now entitled to hunt within the framework determined by law, and the Conservancy constitution and business plan. Gathering of traditional veld-food remains a very important nutritional supplement for the San.

1. The primary piece of legislation in this area is the *Nature Conservation Ordinance*, No. 4 of 1975 (as amended).

Socioeconomic Rights

One of the major concerns facing post-independence Namibia is securing social and economic rights and justice for all people. There are huge income discrepancies and the gap between the rich and the poor is growing. Government has made serious attempts to address the situation by allocating huge financial resources to education, health and job creation. Unfortunately, improvements are very slow. Although more people have access to education and healthcare, there has been a general decrease in standards of services.

Very few socioeconomic rights are recognised and enforceable under the Namibian Constitution. Article 20 of the constitution provides for the right to education, but indicates that only primary education for all children under the age of sixteen is free and compulsory. Other socioeconomic rights, such as the right to healthcare, education in general and social assistance, as well as employment rights are contained in Chapter 11 of the constitution as *Principles of State Policy*, and are dependent on the financial resources of the state. They are accordingly not enforceable through the courts.

Marginalised communities are obviously more affected, since they lack the social and political clout to access state resources. As mentioned above, government has, however, adopted some policies to make education and healthcare more accessible to these communities, although their implementation is negligible. Many local and international NGOs are involved in the provision of such services, but without long-term government resources these initiatives remain unsustainable.

Health

In terms of the apartheid colonial policy, healthcare was provided on racial lines, with white people receiving the best treatment while blacks were severely neglected. In the communal areas, very few doctors and hospitals were available. Since independence, there has been a concerted effort to reverse the situation by allocating a bigger share of the national budget to healthcare and by focusing on primary and preventative healthcare. New hospitals were built in rural areas, while existing hospitals and other healthcare facilities became available to all. Despite these efforts, state-funded healthcare is deteriorating, and unless individuals have access to medical insurance they are unlikely to receive proper medical care. The steep drop in the exchange rate has further affected the healthcare situation over the last few years, since most medication is imported. The fast-spreading AIDS endemic is also causing severe pressure on healthcare resources.

The San are less affected by HIV, but due to interaction with other communities and the existing poverty, this is unlikely to remain the case. Because of the increasing numbers of San squatting around towns and villages in commercial and communal areas, they are at serious risk of being infected by HIV due to alcohol abuse, casual sex, rape and prostitution. Among the Kxoe in West Caprivi, AIDS is an immediate and visible problem and levels of infection in that community are consistent with those of the surrounding communities. Infection

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rates in the northeast of Namibia are the highest in the country and sexual relations between Kxoe and others are frequent.¹

The Himba have been described as one of the healthiest communities in Namibia, due to their lifestyle and diet. Among the Himba community, malaria, tuberculosis and sexually transmitted diseases are the most common health problems.² According to recent reports,³ there was an increase of 78 per cent in deaths due to malaria between January and March 2001 (24 persons) and the same period in 2002 (108 persons) in the Kunene region. HIV infections among the Himba are low (approximately 7%) as compared to the national average (of approximately 20%). The obvious reasons for the low levels of infection are the Himbas geographical isolation and marginalisation and strong cultural sexual practices. There is, however, a danger that infection might increase due to the practice of polygamy and the fact that women have no say over their own and their husband's sexuality. Should the Epupa Hydro-project proceed, the expected influx of workers from other areas will certainly have an impact on the spread of HIV and AIDS within the Himba community.

Education

The Namibian educational system and the allocation of state resources before independence were also based on racial discrimination. The government has made a concerted effort to make education more accessible and, since independence, education has received the highest budget allocations in Namibia. In the policy document "Toward Education for All", the government has committed itself to ensure mother-tongue learning during the first three years of schooling. The policy regards all national languages as equal regardless of the numbers of speakers or the level of development of that particular language.

Formal education and schooling is not a priority concern for a Himba family. It is survival and survival depends on the proper maintenance of cattle and other livestock. All children are therefore engaged in taking care of cattle and goats from a very young age. To encourage school attendance, the government has, along with the Namibia Association of Norway, embarked on a mobile school programme in the Himba villages. Approximately 2,070 Grade 1 to 5 pupils are participating. School hours are flexible and children can come to school at any time. This will certainly have a positive long-term impact on the literacy and numeracy levels in the communities and offers boys and girls opportunities to benefit from education. Normally only boys are encouraged to go to higher primary and secondary schools in Opuwo. There is a reluctance to send young girls to hostels.

The San are conspicuous by their lack of formal education and the continuing problems they experience in accessing education services. According to the

1. NACP/MOSS (a state institution survey) reports that infection rates among pregnant women at Andara, Rundu and Katima Mulilo in 1997 ranged between 17.3 per cent and 25.7 per cent.
2. This is according to Abel Augustino, the Regional Manager and Health Coordinator of the Red Cross in the area. The Red Cross is the only NGO active in the provision of preventative healthcare among the Himba.
3. Dr. Naftali Hamata, Director of Northwestern Health District (as reported in *Die Republiek*, 11 April 2002).

1998 UN Human Development Report, adult literacy levels among San are around 16 per cent, and although the situation has improved considerably over the last ten years, less than one in five San of school-going age currently attend school. In addition, drop-out rates remain very high and only 1 per cent of San who have enrolled in Grade 1 have proceeded as far as senior secondary level education.

In 1995, the government set up an Intersectoral Task-force on Educationally Marginalised Children (ITF) to offer advice on policy guidelines for educationally marginalised children. Government has demonstrated a strong commitment to San education and has shown some flexibility and imagination in meeting the needs of San learners. Consequently, despite the fact that results have been slow to emerge, genuine progress has been made over the past ten years. The education sector provides a good model of and for the harmonisation of governmental and non-governmental interventions (Suzman 2001:131). Consequently, there has been a marked improvement in the educational status of San. The number of San enrolled in schools has more than doubled from 1,409 in 1991 to 3,526 in 1998.

The Nyae Nyae Development Foundation established the Nyae Nyae Village Schools Programme in 1994 to cater for the educational needs of children in the Tsumkwe East District. The programme operates five individual schools in different villages, which collectively comprise 'Baraka School'. The programme caters to approximately 450 San learners and uses Ju/'hoan language educational materials that were produced through a well-funded long-term collaboration between Ju/'hoan community leaders, educationalists, anthropologists, linguists, the Nyae Nyae Development Foundation and donors. San learners between Grades 1 and 3 are taught in other languages including English. Working in cooperation with the Ministry of Basic Education and Culture (MBEC), the Village Schools Programme plays an important role. Recognised as a minority language pilot project by the government's Basic Education Reform Programme, there is good cooperation with the government, and the Programme's official status as a semi-private school has entitled it to government assistance. A committee consisting of Nyae Nyae Conservancy Committee members and a project coordinator (principal) govern the schools. The project is engaged in long-term training for local Ju/'hoan-speaking teachers. It also provides support to other schools, such as the Gqaina School in the Omaheke region, which recently initiated a pilot mother-tongue learning scheme.

Conclusion

Namibia's Himba and San remain in a state of insecurity due to inconsistent approaches to development and a lack of policies that appreciate the marginalised position of indigenous communities. From colonisation to globalisation, most countries across the globe have shown a strong disregard for the rights of indigenous people, and Namibia is no exception. International efforts to protect the rights of indigenous people have been undermined by vested corporate and political interests.

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What Namibia is doing in the area of education shows that there are possibilities to improve the situation of indigenous people, when there is respect and a policy of empowerment. Efforts by government and various NGOs in Namibia have in general, however, not made progress in reducing marginalisation or poverty. Greater efforts will be necessary to effect any meaningful change to the collective status of indigenous people. Structural poverty is so deeply rooted that the fate of indigenous people in Namibia ultimately depends on the success of the Namibian economy as a whole.¹ The success of any such interventions will be contingent on establishing a suitable policy framework that is cognizant of the causes of marginalisation and the factors that reproduce it. Should capacity building and meaningful empowerment not be central to these efforts, marginalised groups, and in particular the San, will very likely remain a dependent underclass heavily reliant on the state's resources.

1. Those countries where indigenous minorities have been best catered for in recent years tend to have been those where the majority of the population enjoy First-World living standards and, hence, can afford to be charitable.

Truth, Reconciliation, Amnesia

The “ex-Detainees” Fight for Justice

John S. Saul and Colin Leys¹

In its issue of 26 May 2000, South Africa’s *Mail and Guardian* prominently featured an article from Namibia entitled “Who Killed Swapo’s 700 Missing Detainees?” There it was in black and white: history that refused to remain ‘forgotten’. The immediate trigger: a claim by SWAPO that testimony in the trial of South Africa’s ‘Doctor Death’, Dr. Wouter Basson, to the effect that among other ‘dirty tricks’, he ordered the poisoning of more than 200 SWAPO fighters, ‘explains the whereabouts of missing Namibians Swapo has been asked to account for’.

The reply from other Namibians was immediate. Namibia’s Breaking the Wall of Silence (BWS), an advocacy group that includes a large number of former SWAPO detainees, issued a list of some 700 Namibians said to have disappeared while in the hands of SWAPO during the liberation war. At the same time, according to the *Mail and Guardian* report, ‘the Windhoek-based National Society for Human Rights (NSHR) challenged the Namibian government to set up a South African-style truth and reconciliation commission ‘if Swapo leaders have nothing to hide’.

Historians of Namibia yet unborn will long study the history of the Namibian liberation struggle, and questions as to the character of SWAPO as a liberation movement, the goals and actions of South Africa’s intelligence establishment during the 1970s and 1980s, and how many people were incarcerated in Lubango, and why, and what happened to them, may be examined by them with the same relative dispassion that we can now bring to such issues as ‘The Establishment of the Ukwangali Kingdom’ and the role played by the Damara in the 1904–08 war.² That time is not yet, however: as the news report quoted above underscores, in Namibia a slippage seems almost unavoidable between seeking to provide a plausible account of recent history on the one hand, and acting politically on the other. Nor, as the present essay will demonstrate, is the episode described above the first time during the post-liberation decade that the

1. A much longer version of this chapter, based on a paper presented at the Workshop on ‘Public History, Forgotten History’ held at the University of Namibia in Windhoek, 22–25 August 2000, is published in the *Journal of Southern African Studies*, Vol. 29, No. 2, 2003. Please consult this text for additional details, quotes and references.
2. These were the issues broached by two (they have been chosen at random merely to make the point) of the many important papers presented at the Windhoek Workshop referred to above, papers that nonetheless focused on issues much more distant in the past than the issue central to the present essay.

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history of SWAPO's liberation struggle has become real politics in Namibia. Indeed, we may even suspect that that history could have had—and might yet have—even more serious political repercussions. Thus, some Namibian observers argue that the issue of Lubango remains a ticking time bomb, one that might yet blow Namibia's 'democratic miracle' out of the water. This could happen, they maintain, if it ever looked as though a political party with an agenda that included reopening the historical record on the detainees question was on the verge of defeating SWAPO at the polls.

There is no room for doubt as to the seriousness of the indictment levelled against the SWAPO leadership regarding its human rights abuses in exile. There is a wide range of recorded testimony.¹ The aim of this chapter, however, is not to rehearse all these charges yet again. It is instead to examine the way in which the demand for an investigation of the facts has been consistently resisted, and the reasons for this. Its focus is on what is, in effect, the history of this history as it has played itself out in Namibia during the decade of the 1990s, and on the public debate that has occurred over how much of such history should remain forgotten, how much exposed, and, if it is to be exposed, by what means. For the SWAPO leadership has been determined to keep this history forgotten, and has used a variety of means, ranging from mere inaction to, apparently, measures of intimidation in order to do so. It has also deployed a number of substantive arguments, some more plausible than others, against making the historical record any more public than it already is. Meanwhile, in sharp contrast, certain bold souls in Namibian society have sought instead to keep alive the Lubango story—to actively *remember* it, as it were.

To Forget or Not to Forget?

The contrast between the government's thinking on the linked questions of Lubango, the so-called 'spy crisis', and the missing detainees, and the thinking of its critics, is a wide one. In its public statements on the issue, the SWAPO government argued for a process of 'reconciliation' vis-à-vis its former enemies, offering a particular rationale for doing so. Lauren Dobell, writing on related themes, has contrasted this approach not only with that advocated by SWAPO's Namibian critics but also with that adopted by the ANC (Dobell 1997:372–73).

Succinctly summarising the ANC's Truth and Reconciliation Commission model, Dobell notes, in contrast, that SWAPO adopted a more cautious approach to reconciliation, arguing that a successful transition required cooperation among former enemies. Discussing past injustices would only distract a still fragile nation from the paramount tasks of reconstruction and development. As Namibian Prime Minister Hage Geingob argued in 1992:

When Swapo decided to promote reconciliation, its primary objective was to lay the ground work for peace and harmony in a country that was ravaged by long years of war.

1. See Leys and Saul (1995); Groth (1995); R. Pakleppa, *I Have Seen* (documentary film), an interview with Johannes 'Mistake' Gaomab by Susan Brown first published in *The Independent* (London, 1989) and also several of the memoirs included in Leys and Brown (2003). In dealing with such issues, one hopes that future professional historians will do rather better than the 1996 review by Jeremy Silvester of our own book ('Demons and Democrats', *African History*, 37, pp. 342–43) that sought to trivialise our work on such issues.

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It was an attempt to heal the wounds created by hatred between blacks and whites, between father and son, and between families. Many of you will recall that it is not unusual for one person from a family to be a member of Koevoet and the other a fighter with the liberation movement. Only an attempt at reconciliation could restore peace and harmony at various levels of our society. We saw no alternative. (Quoted in Groth 1995:178)

Up to a point, SWAPO's argument for this kind of reconciliation through studied silence is plausible, even convincing, especially in its appropriateness to Namibia's specific circumstances (including the fact that it was perhaps easier for SWAPO leaders to take this line because the regime overthrown had been, to a significant extent, one of illegal occupation, now departed). Much careful reflection is in order, in any case, on the relative merits of diverse approaches to (in Dobell's phrase) 'knitting shattered societies together in the wake of dismantled authoritarian regimes' before making a judgment as to the wisdom of choices made in this sphere in any given country. But, we might ask, is Dobell actually correct to explain the choice made in Namibia by arguing that 'in the government's considered opinion, resurrecting the past would serve no constructive purpose'? She is too astute an observer not to qualify the position just quoted. As she further writes:

An unspoken but critical sub-text for what detractors derided as a policy of national amnesia [in Namibia] was the Swapo leadership's uncomfortable awareness of the skeletons in its own closet ... In contrast to the ANC, whose Skweyiya Inquiry and Motsuenyane Commission acknowledged violations of human rights in the ANC camps, Swapo never officially admitted to any wrongdoing.

Indeed, it is difficult not to feel that this latter consideration is the primary one. For the SWAPO leadership appears to have had too much to hide to put itself on an equal footing with the torturers, murderers and informants on the other side, at least for purposes of open, quasi-judicial, TRC-style proceedings.

This is not straightforward terrain, of course. No-one would argue some simple-minded equivalence between, on the one hand, the apartheid state and its functionaries (whether operating in South Africa or in Namibia) and, on the other, those who struggled, against enormous odds and often under the most desperate of conditions, to challenge it. Nonetheless, the fact remains that the ANC has, up to a point, been prepared to put itself in the dock, this being a key factor allowing the TRC to make as much progress on a broad range of other fronts as it did in South Africa.¹ And this was not something new. As noted by Dobell, the ANC had already facilitated, in the early 1990s and therefore well in advance of the TRC, the public scrutiny of its record by both the Skweyiya Commission and, when that was not deemed adequate, the more independent Motsuenyane Commission—and before that there had been the Stuart Commission Report of 1984, now also in the public domain, inquiring 'into recent developments in the People's Republic of Angola'.

1. We will have to return to the very practical question of whether a TRC-type proceeding would be the most appropriate means for pursuing such questions in Namibia in any case—in light, in particular, of the aforementioned fact that, unlike the South African case, many (though not all) of the chief perpetrators on 'the other side' of the battlelines (as functionaries of the South African regime of occupation) had long since left the country. For this reason the ANC's own 'internal' but public investigations of its behaviour might be an even more appropriate point of reference for Namibians than the TRC itself.

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One may criticise the adequacy of these prior reports and of the ANC's own response to them. Nonetheless, they remain of real significance. Moreover, both the ANC's initial statement to the TRC itself¹ and its second, more detailed one² deal with questions of abuses of power by the movement in exile in something more than a purely defensive manner. And the TRC's own final report has some particularly strong sections on these events.³

SWAPO's domestic critics have continued to make it clear that in their view it is not differing philosophies and strategies of reconciliation, but rather SWAPO's desire to cover its own tracks that does indeed provide the most convincing explanation of the path the movement has chosen. In arguing for a more public processing of the issues, such critics have come to present the link between truth and reconciliation in a very different way from that advocated by SWAPO. It is also true that there have been more personal agendas. Thus some of the victims seek not merely truth but also 'justice'—the exposure, even punishment, of people, some of them now in high office, who they say are torturers and murderers. Others seek to have their own names cleared of the allegation of treason that was the official reason for their detention and torture, or they seek simply to find out what happened to those detainees who never returned. Still others, relatives of the detainees, want death certificates issued for those who must be presumed dead, so they can get on with their lives. But not everyone who advocates a more open approach has so direct an involvement. Some supporters merely wish to see a searing moment in Namibian history dealt with openly and honestly. They may also find it difficult to accept that Namibia is truly 'new' so long as the commander of the armed forces is the alleged 'butcher of Lubango' and interrogators from the Lubango detention centres have been reincarnated as members of the Security Service or the President's Special Field Force, which has been involved in numerous reported instances of illegal intimidation and harassment in recent years.⁴ In short, the feeling that the secret political culture of the Lubango detention centres has been dangerously carried forward, unexamined and unchecked, into independent Namibia, is not confined to the Lubango detainees and their families.

1. 'African National Congress Statement to the Truth and Reconciliation Commission', of August 1996, especially section 6, 'Did the ANC Perpetrate any Gross Violations of Human Rights?' (ANC website).
2. 'Further Submissions and Responses by the ANC to Questions raised by the Commission for Truth and Reconciliation', 12 May 1997 (ANC website).
3. *Truth and Reconciliation Commission of South Africa Report* (Truth and Reconciliation Commission, Cape Town, 1998), Volume 2, Chapter 4.
4. Critics note reports of high-handed and even illegal activities by state security personnel (see Gwen Lister's trenchant 'Political Perspective' column on this issue in *The Namibian*, 11 June 1999, for example), including the rampage in Windhoek by Nujoma's own 'Special Field Force' in beating up men wearing earrings and tearing these earrings off, this in furtherance of the President's shrill campaign against homosexuality. Even more serious have been accounts of the detention and alleged torture of 'Caprivi secessionists' and 'UNITA supporters' in the north of the country; the pressure exercised upon judges acting in these cases (against their giving bail, for example); and the astonishingly intemperate tirades, over an extended period, of Swapo Minister of Home Affairs and apparently, with the passing of Moses Garoeb, the party's designated demagogue, Jerry Ekandjo (whose excesses are generally echoed by the SWAPO Youth League) against judges, gays and anyone else who seems to offer a handy target.

The History of the History

Some Namibians did challenge the writing of official history even as that history was being made. As early as 1977, for example, the Reverend Salatiel Ailonga had written from exile to alert Bishop Auala of the Lutheran Church of the North to the SWAPO leadership's abuse of its power in Zambia.¹ The 'Parents' Committee', formed in 1986 by the families of SWAPO members detained in Lubango, likewise struggled to win the ear of the Namibian people, and especially the Namibian churches, for a critical accounting of what SWAPO was doing to its detainees in Angola during the 1980s. The churches proved reluctant to embrace the issue, however, in part because of a fear of giving aid and comfort to the apartheid enemy. Indeed, the churches only began to feel forced to do somewhat more as the regional and global conjuncture worked to accelerate Namibia's march to independence after 1989. In particular, it became difficult to ignore the testimony of detainees released from SWAPO dungeons when the first 153 of them returned to Namibia, under UN auspices, after their release in Angola in mid-1989.²

The Parents' Committee linked up quickly with the returned detainees, who also set up a Political Consultative Committee to try to get the full story of their Angolan experiences into the public arena. In 1989 the Committee produced a widely circulated document.³ Moreover, the story obtained additional resonance, albeit of a rather contradictory kind, when it was taken up as part of the election-linked 'disinformation' efforts by the sympathisers and/or functionaries of the apartheid regime. Ironically, much of this 'disinformation' was actually true, despite the malignant purpose of the South Africans in distributing it.⁴

Given the nature of Namibian society, a strong stand by the churches, taken not to block SWAPO's rise to power but to help it relieve itself of the damaging burden of its past, might have given such criticism the kind of resonance it needed. In the event, the churches were reluctant (as they had been before and would be in future) to push the case vigorously. For, in Lombard's opinion, an unhealthy symbiosis had been established quite early between SWAPO and the churches that helped to damp down controversy over SWAPO's abuses of power in exile. Thus, he cites as an early example of this pattern the uncritical acceptance by then CCN General Secretary, Dr. Shejvali, of the misleading announcement by senior SWAPO leaders Theo-Ben Gurirab and Hidipo Hamutenya in London in 1986, an acceptance that helped the CCN to dismiss the concerns of the Parents' Committee.⁵ Lombard's assessment of the churches' record

1. This letter is quoted at length in the important article by Lombard (1999).
2. Lombard (*ibid.*, 56–57) speaks of the considerable impact in this regard of 'the press conference of the first group of 153 on 6 July 1989 in Windhoek where some of them showed their torture scars', suggesting that this forced 'the churches and other Swapo allies to break their silence publicly as well'.
3. The original 1989 document was republished in 1997 by the Breaking the Wall of Silence (BWS) Movement (Windhoek 1997). The second source mentioned in this paragraph is Basson and Motinga (1989).
4. Basson and Motinga (1989) provided an important case in point here, at once both informative and highly suspect in its provenance.
5. In 1988 SWAPO announced that it was holding 200 people in detention, and began showing videotaped 'confessions' to selected audiences—especially to SWAPO students—abroad. Many years later (in November, 1996), Reverend Shejvali would confess, apologetically, that he had been misled at this time by these often wildly implausible videos, many of which were by then known to have been extracted under threat of torture.

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during the transition process itself is even more critical. Now operating under close international and local scrutiny, 'Swapo came closest to accepting full responsibility for any abuses committed before independence during the run-up period to the elections, in 1989-90'. In this context, Lombard (1999) suggests, 'it is easy to see how proper pressure from the churches in Namibia could have redefined the whole process of reconciliation'. And yet 'Swapo was let off the hook, and allowed to continue its authoritarian and uncompromising culture, and take over the governing responsibility without having accounted for its own human rights abuses'.¹

But was SWAPO actually vulnerable to more pressure at this point? It had after all released at least some of its prisoners from Lubango in April-July 1989. This it did under a certain measure of international scrutiny and in line with the terms of a longstanding UN Security Council Resolution, number 385 of 1976, that had called for both South Africa and SWAPO to release all political detainees prior to any independence election. But it was also in line with the adoption by the SWAPO Central Committee in February 1989 of a national reconciliation policy that, in view of the prospect of a settlement, promised to pardon those 'misguided elements who infiltrated the rank and file of Swapo with the aim of serving the war aims of the enemy', and a further decision, announced in May 1989, 'to release them all'. But how significant was this? After all, debate would continue as to how many such prisoners SWAPO had actually had in the first place and what had happened to those not accounted for. When ordered in a November 1989 court case to produce five named detainees, for example, SWAPO simply denied having these prisoners and, in any case, then failed to do so. Even more revealingly, in its electoral campaigning the party rejected across the board the various allegations made by the Parents' Committee and other critics, thus falling back on its (in Lombard's phrase) 'culture of silence and denial' and its shrivelled notion of reconciliation, 'in which the injustices of the past could simply be swept under the rug, and the wounds of war left to heal themselves' (Lombard 1999:59).

There is some evidence that not all senior SWAPO leaders found this stance an easy one to adopt. Lombard (1999:58), for example, quotes a speech made by Theo-Ben Gurirab, who was to become Namibia's Foreign Minister, before the pre-independence elections. The issue of the former detainees was a painful subject affecting virtually every family in Namibia, he said; it would not go away by being ignored; the time for dialogue on this painful issue had arrived.

At the end of the day we will have to sit around the fire and take inventories: who is alive, who is dead, how did it all happen? As a Swapo leader I will never defend the humiliation and suffering of torture. If the allegations are true, I apologize to the victims and to their parents and pledge to you now that the Swapo leadership will take the necessary steps to bring those involved to book.²

1. Two other important sources for tracing the Namibian churches' role during this period are Steenkamp (1995) and Trehwela (1991).
2. The quote by Gurirab is from the *Times of Namibia*, 19 July 1989.

Less than a year later (in May 1990), however, Gurirab claimed to have 'dissociated himself' at the time from 'the quotations made in my name'.¹ By then, any lingering disposition there may have been on the part of some members of the SWAPO leadership to deal with the detainee issue openly and honestly seemed to have been extinguished.

Nonetheless, the parliament which met immediately after independence had inherited from Martti Ahtisaari, the United Nations Special Representative in charge of the transition to independence, a UN report of October 1989. It investigated the fate of 1,077 people who were alleged to have been in SWAPO's detention camps earlier that year, but who had not returned. In summary, the report said 71 of the people on the list had not been detained, but confirmed that 639 of those on the list had been detained but had either died (155) or been repatriated (484). There was insufficient information to identify 52; a further 315 remained unaccounted for.² Ahtissari had said that the problem 'was now in the hands of the Namibians' and the new parliament contained a number of opposition MPs willing to pursue the issue.

As for SWAPO, it had to tread a little carefully at this stage. It still lacked a two-thirds majority and so could not override the civil liberties entrenched in the constitution; and in any case it was anxious to reassure overseas investors. Nonetheless, any investigation of those missing would have had to entail investigating the whole Lubango story and hearing testimony from those who had survived. So, from the first, the new government resisted all attempts to have the detainee issue investigated, even when this took the form of a call for an all-party committee chaired by the Speaker. Moses Garoeb, the Secretary General of SWAPO, said the party had taken on the responsibility 'to compile a full and comprehensive list of all those Namibians who have died and disappeared in the war while they were under Swapo's care and responsibility' but that 'many are simply unaccounted for'. He categorically denied that SWAPO was still holding 'any Namibians anywhere as detainees'. Hidipo Hamutenya, the SWAPO Minister of Information (who, with Moses Garoeb, had visited the detention centres and was involved in showing the videos of the alleged confessions abroad), also stated that SWAPO was compiling a list of 'those who have died and disappeared under its care', acknowledging that dying in detention was 'one of the circumstances' in which people died, 'but not the only one'.³ The debate was heated; eventually the Prime Minister, Hage Geingob, got all sides to agree to suspend it while he tried to find a 'diplomatic' solution in the form of a 'small' all-party committee, albeit one with a very vague remit. What finally emerged in November 1990 was an agreement to ask the International Committee of the Red Cross 'to trace the missing people'.

The ICRC said it could only respond to requests from governments, and the Prime Minister, therefore, made the request. The ICRC submitted a series of reports, which were tabled in parliament, the last of them in June 1993. It reported that it had found no missing Namibians in the 48 Angolan prisons it visited in

1. *Debates of the National Assembly*, 30 May 1990, p. 331. Quoted in the following as *Debates*.

2. We have not seen this report; it was summarised by Moses Katjuonga, MP, in *Debates*, 30 May 1990, p. 307.

3. *Debates*, 30 May 1990, pp. 337-38.

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1991–92, or heard any reports of such persons in Angola, Zambia, Zimbabwe or Botswana.¹ For whatever reason, the ICRC reports were not debated in parliament, and the central issues—the fate of those missing, and the facts of what had happened at Lubango generally—remained unresolved.

One more attempt was made to use parliament to deal with them. On 23 August 1994, with a new general election pending in December, Eric Biwa MP, the sole Patriotic Unity Movement (PUM—an ex-SWAPO detainees' party) candidate elected to the first parliament, called parliament's attention to its failure to debate the ICRC's final report. According to him, the report made it clear that the ICRC had abandoned the effort to trace missing people in frustration, having failed to secure the cooperation of 'parties of critical importance'. He moved that there should now be 'an inquest in a competent Namibian court of law', not to prosecute those allegedly responsible for the death or disappearance of anyone, but to 'determine the fate of the missing persons, so that where such persons have died, death certificates be issued'.² A few brief quotations from this debate suffice to illustrate what was implicitly at stake for the SWAPO leadership.

First, Justus Garoeb of the United Democratic Front (UDF), an ally of the PUM, said that besides the many Namibians killed in the fighting, or who died from illness or accidents or suicide and other causes,

We are also mature enough to know and to accept that given the war situation that prevailed those days and the human nature, for the good or for the worst, a great number of our children died at the hands of our own Swapo security people charged with various crimes they might have committed. Some died in detention under unhealthy conditions and shortage of nutritious food and/or unbecoming foodstuffs. Young girls were alleged to have been raped and died for lack of professional medical treatment. Others are alleged to have been literally beaten to death and some were reported not to have returned to detention after allegedly being taken away by the security people for interrogation. They just vanished into thin air.³

Even so, Justus Garoeb stressed, the UDF did not want to 'pave the way for charges against the culprits', but just to 'close this very sad chapter and make a new beginning'.⁴

Moses Garoeb, the SWAPO Secretary General, merely reiterated that SWAPO was compiling a list of all those who had died or disappeared, and that this required more time, while Nahas Angula, the SWAPO Minister of Education and Culture, took the official SWAPO line—that any investigation of the SWAPO detainees alone would be unfair, and prevent reconciliation—to its logical conclusion:

When Swapo entered into a cease-fire agreement with South Africa [Swapo's abortive cease fire offer 1981], I remember Swapo having a meeting, saying, 'look, we are facing the problem of a nation which [has] fought against itself. Brother fighting brother and son fighting father.' It did happen. Then we said, 'how do we face this situation?' We were very conscious of what has happened in other situations like this. Many of us lived in Angola for a long time. We knew that on the departure of the Portuguese there was no political programme in place to bring people together and to start the foundations of nation-mak-

1. As reported by Prime Minister Geingob in *Debates*, 13 October 1994.

2. Eric Biwa, in *Debates*, 26 July 1994, p. 204, in giving notice of his motion.

3. *Debates*, 6 October 1994, p. 43.

4. *Ibid.*

ing. That is why the war in Angola continues. We said we should try something else. That is why Swapo came up with the policy of national reconciliation. We knew the tragedies we have gone through and we said if we are going to look back and try to investigate or try to find out who did what and when, we are quite sure we are not going to be a nation at peace with itself. We will continue to be a nation in conflict with itself. We knew about that [and that] we should try to look to the future rather than return to the past. If you want to return to the past, fine.... But we must know about the consequences of that. You will never stop anywhere. You will have to go all the way from the crimes committed from the Berlin Conference up to the 21st March 1990. That you have to do if you are to be honest and do justice.¹

The Prime Minister, Hage Geingob, summed up for SWAPO:

Yes, some people were detained by Swapo and some went missing. Some of those detained were genuine spies of the enemy, some were probably innocent and some were probably wrongly detained as a result of which their reputations were tarnished. Such things happen in guerrilla wars because of the nature of such wars and the absence of a normal due process of law ... As the Government of Namibia we will continue our efforts to find out what happened to the missing persons, but it does not mean that the issue should be politicized before every election.²

Eric Biwa summed up for the detainees:

In a nutshell, the strategy is simply to deny, conceal, trivialize, disregard and rule at all cost ... While I do agree that the issue is emotionally charged, I am not convinced that Mr. [Moses] Garoeb is interested in a solution or has the moral and political courage to do something about it, and if he has the political courage, I would like to challenge him that he tells us today what happened to the detainees who disappeared after and shortly before his visit to the dungeons in January 1989. That was long after Resolution 435 had been agreed upon and the war had stopped. Therefore, the excuse that missing Namibians died in war cannot apply [to them] ... Let me assure the Prime Minister that the issue of the missing persons shall be raised as long as it remains unresolved. I personally undertake to raise it, be it from the floor of this House or from the streets. I joined Swapo 23 years ago, an act I have no regrets for, because I was absolutely convinced it was the right thing to do and was prepared to die for that cause. I was detained by Swapo in an underground dungeon for five years, but remained a member because I was convinced throughout that the mistake would be rectified in due course. Soon it became clear to me that Swapo irreversibly degenerated into an enemy of human rights and democracy. At this point I left Swapo to struggle for human rights and democracy under new conditions. Thus only death will silence me.³

Biwa's motion was defeated and SWAPO would later that year win the general elections with more than a two-thirds majority. From then on the history of the history took place largely outside parliament.

It was Siegfried Groth's book that next broke the silence in Namibia. Groth was a German cleric with pastoral experience in Namibia who subsequently had a notable history of servicing the spiritual needs of those Namibians, living in Zambia, who had fallen out of favour with the SWAPO establishment. Lauren Dobell (1996) notes that Groth's account of events in Angola and of the questionable silence of churchpersons revealed little that had not been written before. But, coming from a source within the Lutheran family of churches and hit-

1. *Debates*, 6 October 1994, pp. 49–51.

2. *Debates*, 13 October 1994, pp. 219 and 221. The claim that SWAPO was fighting a guerrilla war in quite the sense implied is rather problematic, of course, as is the claim that there were genuine spies in detention, given the methods used by SWAPO security to interrogate detainees.

3. *Debates*, 18 October 1994, pp. 305 and 307.

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ting, in any case, so uncomfortably close to the target, it evoked some dramatic responses. Importantly, too, it reactivated the network of those who still wished to force SWAPO to finally come clean on this issue. As Dobell writes, 'A Breaking the Wall of Silence (BWS) Committee was formed, comprising former detainees and their supporters, together with a number of CCN [Council of Churches of Namibia] employees, to launch the book under its own auspices, and undertook to translate it from English into the more widely spoken Afrikaans and Oshivambo, the latter directly addressing Swapo's traditional support base' (Dobell 1996:33).¹

Equally significant, as noted, was the nature of SWAPO's response. Thus SWAPO MP Nathaniel Maxuilili led calls for the banning and burning of the book, while the notoriously intemperate SWAPO Secretary General of the time, Moses Garoeb, issued dark threats of war against the 'evil forces' who would dare to challenge SWAPO in this way: 'There could be a lot of bloodshed in this country. We are always reminded of the past and of being insulted and provoked and we have now reached a point where we can say "enough is enough and can fight back".² Even more threatening, however, was the step taken by President Nujoma: availing himself of the national television network (6 March 1996), he launched a vituperative attack on both Siegfried Groth and Christo Lombard, the University of Namibia professor of theology who was associated with the launch, characterising Lombard as 'an apostle of apartheid'. Nujoma evoked 'our policy of national reconciliation, unity of purpose, tolerance and mutual accommodation' while also calling 'upon all Namibian patriots to remain vigilant' against 'divisive forces' and 'all types of irresponsible reporting'.³

The President added, 'The Swapo Government under my leadership will not allow Namibia to become another Rwanda or Burundi, Pastor Groth's agenda will only lead to bloodshed in our country. That is something we cannot tolerate in Namibia'. Significantly, however, the abrasive tone of the statement, the rhetorical overkill (blood to be shed: by whom, and whose would it be?) and the highly personalised outbursts it contained were characteristic of SWAPO's use of character assassination and intimidation in exile, providing further evidence of some of the negative attributes of the political culture that has pervaded the movement from quite early on its history.

Meanwhile, SWAPO functionaries had been busying themselves in finally preparing their own oft-announced accounting of the varied fates of Namibians in exile (SWAPO 1996).⁴ This did provoke one last gasp of parliamentary ac-

1. In the event, the Oshivambo translation of the book was to take much longer to prepare than originally foreseen, finally seeing the light of day only in 2001.
2. "Calls for Groth Book to be Burnt," *The Namibian*, 3 March 1999 and "Garoeb Goes Ballistic: Warns Swapo is Ready for a 'New War'," *The Namibian*, 3 March 1996. As the latter newspaper account continues, 'According to Garoeb, what had happened to Swapo detainees was a normal thing which happened in any war situation and should be left alone because of reconciliation'. See also Dobell (1997).
3. See the press release of his speech, entitled 'His Excellency President Sam Nujoma's Response to Pastor Siegfried Groth's book: "The Wall of Silence"', which is in our possession. It bears noting that in his speech Nujoma explicitly underscored the fact that he was speaking not only as President of both SWAPO and Namibia but also as Commander-in-Chief of the Namibian Armed Forces. See also Christo Lombard, "Do You Have No Respect for Truth, Mr. President?", *Windhoek Observer*, 9 March 1996 (also published as "Open Letter to the President", *The Namibian*, 11 March 1996).
4. Published for 26 August ('Heroes Day'), it is also referred to as 'The Book of the Dead'.

tivity on the issue, Prime Minister Geingob seeking to use the availability of its account to now shift the burden of truth-telling back to the old occupying power and its allies within Namibia, even tabling a motion to that effect.¹ However, Eric Biwa (by now a UDF MP in the post-1994 parliament) was having none of this, slamming the 'Book of the Dead' as 'a classified set of lies' that, in the newspaper paraphrase of his intervention, merely 'further deepened the mystery of the missing and the dead'. In fact, he noted, there was now 'more to explain than ever before'.² Such was also the conclusion of the National Society for Human Rights which, in a sustained response, was able to document a wide range of what it termed 'discrepancies, contradictions and distortions or falsifications' in the Swapo account (see NSHR 1996).³

The NSHR claimed to have names of 772 SWAPO detainees who had not returned to Namibia and were still 'missing'. Of these, 140 were now listed in the 'Book of the Dead' as having died, 99 of whom were said to have died in Lubango (which of course did not constitute a statement by SWAPO that they had been detainees, as Lubango was the site of SWAPO's main military camp as well as the detention camps or pit-prisons). Thus 632 of the people on the NSHR's list remained unaccounted for. Although SWAPO said the 'Book of the Dead' was incomplete, and promised more research, it seemed unlikely that if such research took place it would reveal much about these 632 people. As for SWAPO, it merely maintained that the NSHR's allegations were unfounded. But its own credibility was seriously damaged by some of the discrepancies and contradictions that the NSHR pointed out. In particular, some well-known SWAPO figures in exile who had previously been publicly denounced as spies, such as Tauno Hatuikilipi (who President Nujoma stated in 1984 had committed suicide after being detected as a spy, but who was widely believed to have been killed by SWAPO security forces), were listed in the 'Book' as dead heroes and heroines (Hatuikilipi himself was now said to have died of bronchitis).⁴ While there might be innocent explanations of the fate of many, perhaps most, of those the NSHR said were still unaccounted for, SWAPO's protestations that it had nothing to hide were discredited by the evidence that there were things it had tried to hide.⁵

1. "Where is Your List? PM Challenges Opposition To Tell Their 'Truth'", speech in parliament by Prime Minister Geingob published in full in *New Era*, 4/6 October 1996.
2. "UDF's Biwa Slams 'Book of the Dead'", *The Namibian*, 9 October 1996.
3. The fearless role of Phil ya Nangolah, president of the NSHR and co-editor (with the late Zen Mnakapa) of this report, in keeping alive the issue of the ex-detainees and of advancing more generally the cause of human rights in Namibia throughout the 1990s bears special mention here. Founded in 1990, the NSHR itself grew out of the Parents' Committee, mentioned earlier (see NSHR 1998).
4. A moving interview with Hatuikilipi's widow, which underscores the ironies inherent in the manipulation of his memory by SWAPO, appears in Pakleppa's film (*I Have Seen*).
5. One other feature of SWAPO's 'Book of the Dead' perhaps deserves mention here, namely the high number (338) of these overwhelmingly young men and women in exile who were said to have died 'natural deaths'. A majority of these died in Lubango, and they formed a very high proportion of the 140 people who the NSHR said were missing Lubango detainees. Of these 140, 32 were listed as having died 'natural deaths', while most of the rest were said to have died from mainly preventable or curable diseases—23 from beri-beri, 17 from TB or pneumonia, 15 from malaria and 7 from diarrhea or dysentery—compared with just 27 who were said to have died in combat. At best it appeared that SWAPO did not provide elementary medical services for some of the people in its care in Lubango; at worst the figures suggested that people had been allowed to die of illnesses arising from malnutrition (the cause of beri-beri) and cold and unhealthy conditions, if not from torture.

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Clearly much more remained to be done to ascertain the details of SWAPO's record in exile, adding a fresh reason for the party's critics to press for some kind of process of public fact-finding and accountability. For the moment, the chief hope of the BWS and others was that the churches would at long last take up the issue of Lubango in a satisfactory manner. And there were those who worked, both within the churches and without, to have that happen. When, in late 1995, both the executive of the CCN and its annual general meeting voted 'to address the detainee issue' it looked as if progress, from the ex-detainees point of view, might finally be made.¹

However, a clear signal that there would be a strict limit to church engagement with this issue came with the early 1996 decision both by the CCN itself and by a number of key churches not to accept an invitation to participate in the launching of Groth's volume.² True, some concrete plans were still ongoing at this point within the CCN to mount a public programme of 'reconciliation and healing'—including, most significantly, a series of planned conferences 'on issues related to the ex-detainees during the struggle for independence'. The first of these was to be held, the CCN's Executive Committee instructed (according to its press release of 19 February 1996), between May and July, 1996. Yet all was not clear sailing on this front either. Indeed, as debate resumed concerning the best ways of proceeding with this process and its correct timing, a number of church leaders began to backtrack, especially after a group of them were invited to a meeting with the President in March 1996, at which he warned the churchmen to be careful not to run the risk of 'disturbing the peace'.³ Nonetheless, the initiative only really ground to a halt when an angry President held a further, more formal meeting with church leaders on 13 August 1996, and warned them even more aggressively than before not to rock the boat.⁴ About this time a whispering campaign also began against Reverend Nakamhela, and

1. See the Resolution of the 10th Annual General Meeting of the CCN, 7 December 1995, in which it was stated that the CCN, 'deeply conscious and penitent of its own failures and shortcomings, will seek amongst other matters to address the detainee issue during the course of 1996 by sponsoring a meeting with partners and relatives' (in the authors' possession).
2. See, for example, letters in our possession to Rev. Nakamhela (then Secretary General of the CCN) refusing involvement in the launch from Kleopas Dumeni, Presiding Bishop of the Evangelical Lutheran Church of Namibia (ELCIN) and, it would seem, a major protagonist in the self-censorship of the churches during this period (letter of 12 February 1996; see also his pronouncement of 'ELCIN's Stand-point regarding National Conference on Reconciliation', 11 February 1996); from P. Dieghardt, Bishop of the Evangelical Lutheran Church in the Republic of Namibia (letter of 15 February 1996); and from B. Haushiku, (Roman Catholic) Archbishop of Windhoek (letter of February 1996). Among the reasons given by Dumeni for his stance are that 'the book is one-sided on the issue', that it is 'even written by an "outsider"' and that 'the contents of the book disturbs the policy of reconciliation in our country'. In contrast, Haushiku at least acknowledged that 'it is a very good book giving very valuable information about things that happened in exile during the struggle for the liberation of Namibia'. As for the CCN itself, its Executive Council voted unanimously on 15 February 1996 not to participate in the launch (a decision described as 'disgraceful' by *The Windhoek Advertiser*, 20 February 1996, in an editorial that also wondered aloud: 'Did or didn't the Council act on certain recommendations or suggestions by the President?')
3. See the story headlined 'CCN Member Churches Pulling Out: "Truth Meeting" Now in Question' in *New Era*, 28 March 1996; Haushiku and Dumeni are among those cited (and quoted) in this article, as is Anglican Bishop James Kauluma. Only Peter Strauss of the United Reformed Church is presented as holding his ground, stating that 'it will be very wrong for the government to cover, smash or belittle the real moral issue crying for attention', while adding that no government will 'ever survive the judgment of time when refusing moral responsibility'.
4. See 'Memorandum: On the Occasion of a Visit with the President of the Republic of Namibia, Dr. Sam Nujoma, 13 August 1997, State House', signed by Bishop Kleopas Dumeni, CCN President, and Rev. Ngeno Nakamhela, CCN General Secretary (in the authors' possession).

SWAPO members were warned publicly by the party not to take part in any church-related reconciliation processes of the kind promised in the 'Year of God's Grace' proposed for 1997. In short, history was to be forgotten—or else.

The church-centred initiative did limp along, the oft-delayed process finally producing a rather anti-climactic series of workshops.¹ But the central fact remained that the project had not been allowed to be taken seriously by the churches. As for the BWS, it nonetheless chose not to abandon the cause after 1996 and was to find the means to ventilate the issue from time to time in coming years—despite the deafness to their concerns of the bulk of the Namibian elite and also the apparent difficulties, logistical and otherwise, of capturing the interest and attention of many ordinary Namibians.²

There were other initiatives to keep the history of Lubango alive during these years. There was, for example, the production by Richard Pakleppa of his powerful and deeply moving film on the Lubango occurrences and their implications for contemporary Namibia, entitled *I Have Seen*. This was both an artistic triumph and, in the interview material it contains (both from numerous ex-detainees and from the likes of senior SWAPO Ministers Hage Geingob and Nahas Angula), a vital source of pertinent documentation.³ Indeed, Angula is even moved to say on camera that:

When we start retracing our own steps we should be able to discover where we [SWAPO] went wrong, and where we were right, separate myth from truth, truth from myth. Perhaps when we start doing that, reflecting back, it is only then we can start to recognise the kind of mistakes we might have done and the kind of pain we might have inflicted on other people who might have been caught because of the mistakes we have done. But that will take time, I must say ... Not only that, it needs some form of leadership, a leadership that should recognise the fact that as a leader you cannot be right all the time, sometimes he makes an error, and we have to accept that as a fact of life.⁴

1. Although of some interest is the fact that the exchanges in such workshops were most often cast in disappointingly vague and general terms and proved to offer little of consolation to the ex-detainees themselves. See, for example, the 'Working Document' prepared for the Church Leaders' Workshop: 'Reconciliation from a Christian Perspective', Windhoek, March 1997; documents from the 'Celebrating Our Unity in Reconciliation', Council of Church Leaders, Windhoek, 11–12 June 1997; and the wide range of documents produced for and by the more ambitious CCN 'Conference on Restoration' held at Okahandja, 5–7 March 1998, including the 'Report on CNN's Conference of Restoration' written by Rev. Nakamhela (all of these documents are in the authors' possession). Indeed, the BWS annual general meeting in October 1997 would sharply criticise the CCN, 'for failing to adequately address the Swapo detainee issue during a year which the church body had declared the "Year of God's Grace" (printed in *The Namibian*, 21 October 1997), stating in one of its formal resolutions that 'The declaration of 1997 as the "Year of God's Grace" by the ecumenical body [the CCN] has not borne any fruits and is a fiasco'.
2. There was also, during this period, an extremely lively exchange of letters in the correspondence columns of several Namibian newspapers, a revealing source of diverse popular opinion about SWAPO's exile record and how it might most appropriately be dealt with.
3. The film also contains footage of Henry Boonzaaier's lonely and silently accusatory vigil (as well as an interview with him): until his death in 2000, Boonzaaier was a ubiquitous figure, often to be seen pacing the streets of Windhoek semi-clad and carrying a large cross and placards calling upon President Nujoma to come clean on the detainee issue. Boonzaaier spent over a decade in the dungeons. It was also said that he had been forced to dig most of the dungeons himself.
4. Transcribed by the authors from R. Pakleppa, *I Have Seen*. Angula adds that 'this should not be a one-sided story ... Those who fought for the evils of apartheid should also stand up and say we were wrong'. Unfortunately, he gives no hint as to how he envisions the kind of process through which the necessary reflection he has in mind might occur, nor where the leadership he sees to be necessary to undertake such a process might come from. This is no small matter since, as we have seen, the much more typical SWAPO response has been silence, bluster or threat. In the film itself Prime Minister Geingob attempts a more ingenious tack, suggesting the whole matter to be a question of 'economic reconciliation': 'If we would have our economy working, if people's stomachs were full, the pain they [the ex-detainees] have been feeling because of the past will somehow disappear, they will forget it. If we can achieve [economic reconciliation] we will close the chapter'.

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Unfortunately, with respect to this kind of frankness, Angula has remained an all too lonely voice within SWAPO circles; others from those circles did step forward in quite a different manner, for example to denounce the film itself, especially at the first of several lively and well-attended public screenings in Windhoek in October 1999. These screenings were significant political events, however, and received good press coverage, even though the government-controlled Namibian Broadcasting Corporation refused to show the film. Moreover, in the often moving and dramatic discussions that occurred after the viewings the minority who simply attacked the film were more than counterbalanced by a majority who wanted a full and frank dialogue on the issues raised.

The public performances (and recent CD) of the band 'Minus Four'—so named because (as the band's leader Banana Shikupe explains) out of the original nine members of their band (Ndilimani) in exile four had died in the dungeons—have also had some impact, not least at a 2000 session at the Warehouse Theatre in Windhoek held to mark the United Nations' International Day of Torture.¹ Although representatives of SWAPO and its government declined to attend, a number of prominent churchpersons did participate actively (including the present General Secretary of the CCN, Reverent Nagula Kathindi). Moreover, in addition to the performance of Minus Four, a choir composed of women from the dungeons came together to sing the songs they had sung in detention—and they were even joined in doing so by (once again) Ombudsman Bience Gawanas. Activists around these issues took some strength from such 'successes', although it could perhaps be argued that the impact of events like this concert and the screening of the Pakleppa film was primarily confined to Windhoek and to relatively restricted and self-selected audiences.

In 1999, however, the issue did surface in an even more public way—with the SWAPO response being, once again, all too predictable. Not coincidentally, the situation was another potentially dangerous one for the party. In 1995–96 it was not merely Groth's book but even more the threat that the churches might take up the issue of the movement's 'forgotten history' that had caused a stir. In 1999 the broader context within which the issue was revived may also have seemed a threatening one to SWAPO. For in that year there was emerging, in the shape of the fledgling Congress of Democrats (COD), the first potentially serious political challenge the movement had faced since independence. Momentarily, it looked as though issues like governmental corruption, complacency and high-handedness on the one hand, and the questionable constitutional manner in which Nujoma had been allowed to run for a third presidential term on the other, might give SWAPO defector Ben Ulenga and his COD a fighting electoral chance. This was to prove illusory (not least because of the familiar tactics of character assassination directed by SWAPO against Ulenga during the election campaign). But the heightened political tension of the moment meant that SWAPO was in no mood to field politely the raising of the detainees' issue in mid-1999 when the BWS sought, once again, to place it on the political agenda.

1. Interview with Samson Ndeikwila conducted in Windhoek by John S. Saul, 25 August 2000, and subsequent personal communication.

The flashpoint for SWAPO was the BWS committee's decision to mark, on 4 July, the tenth anniversary of the return to Namibia of the first 153 ex-detainees in 1989. For it was when the BWS announced publicly its 'Ex-Detainees Reunion Day',¹ and also spoke of the eventual publication of further personal narratives by those Lubango detainees who had survived, that the office of the SWAPO Secretary General sprang into action. It chose to see these recent initiatives as part of a 'chain of attacks on Swapo' and suggested that, of these, 'the most vituperative is the demand that Swapo should engage in a process of public confession and apologize to those who were detained during the struggle'.² In sum, this statement, entitled 'It is Either Reconciliation or the Opening of Old Wounds', reiterated the party's general policy in such matters 'that, if the Namibian people allow themselves to engage in witch-hunting and retribution, the consequences of such an exercise will not be in the best interest of peace and stability'. And yet, just as one might have wished to ask who was actually threatening 'bloodshed' when President Nujoma evoked that danger at the time of his presidential attack on Pastor Groth, one could equally well ask now just who was threatening 'peace and stability'? The SWAPO statement may itself have given the game away, however, when it added that, if the BWS or the National Society of Human Rights 'prefer that old wounds be opened up and that the policy of national reconciliation be buried, *Swapo will be adequately prepared to join the battle*' (emphasis added). However, in the event, no real 'battle' took place in 1999.

Insult to Injury

And so we come to the year 2000 and the strange story of SWAPO's reaction to the trial of Dr. Wouter Basson in South Africa with which we began this essay. In fact, this episode in the continuing saga of the Lubango detentions is a particularly revealing one. As we have seen, some SWAPO leaders, and notably the Prime Minister, Hage Geingob (removed from office by the President in August 2002), had not denied that there were abuses, but even they had always resisted any proposal to talk about them in public, while others had tended to speak as if there were nothing to talk about. In this case, however, it was SWAPO that spoke out: 'Self-proclaimed champions of human rights should in fact now go and demand from [the South Africans] to explain the whereabouts of the missing Namibians they have been calling on Swapo to account for'.³ What is interesting about this is that nothing in the immediate political situation required SWAPO to say anything about the testimony in the Basson trial. The 1999 election in Namibia was over, and in its election campaign the COD, in spite of its links with members or supporters of the BWS, had not emphasised the issue; and in any case it had been soundly beaten. And in June 2000 the BWS had nothing new to say. It does not take the psychological penetration of an In-

1. "Ex-detainees to Mark Dungeons Anniversary", *The Namibian*, 1 July 1999.

2. As quoted in the article, "We Won't Be Silenced, Vow Former Detainees", *The Namibian*, 12 July 1999.

3. See the article cited at the outset of this essay, "Who Killed Swapo's 700 Missing Detainees?" in *Mail and Guardian*, 26 May 2000.

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spector Maigret to detect a bad conscience behind SWAPO's incautious outburst. So there were missing Namibians, then? As many as 200, anyway? Curious that SWAPO had not previously acknowledged so much.

Most future historians will surely be forced to say, this just won't do. Nor, we might predict, will many of these historians view sympathetically SWAPO's broader arguments for a policy of reconciliation by way of amnesia. True, a TRC conceived on the South African model may not provide the ideal point of reference for dealing with the Lubango issue in Namibia. As noted earlier, while some who perpetrated war crimes on behalf of the South African army of occupation are still in Namibia, many more have gone back to their own country, South Africa, or, indeed, elsewhere. The reciprocity of responsibility for crimes against humanity that underlay the South African TRC (however unequally that responsibility was actually distributed between the racist regime on the one hand and those who resisted it on the other) would therefore be much more difficult to establish in Namibia. After all, even in South Africa the ANC did not like having the very small proportion of its own undertakings that were deemed unacceptable by the TRC evaluated against the same standards that were being used across the board to judge the apartheid state and its operatives. There, in the end, Thabo Mbeki's ANC even went so far as to crassly condemn the published TRC report itself on just these grounds, thus undermining some of the positive impact the report might otherwise have had. It is hardly more likely that SWAPO would appreciate being held accountable for its crimes with its murderous counterparts on the other side largely in absentia.

But the TRC model is not, after all, the only one available for seeking to recuperate for positive purposes a politically charged history. Various possible formats for commissions of inquiry are conceivable, at least in principle, and all the more if linked to an amnesty provision (the one lesson of the TRC that might be most relevant to the Namibian case). The problem is, in fact, not the impossibility of devising appropriate mechanisms for an investigation: it is that those in power have consistently felt it to be either in the country's broader interest or in their own much more narrow self-interest—and, as we have seen, it depends on your perspective which description of their motivation you favour—not to allow one. This official stance has thus far proven to be a very effective roadblock to any open processing by Namibians of the Lubango question. Contemporary historians must worry as to how much more we can hope to learn in this generation, until, that is, certain key actors with too much to hide have passed away. But, of course, such actors will then also have taken their stories with them.

Historians may have additional reasons to rededicate themselves to setting the record straight in any case, such as the challenge to their craft and their integrity that is presented by accounts like the one contained in President Nujoma's autobiography (Nujoma 2001).¹ This book is a true measure of the

1. Note, as well, that a recently agreed joint Namibian-German Government project on funding an Archives of 'anti-colonial resistance and the liberation struggle' takes as its official cut-off date the year 1966! See Professor Peter Katjavivi, 'The Preservation of Namibian Heritage' in MBEC/GTZ, Draft Report 'Preservation of a Namibian Heritage: The Establishment of a Documentation and Research Centre on the History of the Anti-colonial Resistance and the Liberation Struggle of the Namibian People', Windhoek, 15–16 March 2000.

moral obtuseness that has become part and parcel of the SWAPO project—an ironic index of the extent to which, over long years of struggle, the cruelty and callousness of the apartheid masters also entered into the souls of those who spent much of their lives fighting it. For the book can fairly be said to have raised the practice of ‘forgetting history’ in Namibia to a new level. Thus, the seeds of an evasive narrative that ultimately seeks to obscure the full import of Lubango are first sown in Nujoma’s account of SWAPO’s internal tensions in Tanzania in the 1960s, which are more or less reduced to a discussion of the case of Leonard Philemon Shuuya (‘Castro’). This figure, whose bona fides were indeed rather suspect, was, says Nujoma, ‘handed ... over to the Tanzanian authorities who kept him away while the struggle continued’—until his release, along with ‘others who had been held’—in Nujoma’s signally euphemistic phrase—some years later (i.e., the Tanzanians locked him up without trial for 18 years). Nothing is said by Nujoma about the treatment of the 8 ‘Chinamen’—Namibians returning from military training in China—who, after an attempt to raise questions concerning the SWAPO leadership’s conduct of the struggle, were similarly ‘kept away’ by the ‘Tanzanian authorities’ on behalf of the SWAPO leaders. Nujoma evidently still imagines that it is sufficient for him to dub all critics ‘informers and traitors’ and, later, ‘spies’, for SWAPO’s treatment of them to be accepted (Nujoma 2001:172, 180).

This is also a trick that he returns to in a subsequent chapter when dealing (albeit in less than a page of his 466-page book) with the even more dramatic developments that occurred in Zambia in the 1970s. There is no need to recount the Zambia story here as we have done so at length elsewhere (cf., Leys and Saul 1995). Suffice it to say, however, that Nujoma’s account is almost entirely spurious, recycling the long-discredited tale of Andreas Shipanga’s centrality to these events¹ and grossly distorting the role of the Youth Leaguers who entered exile from within the country and who thought to hold the SWAPO leadership already in Zambia to account for what they saw as their corruption and ineffectiveness. Nujoma conspicuously avoids even mentioning their demands for a long overdue democratic congress of SWAPO, while falsely implying that the exile movement had a working constitution. These critics too are then written off, predictably, as ‘elements sent by the South Africans to spy on SWAPO’ (a key phrase, just waiting to be used again)²—while no mention is made of the fact that Nujoma and his group had to call on the Zambian army to arrest the bulk of the 2,000 SWAPO soldiers on Zambian soil (during and after which action a significant number were killed), and then intrigue with the Tanzanian government to airlift the dissident leaders from Zambia to jails in Tanzania (where, unlike in Zambia, *habeas corpus* did not apply).

Where is this kind of account leading? To Nujoma’s treatment of the Lubango events, of course, a dismissive couple of pages that, nonetheless, manage to ring the changes on the by now time-tested formula: there were spies, war is

1. Leys and Saul (1994); see also, more recently, the first-hand account by Keshii Pelao Nathanael (2002).

2. As Nujoma (2001:246) continues: ‘The South African military intelligence and the Special Branch must have spent millions of rand in bribing such people. They were well-dressed and some arrived with brand new cars. Even if some succeeded in misleading people, the national liberation war was increasingly effective.’ Full stop.

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hell, reconciliation is good (Nujoma 2001:356–57). Once again, critics of the time are presented as merely having been ‘used by the South African intelligence apparatus’. Indeed, in the end, only one phrase is of interest for our present purposes: ‘If we are accused of ill-treating detainees, this is very little compared to the killing, cruel torture and brutal treatment the apartheid South African regime inflicted on our people over so many years’, Nujoma writes. While it is not entirely clear from the writing (purposely vague?) whether Nujoma is referring here to the accusation or to the fact of ‘ill treatment’ itself, the question stands as to what, precisely, the phrase ‘very little’ is meant to specify. As for ‘those in the opposition who bring up this matter’, they ‘think that they will gain some sympathy, but they forget that the people are not easily misled by their deceitful tactics and statements’. Of course, nothing is revealed to the reader as to the nature or substance of such ‘statements’, nor is any substantive effort made to refute them.¹ What we have instead in this latest and most official of words on Lubango is, as suggested above, an epitome of the ethical indifference that has come to characterise SWAPO’s response to the events in Angola.

1. Presumably this is *not* the kind and quality of ‘leadership’ Nahas Angula (in his contribution to the Pakleppa film, cited above) thought to be necessary if there were to be a new, more productive, approach to recovering the history of Lubango.

Liberation and Democracy

A Critical Reading of Sam Nujoma's 'Autobiography'

Christopher Saunders

Towards the end of 2002, the South African *Mail and Guardian* published an astonishing interview with the President of Namibia.¹ Though the interview was presented as an example of how the Namibian President had 'perfected the art of saying absolutely nothing',² letter-writers subsequently pointed out that Nujoma had made all too clear his irrationality and prejudices. Instead of answering the questions, he had ranted against the journalist asking them. This was not the first time the Namibian President had acted in this way.³ He had followed Robert Mugabe in lashing out at gays and lesbians, had said that Namibians had their own god (the god of cattle), and at the World Summit on Sustainable Development in Johannesburg in September 2002 had used harsh words against Tony Blair and defended Mugabe. No wonder the *Mail and Guardian* headlined the letters on the interview 'Another Adventure in Nujospeak'.⁴

Such rantings not only cast Nujoma himself in an extremely bad light, they let people forget his hundreds of sensible speeches since independence (Nujoma 2000), and encouraged commentators to write him off as but another Mugabe, likely to lead his country into the catastrophic decline that Zimbabwe was suffering by the end of 2002. The inauguration in August 2002 of a massive Heroes Acre outside Windhoek, virtually identical to that built by the same North Koreans outside Harare after the end of the Zimbabwean liberation struggle, lent weight to the view that Namibia was heading down the same path. But there were many important differences between the two countries, not least relating to their geography and history. In particular, though Namibia's liberation struggle had resembled Zimbabwe's in certain ways, in others it had taken a very different course. One historiographical difference is that while some of the speeches Mugabe had made during the Zimbabwe liberation struggle in the

1. It was originally conducted at the end of November in northern Namibia by the South African-based correspondent Thomas Knemeyer for the German paper *Die Welt*, in which it was published on 2 December 2002. The English version was also published in full for a local audience in *The Namibian*, 9 December 2002. The interview was filmed by the Namibian Broadcasting Corporation (NBC) and parts thereof broadcast on several occasions on the Namibian national television programme.
2. *Mail and Guardian*, 6 December 2002.
3. Cf., e.g., 'Nujoma Tells Whites Not to Bring Their Culture to Africa' and 'President's Uttering Could Lead to Mayhem', *Windhoek Observer*, 14 April 2001; 'He is My President', South African Broadcasting Corporation, Special Assignment, 5 June 2001 by S. Bletcher.
4. *Mail and Guardian*, 13 December 2002.

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1970s were published, the Zimbabwean President has not published his own account of that struggle. Sam Nujoma, however, published a substantial memoir of the Namibian liberation struggle (Nujoma 2001). It was launched at the Katutura Independence Youth Sport Complex in Windhoek when the President turned 72. This chapter examines this memoir and asks in particular what, if anything, it tells us about liberation and democracy.

Why this Book?

Though Nujoma claims that he has had his book in mind for a long time, it is possible that its publication was spurred on by a wish to present a different account from the critical history of the Namibian liberation struggle published by two former SWAPO supporters (Leys and Saul 1995).¹ From their account in particular, and from other sources, we know that SWAPO had been highly authoritarian in its practices while based in Zambia and Angola in the 1970s and 1980s, and that critical voices within the movement were suppressed. Those who campaigned in 1975–76 within SWAPO for the holding of a representative congress were thrown into jail, and a decade later the leadership actively discouraged the grassroots mobilisation then taking place in Namibia (Leys and Saul 1994 and 1995:14 and ch. 4). This was part of its history that SWAPO itself had never come to terms with. What does Nujoma have to say about this history, and about SWAPO's goals as the organisation struggled to win independence for Namibia? Does his book throw any new light on how and why Namibia moved to a democratic order in 1990? Whatever may be said about the accuracy or otherwise of his account, what is the President's understanding of what shaped Namibia's post-independence developments?

Memoir Literature

Nujoma is not, of course, the first Namibian to have written a memoir of the Namibian liberation struggle,² but his book has a special importance. That he is the leading figure in that struggle gives his book a special authority as the recollections of the main player in a much more hierarchical organisation than its South African equivalent. The leading autobiography from within the South African struggle is, of course, that by Nelson Mandela, who was in jail for decades. Mandela was able to bring out his autobiography in the year in which he became South African President, but some of it had been drafted decades before, on Robben Island. Nujoma, by contrast, was apparently too busy during the struggle itself to draft memoirs. Recently—using, as he tells us in the Acknowledgements to the volume under review, the time available to him from 3:00 .a.m. to 7:30 a.m.—he has completed, with the aid of others, a book that was first announced by the publisher James Currey some years ago under the title *Sam Nujoma: To Free Namibia. The Life of the First President of Namibia*.³ The

1. This could be read between the lines of the Acknowledgements in Nujoma's biography.
2. One of the most interesting historically is Shityuwete (1990), the most recently published is Nathanael (2002).
3. Randolph Vigne, a long-standing UK-based supporter of the Namibian liberation struggle, was at that time identified as author. But the project was completed by others, who remain anonymous.

book now appears in the Panaf 'Great Lives' series, which includes lives of such leading African political figures as Kwame Nkrumah and Patrice Lumumba. Nujoma sees himself as belonging to the lineage of great African freedom fighters, and praises Nkrumah, Gamat Abdul Nassar and Kenneth Kaunda in particular for their support of SWAPO, though, like other individuals whom he mentions in the book, they do not come to life in his text.

Where Others Wavered is now the longest such memoir by any Namibian, being padded by the inclusion of a number of documents in the text, 101 photographs, some of them not directly relevant to the book, and many pages of appendices. Whereas the history of the liberation struggle published by the South West African People's Organisation (SWAPO) ended in the late 1970s (SWAPO of Namibia 1981), and Peter Katjavivi's account (1988) not much beyond that, Nujoma's book continues the story through to independence in March 1990. Primarily based on Nujoma's own memory, it also draws upon a considerable range of other accounts of the events it describes, many of them by those whom Nujoma regarded as opponents in the struggle.¹ Some of the later chapters read almost as if his main purpose is to provide a narrative to update the SWAPO book *To Be Born a Nation*.

What's in a Title?

The book's title is significant. Though we are not told its source, it is a phrase taken from a statement Nujoma made in 1978, a key year in the Namibian struggle, a statement that he and others often repeated afterwards: 'When the history of a free and independent Namibia is written one day, SWAPO will go down as having stood firm where others have wavered: that it sacrificed for the sacred cause of liberation where others have compromised'.² The title clearly indicates the strong political and polemical purpose of the book: to assert and substantiate the heroic role of SWAPO in bringing independence and freedom to Namibia, to praise those who stood firm, and to condemn those who did not. The sub-title on the cover is 'My Life in SWAPO and My Participation in the Liberation Struggle of Namibia', but the book is in fact mainly about SWAPO and its struggle, not about Nujoma's own life and involvement. His identification with SWAPO, 'the only effective liberation movement' (p. 267), was, and remains, complete: everything else is subordinated to that. And as his title hints, he is not generous to those who dissented. In his eyes they were traitors, on the wrong side of history. From this perspective, it is an odd title, for one might have expected him to emphasise his own steadfastness and determination, rather than the fact that others did waver, but the choice of title fits into the pattern of recent attacks on individuals and groups identified as traitors in Namibia. Underneath all the apparent self-confidence and assuredness must lie a certain lack of confidence, for otherwise why choose a title for a memoir of events that took place

1. Among the books mentioned are Jannie Geldenhuys's *General's Story*, Jan Breytenbach's *They Lived By the Sword* and Willem Steenkamp's *South Africa's Border War*.

2. The full statement, from *SWAPO: An Historical Profile* (Lusaka, 1978) is quoted in Afreds (2000:71). It is also documented in, say, *Namibia in History* (London, 1988), p. 292. It is a variant on a statement by Chairman Mao.

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decades ago that speaks of those who took other paths and were left by the way-side?

What's in the Book – and what not?

It would be wrong if current disillusionment with Nujoma, and the way in which SWAPO is governing now, were to mean that the achievements of the struggle for national liberation are now discounted. The story of how Nujoma and others built up a liberation movement and led it, over thirty years, to the point at which it could take power in Namibia, is an astonishing one. Despite the title, the main focus of the book is not in fact on those who wavered, but on the career of an exceptional political activist who displayed enormous courage, determination and will to survive, when often the odds against success would have seemed overwhelming to most people. If his memoir is to be believed—and critical readers will find it very difficult to believe it all, as I shall show—there seems never to have been any doubt in Nujoma's mind about the eventual triumph of his cause. He only very rarely makes mention of any disappointments or frustrations.¹ His story is of a steady movement towards victory. 'We pursued policy with vigour and determination until the final victory ...', he writes, 'The national liberation war was increasingly effective. Every year we made more progress until 21 March 1990 when genuine freedom and independence were achieved' (p. 260). He remained convinced that SWAPO would inevitably defeat the South African Goliath (p. 151),² and in the end, of course, was proved right in the sense that South Africa did withdraw and SWAPO was able to come to power.

But his account is hardly at all self-reflective. Much of it is about the events that Nujoma was involved in, or connected to, rather than about his own experiences. There are long descriptive passages dealing with events that he was not present at and only heard about from others. There is hardly any of the personal detail that enlivens most autobiographies. There is no suggestion that his position as leader was ever under serious challenge, or that there were setbacks, or that any wrong decisions were made. There is hardly anything, in fact, about the decision-making process within SWAPO, and very little about his interaction with close friends or colleagues. The internal history of SWAPO in these years remains to be written. This too fits the post-independence pattern of secrecy within the organisation, and unwillingness to open up to others.

Biography without Life

The word 'autobiography' is misleading, in that this is not primarily the story of a life. *Where Others Wavered* does not reveal the inner man, and how, say,

1. He was disappointed by the role played by the United Nations (p. 81), and by, say, Martti Ahtissari, who by 1989 'had shown himself to be more concerned about his career at the United Nations than with his responsibilities towards the oppressed people of Namibia ...' (p. 396).
2. His supreme self-confidence was again displayed in November 1989 when the first election results came in and showed the Democratic Turnhalle Alliance in the lead: cf., the first-hand account in Lush (1993:255–56).

he coped with the pressures he faced as the struggle unfolded. It is only in the early chapters of the book that the focus is on himself, and for that reason they are in many ways the most revealing and interesting chapters. In them he describes how he grew up in poverty in Ovamboland and then moved into the world of work at Walvis Bay and then Windhoek. He depicts himself as displaying a remarkable courage and self-confidence in outwitting the security forces, in what was already a highly repressive society. His account of his early political activity is clearly selective: he makes no mention, for example, of his involvement with what was soon to be, briefly, the main rival to SWAPO, the South West African National Union (SWANU), on the executive of which he served in 1959 (cf., Emmett 1999:300–01, Ngavirue 1997:217 ff.). That he had little opportunity for formal education makes his ability to cope with the world of high politics on the international stage, in which he found himself so involved from the 1960s, remarkable. His own lack of educational opportunities may also help explain his dismissive references to others as men of limited vision,¹ and his concern always to present his own ideas as correct. His more recent inability to engage with reporters, and his resorting to bluster and rhetorical accusations may also be explained at least in part by this background.

Among the fascinating early photographs included in his book is one of him and his wife taken on their wedding day in 1959, for which he paid a photographer as much as six pounds. He says proudly that he was the first man in Windhoek's Old Location to have such a picture taken. He was becoming a member of the very small Namibian African elite when, as a result of his political activity, he was forced to flee into exile in early 1960. Once he leaves Namibia, his life becomes the struggle, and his narrative largely an account of his activities for SWAPO, intermeshed with descriptive material about associated events. Along the way he includes exhortatory remarks, which now seem out of place, for though he has maintained since independence that the struggle continues in new forms, one might have expected that the struggle for independence would now, twelve years on, be viewed with a certain distance. Nujoma, however, still demonises 'the Boers' (racist whites), and reveals a deep-seated racial sensitivity.²

As in Mandela's autobiography, there is the same loyalty to the organisation, the same belief in the inevitable victory of the cause, but Nujoma's prose is leaden by comparison with that of *Long Walk to Freedom*. Mandela, a less volatile personality, is much more thoughtful and reflective, and is honest about the setbacks he and others suffered. Nujoma not only does not tell us about his personal life, but he cannot bring himself to admit, say, that militarily SWAPO was less effective in penetrating Namibia in the mid-1980s than it had been a few years before, or that there were ever any serious differences of views within SWAPO as to the most appropriate strategy to follow. While Nujoma is convincing that activities of the People's Liberation Army of Namibia (PLAN) were

1. Notice, i.e., his dismissive references to Henry Kissinger on pp. 279–80. Gorbachev 'died a political death as a quisling and a traitor ... He is now a haunted man' (p. 290).

2. Having first referred to the Windhoek massacre as perpetrated by the South African police, he goes on to write of 'the whites's aggression against our people'. He believes that orders were given that injured Africans should not be given medical assistance (p. 77), though there is no evidence to support this (cf., Ridgway et al. 1991).

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far more extensive than the South Africans admitted, he nevertheless exaggerates the military success of PLAN. He not only suggests that PLAN always had a permanent presence in the north, and had a mechanised brigade there by 1989, but he says at one point that 'our PLAN combatants were effective and permanently fighting in all the regions inside Namibia at all times' (pp. 271, 389). That is patent nonsense.

The Mystification of the Armed Struggle

Like others before him, Nujoma presents the Windhoek massacre of December 1959 as the turning point in the early history of that struggle. He claims that from the time the massacre took place, 'we all knew that, in the end, the only effective way the enemy forces could be met would be with the same fire power', which suggests that the Namibians were thinking of adopting the armed struggle before their South African counterparts, even if the actual decision was only taken in the same year, 1961 (Leys and Saul 1995:20). After his extraordinary journey from Namibia across Africa, without a passport, there followed from 1960 the long, lonely years of exile. To begin with, he was the only SWAPO official in Dar-es-Salaam. The photograph chosen for the dust jacket of the book, taken at the Third All-African People's Conference in Cairo in March 1961 (p. 116), shows a youthful, well-dressed, self-confident politician. Another is of a weary man waiting in an airport lounge for one of the innumerable flights that took him from meeting to meeting, from country to country, for almost three decades. For all the setbacks suffered, as South African rule dragged on and on, this almost ceaseless diplomatic activity won SWAPO increasing recognition and support from the international community, at least until the late 1980s. Yet for all the space Nujoma gives in his memoir to the intricacies of the diplomatic activity in which SWAPO engaged, it is the armed struggle that was, for him, decisive in winning the goal of independence.

There is much mythology about the armed struggle. It began, it is said, at Omugulu-gOmbashe in Ovamboland in August 1966. Though SWAPO had infiltrated guerrillas into northern Namibia, it had held back from launching any guerrilla attacks while the case against South African rule of Namibia continued at the International Court of Justice in the Hague. But like the battle of Sinoia in the then Rhodesia in April 1966, which the Zimbabwe African National Union (ZANU) heralded as the start of the Zimbabwe liberation struggle, the second *Chimurenga*,¹ Omugulu-gOmbashe was no military victory for the liberation forces. At Sinoia, seven ZANU guerrillas died in an encounter with Rhodesian helicopter gunships; at Omugulu-gOmbashe the South African police attacked and routed the SWAPO guerrilla fighters. Yet Nujoma presents the battle as a triumph for SWAPO's fledgling South West African Liberation Army (not yet called the People's Liberation Army of Namibia (PLAN)), and he goes into great detail in describing the lead-up to the conflict, who was involved,

1. In Namibia there was no concept of the armed struggle, launched in 1966, being a second war of resistance, because the first major war of resistance had been by the Herero and the Nama in 1904-07 (cf., Drechsler 1980).

and the outcome. In the Namibian case, the day of the battle became known as Namibia Day (shortly after independence, renamed as Heroes Day), and for Nujoma there is no doubt of its historic significance. On the first occasion on which he and others could gather at the site of the battle, in August 1990, he said: 'Now it is a fact of history that the armed struggle initiated at this place became the decisive factor in bringing about freedom and independence' (Nujoma 2000: Vol. 1, p. 34). And in his book, he writes: 'It was the armed liberation struggle that more than anything else motivated the Namibian people to support the struggle waged by SWAPO' (p. 268). While he stresses that SWAPO's strategy was threefold—mass mobilisation, armed struggle and the use of diplomacy (especially p. 157)—he nowhere explains why so little attention was given to the first of these. For all the difficulties of mobilising from an exile base, part of the reason, suggest Leys and Saul (1995: Ch. 3), is that the external leadership was suspicious of internal resistance and acted to damp it down.

Enough has already been said to show that this is no accurate memoir, attempting to prevent a truthful account of the life of the writer and the events in which he was involved. A full review would need to point to the numerous errors in the text—many names of individuals and dates are wrong, for example—and to the various gaps and distortions in Nujoma's account of the history of the struggle. One of the weakest sections of the book relates to the crisis of April 1989, when over 300 SWAPO fighters lost their lives in northern Namibia in the bloodiest fighting of the entire war. Whereas by 1979 the forces of the Zimbabwean liberation armies had established a significant presence in the rural areas of Zimbabwe, PLAN had not been able to achieve anything comparable. While visiting Mugabe in Harare, it seems that Nujoma was advised to tell his forces to insist that they should be placed in bases during the transitional period, as the Zimbabwean guerrilla forces were in 1979, despite the fact that there had been no agreement on SWAPO bases in Namibia in the transitional period. None of this is clarified in Nujoma's account, which blames the tragedy on the West and the South African Foreign Minister, Pik Botha. He believes that Botha persuaded the Reagan administration to reduce the size of the United Nations Transitional Assistance Group (UNTAG) force in Namibia, as a result of which there were no UN troops in the north on the day the Western plan was at last implemented. Nujoma implies that there was a conspiracy to provide a setting in which the PLAN fighters in northern Namibia could be massacred (pp. 286, 395ff.) No-one who has made a detailed study of these events will be convinced by such an interpretation, which at a minimum fails to explain why the SWAPO leadership did not anticipate what might happen if there were no UN forces in place in the north when the PLAN fighters emerged. Instead of continuing to find fault with aspects of Nujoma's text, however, let us focus on what it says of liberation and democracy.

Liberation and Democracy

'The aim of the armed struggle was independence' (Nujoma 2000: Vol. 1, p. 36). When writing of the 1960s, Nujoma emphasises how important it was for him

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to assert the claims of South West Africa/Namibia to independence, at a time when many lumped SWAPO with the African National Congress of South Africa and did not distinguish their separate freedom struggles against the same rulers. Again and again, he stresses the fundamental need in the 1970s and 1980s to reject any idea of a Bantustan solution for Namibia (e.g., p. 157) and to insist on 'genuine independence', which meant, in his eyes, the total removal of South Africa from Namibia, and SWAPO taking power. Very reluctantly, he and SWAPO had to accept in mid-1978 that Walvis Bay would not be included in the new Namibia, and that its future would need to be negotiated after independence. But he was convinced that as leader of the only liberation movement, his place as leader of the new nation, once born, was assured.

That SWAPO was the only Namibian party to engage in an armed struggle, and so in effect constituted the liberation movement, is one of the key ways in which the Namibian struggle differs from the Zimbabwean and other southern African liberation struggles. From the mid-1960s, having decided not to launch an armed struggle, SWANU never posed any effective challenge, and yet, ironically, SWAPO pressed to be recognised as the 'sole and authentic representative of the Namibian people', and won such recognition first from the Organisation of African Unity and then from the UN General Assembly (p. 157). Unlike leaders of other liberation movements in southern Africa, Nujoma never had to worry about being outflanked from the left, or being overtaken by another organisation. He did not need to bargain with others and define positions to differentiate SWAPO from a rival. Such differences of views as emerged were to be found within SWAPO, where there was never much space for democratic debate. The 'sole and authentic' doctrine caused many problems in the negotiations over the future of Namibia, for it seemed to some to suggest that SWAPO did not believe in the multiparty democracy it claimed it wanted to see installed in Namibia. And the doctrine can be blamed for buttressing the authoritarian tendencies seen in the ruling party since independence.

The centrality of the armed struggle in the years of exile meant that SWAPO became dominated by a military culture, strongly hierarchical, authoritarian and closed. This was aided by the almost constant rumours of spies at work, and by some evidence of actual spies. In his chapter on Omugulu-gOmbashe, Nujoma begins to devote considerable space to the various traitors and spies whom, he claims, infiltrated the movement over the decades. The first of these, 'Castro', was suspected and interrogated, but yet, astonishingly, was allowed to continue working for SWAPO (p. 163). Nujoma accuses him of betraying Toivo ya Toivo and others who were to spend decades in jail on Robben Island. A decade later, it is Andreas Shipanga who is the prime traitor and quisling. He is said to have worked 'hand in hand with apartheid South Africa', but all Nujoma says to substantiate this is to claim that Shipanga attempted to get West German support in a bid to take over the leadership. Nujoma allows no recognition that Shipanga too was *In Search of Freedom*¹ (p. 246). He does not acknowledge the damage done to the movement then and later by this episode, which, as Leys and

1. The title of his disappointing autobiography (Shipanga 1989).

Saul (1994) have shown in detail, arose from the disaffection of the Youth League leaders and the disillusionment of many of the fighters in the camps with the SWAPO leadership. Of Shipanga and other 'reactionaries', Nujoma merely says 'we simply asked them to leave' (p. 247). He makes no mention of their detention first in Zambia and then in Tanzania. He seems to justify what was done to them by saying that their 'numbers were very small. Fewer than a hundred were involved'. He merely continues: 'There was really no uproar at all ... the armed liberation struggle continued with intensity' (p. 247). So Nujoma fails to tackle the charges made against him and his organisation, but brushes them aside, and puts forward a bland and highly distorted account. This fits with SWAPO's refusal since independence to deal with such issues. Nujoma has added his authorial voice to the 'wall of silence' that SWAPO has erected.

Nujoma does, however, show some sensitivity to the charge that SWAPO was not democratic in its practices in exile, for he makes the astonishing claim that in the exile years there were 'democratic elections every five years for the leadership of the Party' (p. 246). He does not explain what kind of elections were held. Only two 'consultative' conferences took place in the decades of exile,¹ and none at all in the 1980s, the years of the 'spy drama'. For Nujoma now to suggest that SWAPO was democratic in its practices is an example of his reading-back into history what he wants to find there.

As SWAPO has never encouraged open discussion within its ranks, it is not surprising to find no sense of debate in his book, of alternatives weighed, of decisions taken after rational thought, nor any analysis of SWAPO documents relating to democracy. These include the 'Discussion Document on the Constitution of an Independent Namibia', drawn up by Cedric Thornberry on behalf of SWAPO in 1975, which was a bid for diplomatic support at a time when the Turnhalle conference was about to meet in Windhoek. It spoke of parliamentary democracy, an executive president, a one or two chamber legislature, a comprehensive and entrenched bill of rights, and even of protection for property and the pension rights of public servants (cf., Serfontein 1976:170). Though presented to the executive committee of SWAPO in Lusaka, that body seems never to have responded to it (Dobell 1992:44). Nor does Nujoma analyse the national programme drawn up in late 1976, which spoke of the goal of popular and democratic government based on universal adult suffrage and complete freedoms, but added that people 'guilty of betraying the struggle or those who have been opposed to it' would be deprived of voting rights (ibid., p. 65). He only mentions in passing the main official document issued by SWAPO in exile, the one that was presented as party policy on numerous occasions in different forums, namely the political programme adopted by an enlarged Central Committee meeting in August 1976.²⁷ Dobell (1992:58) interprets this document as a 'calculated response to the challenges then facing the movement': the challenge of trying to gain recognition as a government-in-exile; of responding to the

1. At Tanga in Tanganyika, at the very end of the 1960s, and in Zambia in July 1976. A minor 'congress' was held at Walvis Bay in May 1976.
2. Eg., by SWAPO's then permanent observer at the UN, Theo-Ben Gurirab, at the conference on 'Namibia 1884-1984', London, September 1984 (Wood 1988:8-9).

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'Shipanga crisis'; and of a strategic realignment towards the MPLA in Angola, which was then allowing SWAPO to establish itself in southern Angola, and towards the Soviet Union and Eastern Bloc countries, the main suppliers of arms and material to the organisation.¹ The political programme spoke of the aim of the struggle as being the building of 'a new democratic society based on the principles of socialism',² but democracy was neither defined nor elaborated, and what was emphasised was, rather, social and economic transformation. The phrase most noticed, by critics and supporters alike, was 'scientific socialism'. For over a decade this programme helped give the South African government ammunition to support its case that SWAPO was a radical Marxist organisation and therefore should not be allowed to come to power in Namibia. The South African government argued that so radical a programme would not be accepted peacefully by the people of Namibia. It would have to be imposed by force, and the result would be 'civil war'.³

There are passages in his memoir that suggest that Nujoma has little conception of what a democratic system involves. Not only are critics dismissed, as we have seen, as waverers and traitors, but there is a too easy attempt to brush under the carpet unsavoury incidents. Nujoma writes of 'the elimination of some puppets like Chief Elifas' (p. 251) as if his assassination was fully justified. And, perhaps the greatest distortion of all, the detainee scandal of the early 1980s that did so much damage to SWAPO is dismissed as of little account.⁴ Nujoma's narrative is of SWAPO advancing 'from strength to strength' in the late 1980s. All he says about the detainees is that their detention was legitimate, because they gave information to the South African Defence Force and so were in some sense responsible for the massacres at Shatotwa and Cassinga. He fails to deal with the allegations that the SWAPO leadership itself knew in advance of these raids but did not warn those in the camps.⁵ He merely says that 'If we are accused of ill-treating detainees, this was very little compared to the killing, cruel torture and brutal treatment the apartheid South African regime inflicted on our people over so many years', and adds: 'we prefer to leave that sad history behind us and concentrate on national reconciliation ...' (p. 357). So we are given no more than what he and others in SWAPO have said on this since independence.

What emerges clearly from his text is that for Nujoma the struggle was waged for independence, not for any particular form of political system, democratic or otherwise, or kind of social and economic organisation. Nujoma's memoir confirms what Lauren Dobell (1992) showed so brilliantly in her thesis: that SWAPO was above all a pragmatic organisation, despite the promises held out in its 1976 political programme. In his memoir, Nujoma does not respond

1. She argues that SWAPO's commitment to socialist principles was always opportunistic and pragmatic, this helps to explain, she argues, the rapidity with which socialism was ditched when SWAPO took power (see also Dobell 1998).
2. T.B. Gurirab, 'Namibia in the Context of Imperialism', in Wood (1988:9).
3. See the remarks by Pik Botha in his meeting with Chester Crocker in May 1981 (Wood 1988:705-06).
4. See in contrast the chapter by John Saul and Colin Leys in this volume.
5. See on this Groth (1995); Anon, (1997); Nathanael (2002:151, 163, 179). Nujoma only refers to the 1976 massacre at the Shatotwa training and transit camp obliquely (p. 356); it is not even given an index entry.

to Leys and Saul and others, who charge that SWAPO has, through adopting neoliberal policies since independence, betrayed the revolution. He merely denies that SWAPO was ever 'communist', as the South African government long claimed, or a Marxist organisation (pp. 247, 249). There is nothing in Nujoma's memoir to suggest that a leading United Nations official was incorrect when he said, rather unkindly, that if Nujoma met a Marxist-Leninist idea in the street he would not recognise it (Urquhart 1987:198).¹ Nujoma is a Namibian nationalist, who used the slogans of socialist revolution when they suited him. What he does not explain is how and why SWAPO shifted its policy in the 1980s to an acceptance of a market economy, or how he, the ultimate survivor, was able to retain his influence in the face of challenges by more ideologically minded colleagues.

The particular context in which independence arose was clearly crucial in determining SWAPO's post-independence policies. SWAPO must have felt left out when news came of the direct discussions held in the late 1980s between representatives of the South African government and the African National Congress.

Instead of participating in any such meeting with the South African government, SWAPO was effectively excluded from the final discussions in 1988 on the way in which the country would move to independence. Nujoma's protestations against the 'false propaganda that we resented not being included in the talks' (p. 382) are not convincing. By then, a global consensus had developed which SWAPO could not buck. This did not bother Nujoma, whose eyes had always been fixed solely on independence free of subservience to South Africa. The democratic system that emerged in Namibia was, for all the work of the Constituent Assembly in 1989–90, one determined by the global context of the time. SWAPO accepted it, but had no deep attachment to it. Nujoma was quick to tell an international audience at a United Nations donor pledging conference in June 1990, 'We have set in motion our own brand of democracy' (Nujoma 2000: Vol. 1, p. 19). Perhaps he had in mind something similar to the 'tribal model of democracy' that Mandela had imbibed from his childhood in the Transkei (Nash 2002), though precolonial Ovambo society was hardly democratic. Nujoma had the opportunity to travel the world far more extensively than Mandela, but remained politically unsophisticated. Though Leys and Saul are critical of the 1990 constitution as elitist and disempowering of the people, it was not the constitution that failed to deliver: rather, it was the new ruling party that failed to become democratic in its practices, while the main opposition party grew weaker and weaker because of its history of collaboration with the apartheid order. Leys and Saul are disappointed by post-independence Namibia chiefly because they had believed that SWAPO was committed to socialism. They still hold to the idea that Namibia would do better to cast aside its capitalist course and adopt socialist policies.²

1. Nujoma quotes from Urquhart's book a number of times (pp. 274, 297, 299), but not this sentence! When he quotes from Owen (1991), he totally misreads the former British Foreign Secretary's meaning in relation to Walvis Bay (p. 275).
2. John Saul ends a recent contribution on South Africa by saying that 'the phrase "socialism or barbarism" has rarely had more meaning than in contemporary South Africa' (Saul 2002:49).

Christopher Saunders

More Propaganda than History

Nujoma's book, then, is a partial, highly selective account. It is valuable, nevertheless, for revealing the way the President remembers the past and wishes to try to stamp a certain version of the past on the nation's collective memory, to help shape the future. Disappointing as his book is in not revealing more about the inner history of the struggle, it is highly revealing of the President's memory of what happened, and for reflecting the culture of SWAPO, one that is open only within certain circumscribed limits and is dismissive of critics. Yes, the Namibian struggle was heroic and important, but Nujoma not only overstates this,¹ he would also have us believe that he and others in SWAPO did no wrong, and that those who wavered got what they deserved. While Mandela's *Long Walk to Freedom* is one of the great autobiographies of our time and will remain a central text for the history of the South African liberation struggle, Nujoma's book is more a work of propaganda than history. It confirms that the Namibian struggle was fought for national liberation, and that this meant, for Nujoma and others, the accession of SWAPO to power. It shows that Nujoma has little understanding of, or commitment to, democratic values. A reading of *Where Others Wavered* will bring no comfort to those concerned about the future of democracy in Namibia today.

1. He claims that it was the strain of dealing with Namibia that led Vorster to give up the South African premiership in 1978, and then caused P.W. Botha to take to drink and to have the stroke in January 1989 that set in train his replacement by F.W. de Klerk. The vast amount of money spent trying to hold on to Namibia 'may have permanently weakened South Africa' (p. 250).

Public Memory, Reconciliation and the Aftermath of War

A Preliminary Framework with Special Reference to Namibia

Reinhart Kössler

Memory is central to the image persons as well societies construct of themselves. In the rarest cases, even personal memory is purely a private, internal affair. Memory can become social only by its display and enactment. As I, along with many others will argue, as such it is vital for the production and reproduction of society. This paper, which stands at the beginning of an intended research project to delve into the matter more systematically, addresses memory issues with particular reference to the aftermath of war, and specifically wars of liberation. What emerges is that the very concept of liberation war, as a social and political process, is open to debate. The tentative outcomes of such implicit or explicit debate also determine the shape and process of public memory.

The following provides only a rough and tentative outline. I start by giving some indication of the underlying debate, with particular reference to recent German interventions, along with some conceptual propositions. I then situate my undertaking briefly within part of the Southern African framework. Using the premise that sociohistorical processes and structures are intimately linked to public memory, I then sketch out the relevant backdrop in Namibia. The remainder of the paper attempts to indicate how my propositions may play out when applied to some aspects of current Namibian public memory reality and practice.

The Meaning of Public Memory: A Thumbnail Sketch

War is not just about fighting or the pursuit of strategic objectives. It amounts to more than violence, suffering, destruction and individual as well as collective humiliation or triumph. All these elements are enmeshed in a complex social process that carries with it a host of lasting transformations. In large part, these transformations are unforeseen and also unintended by the actors. They include such diverse issues as large-scale displacement of people, psychological deformations, the life-long shaping of the outlook of young recruits and also of refugees, the routines of executing governance tasks, or more simply, of doing things in everyday life, and habituation to coercing and being coerced. This brief enu-

meration reminds us that the consequences of war do not disappear with the formal or the effective physical ending of hostilities.

This is true of the problems of demobilising fighters, of rehabilitating the regional economy, of removing landmines, among many other problems. Among these latter, one issue that should not be underestimated concerns the memories of people affected by the violence in different ways, their ways of coping and of dealing with the cleavages that remain of various levels and in various dimensions, starting with the local community and continuing right up to the national level and formal politics. This, in turn, relates to various forms of reconciliation, ranging from symbolic redress to material compensation. While these can be conceptually distinguished in real life they are, more often than not, interlocked, as is currently evident in much of Southern Africa, most clearly in the land issue.

One very important dimension of reconciliation is the fostering, organisation and articulation of various forms of social memory, in particular when these are given expression in public events or symbols. Obviously, this includes not just subterranean currents of stories and lore, but conscious and, at times, strenuous efforts to bring memory into the open and, at the same time, to give shape to the public memory that is so created. Again, such efforts are undertaken in various settings and in various forms, e.g., national and local museums, public holidays, local events (singular, annual, etc.) and local history initiatives. This implies not only that credence is given and respect paid to past exertions and sufferings as well as exploits, but that collectives are constituted and confirmed at various levels, ranging from local or traditional communities right up to the nation state. Also, past confrontation, as well as mutual assistance, may be played out and sometimes reconciled in such forms. In sum, these processes form a vital part in the formation of a national consciousness, which is, according to the celebrated insight of Ernest Renan (1993:294–95), as much about remembering jointly as about forgetting jointly. If this is so, then public remembrance is much more than the concern of historians who go out and salvage oral history, secure objects, build museums or write books. Enshrining images of the past—or relegating them to oblivion is an important dimension of the ongoing struggle for hegemony and the determination of societal/national priorities.

At this point, it should be noted that the shaping of social memory, in a tradition going back to Maurice Halbwachs (1997; 1994) and resuscitated more recently especially by Aleida and Jan Assmann (cf., A. Assmann 1999; 2001; J. Assmann 1992; 2000), is linked inseparably to social cohesion, to the building of a self-image of any society. Therefore, such processes have far-reaching implications not only for nation-building but also for the complexion of a society. This is particularly true when we consider the wider mechanisms of remembrance and forgetting. On the level of the individual, these are linked in Freudian terms to the well-known processes of repression and splitting-off (*Abspaltung*). It is posited that in similar vein, forgetting is a matter of fraught with difficulties and problems on a societal level as well. Typically, this can be seen in the widespread debates about the ‘final strokes’ that are called for when particularly painful and conflict-ridden chapters of a specific national history are being dealt with. Reconciliation and the construction of a new consensus,

which is seen as a prerequisite to being able to move ahead, are then premised on forgetting, and are often linked with the call for an amnesty to formally do away with the past, not only on a symbolic level but in a juridical sense as well. While this approach is understandable, it is argued that such sentiments disregard the vital distinction between amnesty and amnesia, i.e., between juridically pardoning established crime and wiping out the memory of it (cf., Smith 1997; Goldstone 1997). Further, it seems that forgetting, in the sense of being able to actually commit past things to the past, is premised on a thorough review of the processes and actions in question. Only on the basis of reworking the past can it actually be 'forgotten' in a salutary way. Using an analogy with Freudian conceptions, the risk of eschewing this arduous undertaking is the constant and repeated recurrence of past confrontations and also of ruthless, cruel and criminal actions. This risk arises from aspirations unattained as well as exploits and sacrifices, but also injustices unacknowledged (cf., Schwan 1997).

The construction of a national memory, in other words the building of a national historical tradition, is therefore a complicated and, above all, contentious issue. It is linked to such central issues as societal consensus and, by extension, to social and cultural hegemony, to the power to determine the relevance of things, deeds and events, and to convince people to believe that this is so, or at least, to acquiesce in such determinations. The task consists, first and at face value, in selecting the central and seminal personages, events, issues and developments, as well as institutions and organisations, that are deemed to be indispensable parts of the national heritage. But the definition of this national heritage itself is a process that involves the articulation of social structure, cultural diversity and power relations. The complexity of this process is not adequately grasped by pointing to the important fact that the traditions forming a national heritage are construed from a wide range of materials, stemming from an equally wide range of contexts. Again, it is not enough to take into consideration that the selective process, at least as far as official commemoration is concerned, is marked and weighted heavily by relations of power and dominance prevalent in any given society. The forms and contents of public remembrance are also subject to public scrutiny and debate: such controversy can assume acrimonious and, at times, even violent forms. As such, they project different, sometimes competing self-images of a given society or, in other words, competing societal projects or development aims and priorities that citizens feel they need or would like to strive for (and make others strive for as well). In this way, the forms and contents of public remembrance may be seen both as expressions of and themes in the ongoing struggle for hegemony in any given society. Groups or individuals who are able to determine valid symbols for the public representation of society will base a considerable part of their hegemony to determine ruling thoughts and frames of mind on this ability. At the same time, hegemony is never a once-and-for-all given. Competing projects and frames of mind are played out and mooted in the context of civil society as well as of formal politics. By implication, we may also think of competing concepts of public remembrance. These too may occur, as does the dominant concept, at various levels besides the national one: at local, regional or communal levels as well as

within political parties, societies or religious congregations, and also within sports federations or cultural clubs and societies.

Mnemoscapes and Memory Landscapes

There are at least two applicable dimensions, which may be distinguished as mnemoscapes and memory landscapes. While both notions stress the irreducible presence of a constructive element in the entire discussion, *mnemoscape* includes the more intangible aspects of the remembrance of collective or societal experience. On the other hand, *memory landscape* addresses the concrete shaping and transformation of the landscape by memory politics, the material *lieux de mémoire* (Nora 1990:7), which by no means necessarily push in the same direction. As has been indicated, the configuration of any given memory landscape may be the subject of open or hidden controversy. Especially where salient points are concerned, fulcrums of public memory, so to speak, such debates can become long and heated. Particularly in these cases, public debate over specific sites and their future fate can by itself foster further clarification in and of a nation's self-image. Let me briefly name three, not quite random, examples; In Germany, such debates play a particularly prominent role in reference to the issues of adequately commemorating the crimes and atrocities of Nazism (cf., Reichel 1999), the experience of the GDR and unification, and all hinge on particular sites and buildings. In the United States, we may think of controversies about Mount Rushmore or the debate about the Vietnam Memorial in Washington, D.C. that still continues (cf., Gessner 2000). Another famous case of a central symbolic site of national importance is the Louvre in Paris (cf., Fliedl 2001). Most of these examples, and many others, stand out both by the controversy that has surrounded their erection, preservation or re-appropriation, and/or by their representing overlapping and layered meanings, which give rise to competing claims. The problems of memory landscapes, then, are by no means restricted to postcolonial situations. Still, it has to be acknowledged that colonial heritage includes the colonial shaping and configuration if not of mnemoscapes, certainly of memory landscapes. This situation cannot be overcome by the stroke of a pen or the hoisting of a flag, but needs long-term, conscious and conscientious review and reshaping, as a part of redefining and even re-inventing national and subnational collective identities.

On Memory Politics in Southern Africa

In the context of southern Africa, problems of public memory have received most attention so far in the debate around issues of national reconciliation. There has been considerable controversy on a number of issues—both around whether reconciliation should be achieved by a 'final stroke' of official forgetfulness, or by an officially organised process of public remembrance, which would involve formal and explicit recognition not only of the exploits of freedom fighters, but also of the suffering and injustice inflicted by all sides of the conflict. In Southern Africa, the Truth and Reconciliation Commission in South

Africa stands as the most prominent example of the latter approach, while efforts—unsuccessful so far—have been made to institute similar processes in Namibia and Zimbabwe, and may also be pursued in Mozambique and in Angola, once hostilities end in that country, hopefully soon. However, in Namibia and Zimbabwe in particular, governments and ruling parties have considered it wiser or more expedient to pursue a policy of national reconciliation that does not stir up past conflicts. This amounts to studied silence about the more controversial issues, thereby incurring the chagrin of those groups who feel they were wronged and mistreated in the past, including gross human rights violations by all sides in the often complex conflicts. While historical research has demonstrated the hardships this approach has entailed for communities, in particular in western Zimbabwe, in coming to terms with past sufferings (cf., Alexander et al. 2000, esp. ch. 11), in Namibia there has been a recurrent clamour to bring into the open the human rights violations perpetrated during the liberation struggle, along with claims for rehabilitation advanced by victims who have suffered as alleged former South African spies (cf., Groth 1995; Dobbell 1997; Saul 2000; Lombard 2001 and Saul and Leys in this volume).

Nonetheless, as has been indicated, the past is by no means completely abrogated by this approach. Rather, it becomes in carefully selected portions an object of public and official celebration or even veneration. This is apparent in the public holidays commemorating the liberation struggle and independence, increasingly in museums and memorial sites, such as Heroes Acres (for Zimbabwe see Werbner 1998, for Namibia Melber 2002f, 2002g). A possibly contrasting model of remembrance is provided by Freedom Park, whose site was opened by President Thabo Mbeki on 9 June 2002. An additional dimension is created by the claims addressed to former colonial powers in which the recognition of past wrongs and inflicted sufferings and injustices is translated into demands for material redress or reparation. However, this is by no means a straightforward affair. In view of the general considerations given above, anything else would probably come as a surprise. Rather, issues of restitution and material reparation clearly go beyond a general recognition of past wrong and suffering. They highlight the vital question of the subjects of memory as well as of claims based on the past: Should these refer, e.g., to particular traditional communities, or to the sovereign nation at large, and which are the material as well as symbolic consequences of each conceivable dispensation? Besides, in societies characterised by deep cleavages as a heritage of settler colonialism and apartheid, contesting claims for memory sites, and the contents of public remembrance, are also deeply enmeshed in these persistent structural, as well as deeply symbolic, problems.

Thus, while remembrance is a constitutive aspect of society, and remembrance politics a vital part of building a viable polity, the current situation continues to be characterised by overlapping claims for memory, most obviously and blatantly by the contradictory claims of former 'settler' ruling minority groups and post-liberation efforts. A concrete examination of one example can provide further clarification.

A Brief Overview of Historical Experience, Social Structure and Liberation Struggle in Namibia

In Africa, at any rate, Namibia is rather peculiar given its uniquely long and variegated colonial experience. This has been marked not only by two successive colonial masters but by stark regional divergences, making it, despite its rather small population of some 1.7 million people, something like a microcosm of social relations to be found in Southern Africa. As is well known, the southern and central parts of the country have been subject to the development of large-scale settler commercial agriculture, mainly open-range live-stock breeding, requiring extensive areas of land because of the climatic condition. This led to almost wholesale alienation of the lands of the traditional precolonial communities inhabiting this region. The traumatic symbolic impact of land alienation is reinforced by its immediate and indissoluble connection to the savage repression of the great up-rising of 1904/07 by the German colonial power, which took genocidal steps to subdue the Herero and most Nama groups. In contrast, the large and populous communal areas in the north were affected by colonial rule in rather different ways. There was a considerable time lag, with effective conquest occurring only after the advent of the South African army. While colonial rule made considerable inroads into northern society (cf., Hayes 1998), and there were also incidents of violent repression, such as the South African campaign leading to the death of Mandume Ndemufayo in 1917 or the deposition of Chief Iipumbu in 1932 (cf., Hartmann 1998), there remain very substantial differences in the colonial experience of the communal areas of the former Police Zone and the north. This can be seen, i.a., at the symbolical level of recognition/non-recognition of traditional leadership by the colonial power. Above all, whereas the main colonial concern in population centres of the north revolved mainly around the mobilisation of labour power, and resembled indirect rule arrangements found at the time in other parts of Africa as well, the quest for control in the southern and central reserves was all-encompassing, not least on account of their close proximity to settler agriculture (cf., Kössler 2000). Land alienation was also restricted to this region. Besides the fundamental cleavage between white settlers and blacks, therefore, very different experiences and trajectories have emerged during colonial times among the oppressed majority. To this should be added clear divergences between towns and rural areas, which also exist in the southern and central parts of the country.

By and large, this complicated social and identity structure has been replicated in the liberation struggle. In its course, Namibians were aligned largely along lines of collaborators and adversaries of South African occupation and of South African-sponsored 'internal' solutions. The struggle itself was marked by a dualism between increasingly open warfare in the northern regions, where the civilian population suffered severely from increasingly intense repression by the South African armed forces, and of a more civilian kind of resistance in most parts of the Police Zone, where guerrilla incursions were the exception or never occurred at all. This did not preclude harsh repression, police and army shows of force, and internal conflict among sections of communities taking different sides in the conflict. In addition, the liberation struggle has been decisively

shaped by its extremely long duration and by Namibia's unique international position as a 'trust betrayed'. This gave a particularly important trusteeship role to the UN as the heir to the League of Nations mandate system. Once SWAPO was recognised as the sole legitimate representative of the Namibian people, very high priority was given to international diplomacy, backed up by visible guerrilla fighting (Leys and Saul 1995). These concerns sidelined and even eclipsed other vital aspects of the liberation struggle in the eyes of the international public at the time. It is an important research question to see how this is dealt with in present day-remembrance policies.

The postcolonial dispensation has not been able to remove pre-existing cleavages. Ameliorative action has led, i.a. to undesirable side-effects, such as a vastly overblown state employment sector. Infrastructure measures, such as roads, water provisioning, street lighting, electricity and telephone lines are of high importance in terms of everyday life and symbolic meaning. The same applies to schooling and health services. But the most pressing problems, gross inequality, unequal access to opportunity and widespread unemployment, have turned out to be persistent features of the social reality of Namibia after more than a decade of independence (cf., Melber 2000b). Recurrent protests testify that youth, and also former guerrilla fighters, are particularly affected by these conditions. The situation is aggravated by the high degree of inequality, which still largely follows the former lines of racial discrimination, except to the small upwardly mobile black elite. All this impacts the present situation and future trajectory of memory landscapes in Namibia. Given this situation, it is remarkable that existing structures have so far been so little changed or challenged.

Namibian Memory Landscape and Mnemoscape in Outline

A tentative and incomplete stock-taking of the Namibian memorial landscape reveals the following. If we start with the capital, which necessarily carries considerable symbolic importance, after more than a decade of independence Windhoek's memory landscape preserves many of its colonial features. The Christuskirche, built to commemorate the defeat of the Great Rising, and thereby glorifying genocide against Africans, has lost some of its commanding prominence to newly constructed highrises or the Supreme Court, which now shields it from view from much of the inner CBD. Still, many streets in central Windhoek provide a view on to this central building. The close association of the church with the Rider Statue, in honour of the German Schutztruppe, affords a commanding vista at the entrance to the main government district, which will be weakened somewhat by a more recent plan to remove the Rider 100 metres to the front of the National Museum at Alte Feste, itself a remarkable colonial memorial site both as a building as well as a museum. What is more, when walking around central Windhoek, one is struck by the plethora of smaller and less conspicuous memorials, all referring to the warfare of the colonisers or other aspects of colonisation, such as the memorial to Curt von François, 'Founder of Windhoek', in front of the city hall, or the Bittereinder Memorial in Bismarck Street. At most, such memorials are occasionally contested in a rather subaltern

way. Just two examples: The 'Witbooi Memorial' in the Zoo Garden in reality refers to the *German* soldiers who died in the campaign against the Witbooi which was highlighted by the vicious and ignominious attack on Hornkranz of 12 April 1893. The 'honest' Baster auxiliaries are also mentioned, separated neatly from their equally dead masters. Again, the memorial for the first northern campaign of the South African forces which led to the occupation of Namakunde and the death of Mandume Ndemufajo is situated in front of the station building, which dates from German times. This colonial war memorial has been re-appropriated by the popular notion of Mandume's head being buried there, thereby turning it into the 'Mandume Memorial' (cf., Timm 1998:147). So far, the only visible presence of the independence struggle and the liberation movement in the memorial landscape of Windhoek would seem to be the three statues of Hosea Kutako, Hendrik Samuel Witbooi and Rev. Hamutubangela, which were erected in front of the parliament building in 2000–01. Their modest size limits their impact on the overall impression of the central city. Besides this, an expedient and comparatively inexpensive way of dealing with the situation has been the renaming of streets, which has been undertaken quite extensively in the centres not only of Windhoek but of other towns in the former Police Zone as well, and which deserves specific study.

In the country at large, the situation is not very different. Here, the tourism industry is an important player. Tourism privileges scenic objects for sightseeing and photography, and the structures left by the German colonial power, in particular historically styled military ones, tend to be particularly privileged. Obviously, the most celebrated example is Namutoni Fort, which was destroyed after fierce fighting with Ndonga warriors in 1904, and which in its present form is the centre for one of the three tourist camps in Etosha National Park. But there are examples in all the other parts of the former Police Zone. This situation dovetails with the 'nostalgic' needs of some of the considerable German tourist contingent. This clear bias towards settler/colonial/German memory and, to a lesser extent, the missionary tradition, is also reflected in the accounts of the Namibian memory sites, which are overwhelmingly restricted to this range of topics. Of course, it must not be overlooked that this in itself is a reflection of the colonial—and, thus also the postcolonial—situation that structurally favoured the colonial power, materially privileged settlers and the missions, thus enabling them to erect imposing and lasting buildings. In the country at large, Namibia's memory landscape is also dotted with reminders of colonial warfare—mainly German and South African memorials and cemeteries. Against this backdrop, the chiefly graves of the Herero in Okahandja, or the Witbooi cemetery in Gibeon, along with other local cemeteries constructed and maintained by traditional communities form rare, if impressive, exceptions. In the capital, the stark contrast between the derelict cemetery of the Old Location and the well-watered and carefully maintained central cemetery just across the road could long be considered as symbolising this general imbalance. This has now been modified somewhat by the erection of a stately fence around the Old Location cemetery and also by erecting a tombstone there to commemorate the victims of the shooting of 10 December 1959.

In 2002, the memorial landscape of Windhoek was also modified by the erection of a monumental Heroes Acre structure, situated on the southern outskirts of the city. This very closely resembles the Heroes Acre in Harare (on this, see Werbner 1998), which apparently served as its model, both in imagery and in execution, as both projects were planned and constructed by North Korean contractors. The new structure, in the final stages of completion when I inspected it on 13 July 2002, displays a monumental conception of memory and a correspondingly military and heroic image of the liberation struggle. The field of heroes' graves extends over a long slope in a triangular shape, at the apex of which a 40 metre obelisk forms the optical centre of the ensemble. In front of this, a giant bronze statue of a bearded PLAN soldier in military uniform, about to throw a hand grenade, gives an imposing idea of the kind of heroism that is to be celebrated and epitomised at this site. The bronze relief, which has been hoisted on a face forming about one-third of a circle behind these two central features, is obviously meant to give a more detailed account of colonial oppression, anti-colonial resistance and liberation struggle. Here in particular, images of northern Namibia are very prevalent (e.g., the group of Africans being brutalised in a grove of palm-trees, not typical of the centres of settler agriculture). The images of the successive phases of the struggle highlight the rising importance and availability of technical equipment, and culminate in the clearly anachronistic march of military fighters of both sexes behind the present Namibian flag, which, of course, did not exist during the liberation war. Regardless of the symbolic import and the iconographic meaning of this new development, which can be assessed here in only sketchy and impressionistic fashion, it is clear that, by being placed at the outskirts and exerting a small presence in the southern residential areas, the Heroes Acre will not change the memorial landscape of central Windhoek. Indeed, it is hard to imagine that this was the intention.

It remains to be seen how the proposed erection of an Independence Museum, roughly at the present site of the Schutztruppe Rider statue, will change this situation. The above-mentioned three less than life-size bronze statues of representatives of the early UN-oriented independence movement of the 1940s–60s in front of the National Assembly (formerly the central colonial administrative building, still popularly known as *Tintenpalast*) are clearly not meant to have such an impact. This arrangement follows prolonged and obvious embarrassment about the statue of Hosea Kutako, symbolic figure of the Herero assertion of identity during much of the twentieth century as well as of the early campaigns for UN control and Namibian independence following the Second World War. Apparently, the statue, showing the old chief seated, had originally been intended for Windhoek International Airport, named after Hosea Kutako. For unclear reasons, it has never placed there, but rather at a central site in Parliament Gardens. However, it was left there in its plastic wrappings for more than a year.¹ Meanwhile, the two other statues were commissioned, representing two leaders from the Oshivambo- and Nama-speaking communities respectively, who also played important roles during the campaigns against the

1. Forming an apt logo for the conference on "Public History—Forgotten History", held by UNAM History Department in Windhoek, 22–25 August 2000.

incorporation of Namibia into South Africa, and after that, for UN control of the country as a preparatory step towards independence.¹ Under the present arrangement, however, the impact of these innovations on the memory landscape of the capital is negligible.

Attempts at redressing the preponderance of colonial memorial culture have to some extent been made by changing the meaning of particular monuments, but such initiatives have been rare and difficult to execute. Thus, a plaque has been added to the memorial at the Waterberg. However, the initiative by German-speaking citizens to add a similar plaque, making reference to the historical context and acknowledging the dead of all the wars that ravaged Namibia during colonial times, to the much more prominently situated Schutztruppe Rider statue in Windhoek, has been stifled so far—whether by red-tape or conscious obstruction by old-style officials at the National Monuments Council, remains unclear.² Besides, these examples demonstrate once again the close linkage between civil society initiatives—commendable as they may be—and the availability of resources to carry them through, as in the case of changing or complementing memorials.

If Namibia's memory landscape is thus still decisively marked by the vestiges of colonialism and, in particular, of colonial war, the position with respect to the broader aspects of mnemoscope is different. Whereas built-up structures take a long time and a lot of effort and resources to change, it has still been possible to create public holidays to mark and to commemorate important events in the liberation struggle. In an official way, and as a state-ordained affair, this has been done in the cases of Cassinga Day and Heroes Day. The power to change and shape the official public calendar is a clear expression of sovereignty and majority rule. Public life comes to a halt now, no longer to commemorate the salient dates in the history of a minority, but to honour the struggle and sacrifice to end racist minority domination. At the same time, the chasm in attendance by different population groups at functions organised on those days has been regularly observed. Without doubt, this is one indicator of the wide divergences that still exist in the ideas prevalent among different communities in Namibia as to how the past should be construed and represented.

This situation has to be considered in the overall context of dealing with the past in independent Namibia. From the perspective of the state and official remembrance policy, this has been largely shaped by two salient conceptions that are not readily reconciled: the military image of the liberation struggle noted above, and the overarching concept of national reconciliation, which, as it were, has been founded on a conflation of wholesale amnesty with amnesia. At the same time, it is clear that this strategy hinges on a societal consensus, which may be surmised to be largely based on the material benefits that most groups can—

1. For reasons that are also not quite clear, *Kaptein* Hendrik Samuel Witbooi (in office 1956–78) is now represented rather than his predecessor *Kaptein* David Witbooi (1928–56), who was the most prominent Nama leader during the early days of the movement.
2. Cf., also the intervention by Henning Melber, in his capacity as a member of this initiative, on the occasion of the presentation of this paper at the conference on '(Re-)Conceptualising Liberation and Democracy in Southern Africa', Windhoek, 12 July 2002. On the initiative and the surrounding debate informs Zeller (2000:253–59).

or do—hope for under the present postcolonial arrangement, and which may be coded, in very broad terms, as ‘development’. As has been shown by many examples, this development discourse has to be based, in the last instance, on delivery and will break down in the long or medium run when and if such delivery does not occur. Apart from the tangible actions of government mentioned above, very little has been achieved in terms of job creation or redistribution of wealth and assets. Here, in part at least, the balance sheet is even negative. Progress has also been slow at best, in the highly symbolically charged field of land redistribution. It is little wonder that the measure of success this brand of reconciliation policy can attain is increasingly dependent on the ‘patience’ of those who would be the main beneficiaries of such measures and are most badly in need of them. This has been quite evident in the mobilisations of ex-combatants of the liberation war during the 1990s and more recently, of youths, clamouring above all for jobs. While the demands of the ex-combatants were met, in part at least, by incorporating them into the army and the police (which implies further inflation of the state establishment), the young people who camped outside SWAPO headquarters for several months were eventually removed by the police. Both movements can be seen as significant in the given context, as they are clear expressions of mounting disaffection and exasperation, while they seem to demonstrate at the same time that this disaffection is not with SWAPO so far: Protests are uniformly addressed to the ruling party and in particular, to President Sam Nujoma, who appears as something of the symbolic instance to resolve the trouble. It will be of great significance to see how this relationship will evolve in the near future, given the recent experience with the government-staged ‘veterans’ movement in Zimbabwe. But again, these concerns are hardly articulated in the public eye so far. Official memory and acknowledgement, is by and large, restricted to the frame of reference of the armed struggle.

At this point it is worthwhile to differentiate between the ‘official’ and the ‘public’. One would expect that emphasis on the armed aspects of the liberation struggle translates into ‘privileged’ attention for the former war zone in the north. Speaking regionally, this does not seem to be the case. It is true that the memorial on the site of the opening engagement of the armed liberation struggle at Omgulumbashe (also referred to as Omugulu-gOmbashe) stands out as a singular memorial initiative on the level of the state.¹ But this is at a site which—almost of necessity—is far beyond the range of the public eye, to the far west of the population centres of the north. The unostentatious stele, much in the shape of a tombstone, can be found only with difficulty some 200 metres off the road. More important memorial sites, such as former South African fortifications as central places of oppression and suffering, are left to rot or are turned over for commercial purposes. The salvaging of collective graves in the north is left to private initiative, notably aided by the exertions of the UNAM History Department’s history facilitator at the northern campus at Oshakati. This linkage also opens avenues for some publicity for such initiatives in the press.

1. A similar memorial at the site of the confrontation between PLAN fighters and South African forces on 1 April 1989 might be in the planning, but this could not be ascertained.

Other forms of public memory are communal events, which seem to be more widespread in central and southern Namibia. Significantly, these are not restricted to the armed struggle or to the period of the liberation struggle as such, at least not as conceptualised as the last decades of anticolonial resistance, e.g., from the massacre at Windhoek Old Location in 1959 onwards. Rather, this group of events, the most important of which recur regularly, relate centrally to the history of the communities concerned. This applies very clearly to the probably best-known of these events, Herero Day, which annually commemorates the burial of Samuel Maharero at Okahandja in 1923 (cf., Gewalt 1998:136–45; *ibid.*, 2000; Krüger 1999:203–16). Very clearly, Herero Day serves, above all as a site and occasion for the symbolic reproduction of Red Flag Herero collective identity through the ritual visit to the chiefs' graves in formal attire, namely, Truppendienst uniforms with red trappings for the men, festive traditional gowns in red for the women, physical reunion, and speeches expounding specifically Herero grievances such as, most recently, the communally centred demand for reparations by the former colonial masters. The presence of delegations from the White Banner (Omaruru) division and the Mbanderu (green) division, or even from Vaalgras in southern Namibia (Silvester 2000; Biwa 2000) adds further symbolism to the occasion, underscoring the overall unity of 'Herero'.¹ Other lower-profile events are also known, such as the ceremony of the green flag described by Gewalt (1998:133–36).

Again, this may be contrasted with another form of communal event that has been spreading among Nama-speaking communities in southern Namibia under the name of Heroes Day. While Herero Day remains tightly and explicitly linked to the communal identity and concerns of the Herero (however these may be defined—cf., Bollig and Gewalt 2000), this group of events originates from an attempt at conscious and explicit departure from the reproduction of such bounded identities. It seems that this type of event originated from the *Witbooi Fees* that was celebrated for a long time to commemorate the death in action of Kaptein Hendrik Witbooi in 1905, during the Nama Rising (for details, see Kössler 2001 and 2003, as well as Kössler, Melber and Strand 2003). The explicit political turn this event took from the 1970s onwards situated it squarely not only within the struggle for liberation, but also within a *national*, no longer merely a *communal*, framework. This has also been the reason for the change of name, chosen to underscore the reference to the whole of Namibia. Especially during the ongoing liberation struggle, this drive was expressed in the participation by outside political figures, mainly traditional leaders from other communities. To be sure, all this does not mean that communal aspects of the event, or its linkage to a specific historical event, the death of the old Kaptein, are severed. Nor can it be said that 'ownership' of the event has moved away from the leading circle of the Witbooi group. The site is still at the 'traditional capital' at Gibeon, with the significant exception of 1998, when the event was held at Hornkranz, the mountain fastness of Hendrik Witbooi. Similarly, the intimate linkage between communal and national identity among the Witbooi tends to

1. I had occasion to observe Herero Day on 27 August 2000; cf., also the detailed account in Krüger 1999, ch. 5.

hinge largely on the high profile of the old Hendrik Witbooi as a national hero. The nationally inclusive, highly symbolic elements of Heroes Day in Gibeon should, therefore, not be misconstrued as forfeiting communal concerns. Rather, the traditional community's unique contribution to the Namibian nation is celebrated, and this is pictured as absolutely crucial, while due respect is paid to other national heroes such as Morenga, Mandume Ndemufayo or Hosea Kutako. In a similar vein, the incorporation of contributions from outside the Witbooi group, as well as the inclusion of non-Witbooi residents of Gibeon, in particular as horse-riders, does not diminish the claims that are advanced on a communal level, in particular in terms of territorial jurisdiction and land, which form a difficult and unresolved problem for further development in that part of southern Namibia. Again, this does not impinge on the obvious success of the venture, which seems to have been copied by a number of traditional communities in the south, most notably, by the Red Nation at Hoachanas. These processes warrant further investigation.

For present purposes, events such as those described stand for non-state efforts to articulate, along with communal identities, central aspects of public memory. More precisely, these events serve, i.a., to propagate and root in participants' mind-trajectories, aspects and events in the national public memory that tend to be left out or to be marginalised by official memory. This applies not least to the image of the liberation struggle, which took on widely divergent forms in the 'war zone', on the one hand, and in other parts of the country, which although they were not subjected to immediate physical warfare, still did not live in 'peace'. Events such as communal Heroes Days, in particular can be read as efforts to amend the bias of official memory politics towards the armed and thus, the 'northern' aspects of the liberation struggle.

Such features are usefully referred to as emanations of a civil society that in Namibia, as elsewhere in Africa, is still in its formative and fledgling stages. Part of this process is the recognition of the purview of the concept of civil society. In contradistinction to attempts to incorporate traditional communities and, above all, their leaders, into state structures by statutory law, I would argue that the potential of these social forces would be much greater outside such a framework, and the impact of communal memory events on the national mnemoscape may be a case in point. It is to be noted that these events contrast starkly, precisely by their strong linkages to history and politics, from supposedly unpolitical communal representations by other communal groups, e.g., the 'carnival' stagings of the German-speaking community.

Still, public memory is also a controversial issue in Namibia in wider spheres of civil society. This refers to memory elements that are not slighted, but actively and explicitly repressed and denied by official memory policy. In a society that is still marked by the experience of decades of war and the savage repression of anticolonial initiatives of various kinds, what is particularly germane here is the serious human rights violations perpetrated by the various groups of participants in this struggle. The official relegation of this issue from explicit public discourse has not gone unopposed, and the ongoing controversy may be understood as one aspect of the struggle for hegemony and definition of the past. It is

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difficult to overlook the linkage between these concerns for recognition and the current debate about human rights linked to the treatment of the Caprivi separatists.

This perspective underscores the controversial and, strictly speaking, the political dimension of public memory. While state institutions play a vital role in the shaping of mnemoscapes and, in particular, of memorial landscapes, civil society organisations and initiatives of all kinds can have an impact on both. In this way, public memory can be seen as an image of any given society, of its structure and power relations, of its self-image, and not least of the image its rulers strive for. However, this image seldom remains unopposed.

State, Politics and Culture

The Case of Music

Minette E. Mans

In the development and rule of a nation, the importance of the arts as a reflection of a culture's history, aspirations and identity is often ignored. Discourse about the arts is limited to the domain of academia and artists, who seemingly function on the fringe of 'the real world'. Yet, even a cursory investigation shows that a culture's values and the causes, meanings and solutions they assign to life's occurrences play a major role in the mode and direction of a country's development. Culture dictates how people deal with daily routine, gradual and catastrophic change. As a politically young, perhaps even immature nation, Namibia is striving towards the establishment of 'real' nationhood in terms of national identity. Part of the creation of this identity lies in musical practice. Therefore, to understand our society and the changes it is undergoing, we should explore the changes in its arts, and in this chapter I refer particularly to music.¹

My perspective in this chapter is from the discipline of ethnomusicology, choreology and music education. It is based on a decade of field research into Namibian music and dance. To understand music is to expand the universe of human discourse. As an important medium of cultural expression, music has a role to play in the building or downfall of political systems, for example, through performance and lyrics targeted at liberation and change, such as the songs of the *Chimurenga* in Zimbabwe in the 1970s. A government that sees music as 'mere entertainment' disregards the power of music to convey ideology and to effect change.

The common context of discourse on democracy is the political one. The democratisation of society tends to follow as an afterthought, yet is crucial to the maintenance of democratic systems. It is this somewhat neglected side of democracy that I intend to explore in this chapter. How are traditional societies reflected in Namibian musical practice? Does the music indicate democratisation? Music responds to subtle changes in society, and is indeed in some cases even the stimulus for change. It is important to understand the depth and power

1. It must be noted throughout this text that I use the term music to include dance when referring to the more traditional settings in Africa. In fact, in Namibia, it is often the name of the dance that acts as identifier for a particular category of music. In reference to European and North American music, dance is not automatically implied.

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invested in musical practice and how it relates to and illuminates societal structure.

Interpretations and generalisations are always bound by processes of self-understanding and my interpretations are of themselves a form of cultural activity. The very nature of my field of ethnomusicology and choreology is based on explorations of 'otherness', and hence might be construed as an effort at continuing to racialise the musical world. However, my interpretations of current attitudes and changes should be seen as a projection of what I experience as aspects of continuity and change in musical practice and dance in recent times. Many of these are explicitly personal thoughts and intuitions, formed and informed by my research and personal life experiences as a Namibian. Secondly, there is a danger of dichotomising information—expressing information in terms of rural/urban, traditional/modern, or African/Western dichotomies. In this text, I try to avoid this pitfall and resort to such comparisons only when they are a reflection of deeply held and experienced difference, as expressed by inhabitants. Furthermore, generalisations about 'the' Namibian people are inevitable as I try to interrogate current attitudes and changes. Clearly, there is no 'essential Namibian', as there is no essential Damara or Omuhimba. The categories used refer mainly to clear identities within musical practice and the constitution of diverse and organised musical worlds. These musical worlds are reflections of cultural identities (see later) and are described by people themselves as Damara music, Tswana music, reggae music or whatever other term they identify with.

Background

The colonial history, and particularly the period of South African occupation in Namibia, had a profound impact upon the way people perceived one another—especially across racial and ethnic boundaries. Further back, this permeated even the missionary introduction of a form of Christianity in which God was partial to the white race. In the recent past, racism in its strongest form was consolidated in apartheid policies, but permeated local societies in many other more subtle forms, whereby ethnic differences were targeted so as to isolate groups from one another and create distrust and division among the people of the country—the classic 'divide and rule' policy. Difference in all its guises—physical, historical, cultural and economic—was always emphasised, creating a strong perception of 'them' versus 'us'. It is therefore not surprising that the current government, which came into power after the long and bitter armed liberation struggle, is determined to stamp out all references to apartheid's focus on difference. For this reason the call for unity, one nation, is constantly emphasised. This qualifies not only educational and cultural policy, but the entire environment of identity formation. Among the people, however, this unity is evidently going to take far longer to achieve than those in power might like to admit.

Partly as a result of the historic emphasis on defining and maintaining difference, many Namibians continue to describe themselves in terms of their ethnic group rather than nationality. Namibia, with its composition of eleven main

language groups, is often described as a cultural 'mosaic'. To me this term implies disparate pieces fitted together loosely to create an impression of a larger picture, rather than a clear and defined unity. Perhaps this is an accurate portrayal of contemporary Namibia. In both urban and village settings, cultural background and ethnicity are spoken about in various ways, ranging from conscious pride to self-conscious ambivalence. Certain cultural and ethnic groups align themselves with one another, but tend at times to be united only in feeling threatened by the ruling majority. Thus, while the growing sense of national identity is strengthening in sport, regional politics and business, the pretence that there exists a real unified nation is misleading. The building of a nation represents a process that cannot be forced. The prominent anthropologist Clifford Geertz stated some thirty years ago: 'Nationalist ideologies use cultural devices to demonstrate the process of collective self-definition, to provide feelings of pride and hope connected with symbolic forms so that these can be consciously described, developed and celebrated' (1973:252).

Is the Namibian government going to develop the strategy of using cultural devices to speed up this process? Or are musical performances too much of a reminder of an earlier existence? During the period of South African rule, gatherings of people who sang and danced were viewed with suspicion, as the messages contained in their music and gestures were not understood or were misunderstood. It was feared (not without good grounds) that these songs contained texts that were antagonistic to the rulers and promoted dissidence. This fear and suspicion probably had its roots in the lack of understanding that led early missionaries to disapprove of and even forbid certain local performances as pagan and licentious. As a result, many forms of musical tradition went through an extended period of suppression, although few declined completely. It is thus quite understandable that people currently feel a need to express their cultural identities in terms of their ethnicity or language. Hence, since Namibia's political independence in 1990, there has been a resurgence in the musical expression of diversity. This has been balanced by the expression of the culture of nationalism and especially support for SWAPO by party-aligned bands and individuals in the popular music industry.

The freedom to celebrate cultural diversity is laid down in the national constitution, The Policy on Arts and Culture, and the national education policy. It is expressed as 'unity in diversity'. This implies that while a certain amount of diversity might be tolerated, the end-result of musical performance should be nationbuilding. Understandably, the ruling government seeks to redress the divisive effects of the apartheid system of the past by calling for unity through the expression of national identity, strengthening the feeling of national unity and, therefore, the position of party and state. But, despite the undeniably strong position of SWAPO in the government, it would be unwise to ignore peoples' need to express their unique histories and the interactions that have led to the creation of unique musical systems and thought processes, embedded within the peculiarities of different cosmologies. Unfortunately, from time to time dismissive and even insulting attitudes on the part of certain members government

emerge. In a film by Lasse Berg (1997), a ministerial official speaks of Ovahimba customs as 'of those days. We are not of those days anymore'.

One of the interesting transitions in the last fifty years has been the way in which history and identity are being reinvented. Precolonial history, largely forgotten, plays little role. Tradition is equated with colonial rule and 'the past', and democracy is equated with modernity. Becker (2000) and Winterfeldt (2002) both stress that postcolonial discourse has been largely based on dichotomous distinctions between 'old' or 'traditional' and 'new' or 'modern'. This discourse is confirmed in many conversations I have had with Namibian people—farmers, shopkeepers, housekeepers, musicians and politicians—who rationalize their own histories and motivations in terms of colonial/traditional versus independent, liberated and modern. Thus, '[t]he colonial past is often associated with tradition, whereas colonial transformation is interpreted in terms of modernization, in the end creating those patches of modernity in everyday life that are ascribed to metropolitan culture' (Winterfeldt 2002:227).

The urban middle classes construct their identity by contrasting it with their rural peasant origins. In embracing this very localised form of 'modernity',¹ people want to be seen as educated and knowledgeable about the world, in touch with the latest trends, and having escaped a 'rural existence' and poverty. This generally involves relinquishing the so-called 'traditional living', which lacks electricity and water and involves hard physical work. This modernity is embodied in many new and constantly evolving ways—in gestures, manner of dress, body, dance and musical expression.

Diversity, Difference, Unity, Reconciliation

Clearly, the need to create a national identity is fundamental to nationbuilding. On the surface, the drive towards unity appears benign and restitutive, and the celebration of diversity could be seen as a remnant of divisive apartheid politics rather than of cultural richness. Thus, contemporary democratisation of Namibian arts involves the balance of political demands and hopes for development and reconciliation against the potential for confrontation through cultural self-expression. Namibia's history has led to a distrust of cultural diversity, which is seen to elicit points of difference. 'Cultural diversity can be rich, but it can also be problematic', says Minister Nahas Angula² (2002) in a discussion about culture in education.

The democratic consolidation ostensibly creates an egalitarian basis for all citizens. Is the suspicion towards diversity a means to suppress difference, because difference may pose a threat to public order, unity and to the state itself? The reluctance of the present government to countenance 'difference' may stem at least partly from the institutionalisation of a needs-driven (as opposed to a rights-driven) democracy in Namibia. In a needs-driven system, the state identifies the needs of its people (hospitals, schools, pensions, roads, etc.) and sets up

1. Postmodernist theory and terminology does not form part of general parlance in Namibia.

2. Currently the Minister of Higher Education, Technology and Job Creation, previously Minister of Basic Education and Culture.

the required structures in order to fulfil those needs. In return, the state demands political support, unity and loyalty from its people. In a rights-driven democracy, the state is obliged to see to it that citizen's rights (to freedom of speech, minority rights, claims against government, etc.) are satisfied. Berman (1992) warns that 'the more indispensable the state is to all modern people and peoples, the more oppressive and dangerous it is bound to be' (ibid., 39, 40). In a rights-driven democracy there is a balance of power in which the state is answerable to citizens on a more egalitarian basis of negotiation and responsibility. In return, citizens are expected to elect the appropriate officers and contribute via taxes and other means.

The nature of Namibia's statehood, which is a patriarchal nationalism where the people are presided over by the typical male head of state, is constructed on a needs-driven democracy. The patriarch employs a father-like system of undisputed authority, supplying guidance, instruction, development and in some cases punishment and even censorship. Citizens, like children, have a somewhat limited power to criticise, and should they do so, they are accused of disloyalty and even traitorous behaviour. The bureaucracy is highly politicised, with the President of the state also being de facto leader of the ruling party. The smiling image of the President, Dr. Sam Nujoma, as 'Father of the Nation' characterises both state and SWAPO as a political party. This image is represented prominently in many homes and has become almost mandatory in offices around the country. His fatherly image is replicated in many indigenous songs, ranging from those emanating from the pre-independence exile camps, through semi-religious songs and contemporary pop songs to play songs. It must be noted that this patriarchal image transcends the 'cultural barriers' of different language groups, hence it reflects a national image. Pictures of 'Tate Sam' have pride of place in the homes of Namibians of all languages. Similarly, songs about him, other leaders and the liberation struggle can be heard in several different languages across the region.

In a patriarchal nationalism it is easy for a certain dependency on one leader to develop, leading to apathy in terms of participation in the democratic process. Despite growing unease about the increasing incidence of inconsistent, irrational and even aggressive statements by the President in press¹ and on international television,² many inhabitants are comfortable with the leader they know, and are unwilling to 'rock the boat' by becoming overtly politicised and demanding their right to take part in governance. Namibians are presently not exercising their right to actively participate through, for example, critical expression of opinion and association. They are relinquishing the right to be different—culturally, sexually and politically. Hence, as Du Pisani (2001:6) states: '[e]leven years after the defining moment of independence our political life is profoundly non-emancipatory'.

1. Press comments during 2002 have included attacks on gays, foreigners (especially Europeans), foreign-made television programmes, white farmers, and so on (see *The Namibian* and *Die Republikein* archives for 2002).
2. President Nujoma's much publicised sharp comments to Prime Minister Tony Blair about his being the cause of Zimbabwe's problems, at the World Summit on Sustainable Development, Johannesburg, August 2002.

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The primary aim of nationbuilding is usually to create an environment where there is a shared linguistic, religious and symbolic, therefore, cultural, identity. It, therefore, involves 'a process that seeks to unite different, unrelated and sometimes incongruent population groups into an integrated and identifiable nation' (Du Pisani and Lamb, n.d.:6). Since independence, this has meant that government has stressed the importance of national unity, for example, by implementing an official 'shared language' through the institutionalisation of English. Instant national symbols were created—a flag, an anthem, a national airline, armed forces, a television network and a university. However, nation building is a long and tedious process, in the course of which Namibians are expected to forget historical and cultural differences through the policy of national reconciliation, avoid discourse on race (Kober 1997) and unite under the new national symbols. The liberation struggles of the past¹ and the entrenched racism are not forgotten, yet are rarely brought out into the open. For true reconciliation, our history requires deconstruction before national identity can really evolve. If asked what constitutes 'the' Namibian culture or personality, people are unable to supply the answer because there is as yet no 'Namibian culture' or identity. Government, therefore, took steps to ensure that nation building became a national priority. Strategies employed to foster nation building have included the creation and adoption of a cultural policy, reform of the entire education curriculum and constant use and manipulation of the media.

To clarify the relationship between Namibian music and nation building, some expansion of my conceptualisation of cultural identity and national identity is needed.

Rejecting the notion of a cultural identity as a fixed sameness among members, one could say that it involves both unification of commonalities and the defining of difference by the members of a group. Few people are unicultural. They constantly form and adapt their own cultural identities through selective assimilation or repudiation of different aspects in the multiple cultures surrounding them. This active identification process takes form over a relatively lengthy period of time and involves the interweaving of individual and group history of a community or society.²

Hence, identity formation, which is reflected and concretised in many musical practices, rests upon the creation of imagined communities and draws boundaries between 'us' and 'them' in terms of various units, such as association with family, gender, place of residence, economic position, employment and ethnicity. The result, in practice, means that some communities in Namibia can identify as 'different' performances of the same song by communities not very far apart, and can, furthermore, identify which community's performance it is! Such communities have developed their own identities (within the larger shared Owambo culture) in such a way that they are recognisable through musical per-

1. There have been more than one, as can be seen from the war between Germans and Ovaherero in the nineteenth century.
2. For the purpose of this essay, 'community' should be read as a group who share certain characteristic livelihoods, values and beliefs at a local level, while 'society' can be understood as an extension of several fairly similar communities on a wider plane.

formance. This is not unlike a pop group's conscious development of image, identity and 'sound' to make themselves recognisable and identifiable.

Because they involve conscious acts of 'identifying with' aspects of culture, cultural identities have no firm or impermeable borders. They also include alliances and associations between groups, thereby spanning distance and time. For example, some areas of Namibia demonstrate a strong association with the music of Congo in their melodic constructions and rhythms, while others have incorporated and allied themselves with the more homophonic four beat popular music of South Africa. Through these alliances or preferences, the 'own' musical culture clearly evolves and hybridises. It has been said that 'one of Africa's oldest arts is extraversion, the ability to draw in and creatively absorb materials from outside' (Barber 1997:6). The resultant 'hybridity' can be seen as 'the visible face of a deep and ancient disposition that shapes the social, political and economic domains as well as the cultural'.

Cultural identity, in my view, determines the various ways in which people perceive and experience their own culture(s) and those of others. It does not imply ethnic stereotypes. An identity is based on a conscious and subconscious decision to identify with significant cultural components, which an individual may perceive or become immersed in. This includes a culture's hierarchical structure, aesthetic and normative values and phenomena. It is, therefore, acknowledged that there is a traditional, stable aspect to identity formation, but that cultural identities 'no matter how deeply felt, are from a historical point-of-view mixed, relational, and conjectural' (Clifford, cited by Waterman 1997). Clearly, because they involve individual conscious and subconscious acts, identities are not an indication of timeless and static qualities but are rooted in complex histories, discourse and interpretations of intergroup relations. They are also influenced by access to education, employment, and other opportunities (Cooper 1998).

In the increasingly urbanised environment, people are confronted with 'new' realities and find themselves removed from the familiarity of communities that sustained the cultural identity. Urban is often equated with 'modernity', and democratisation is one example of modernisation. Democratisation is seen, for example, to involve women's rights, the eradication of poverty and improved access for all to the material benefits of the contemporary world. Thus the pressure exerted to 'develop' and 'join the modern world' creates a sense of transitoriness, instability and constant change, which leads to the breakdown of past forms, life values and identity. This creates a feeling of not being at home in the world, a feeling expressed by members of several Namibian cultures.¹ At the same time, the negotiation of a 'new' identity within these changed circumstances has its difficulties, because the environment contains so many possibilities. 'In modernity, identity becomes more mobile, multiple, personal, self-reflexive, and subject to change and innovation' (Kellner 1992:141). Hence, in modern urban Namibian society, cultural identities tend to be subject to more rapid fluctua-

1. See Bieseke (2000), and also Crandall (2000). In both of these, individuals and communities in the Nyae Nyae area and the Kaoko express their feelings about the world changing too rapidly for them to feel secure. This is a feeling also expressed by rural Afrikaners.

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tions of fashion (Is Rastafarianism in or is it out?), politics (ex-fighters having to find new identities not related to war) and education (future employment level and class play increasingly important roles).

In contrast to cultural identity, national identity is a political construct and is separate from the cultural level of identity. The first involves the legal systems of integration while the latter has more to do with the ethical (Andersen 1997). Cultural identities are thought to be only relevant to politics 'where cultural symbols are used politically' (Mattes 1999:273). The dual reference, therefore, refers to the major structuring institutions such as economy and polity on the one hand, and the more domestic way of communal life on the other (Rex 1996).

Even though the state in Namibia calls for a national identity inclusive of different cultural identities, the notion of an all-inclusive national identity is not as simple or defined as might be expected. The deeper the perception of difference is embedded, the more difficult it is to create a sense of national identity. As a result, the major structuring institutions, such as legislature and education, appear to move into the domain of 'way of life' and the state 'interpenetrates civil society and limits its deliberative space' (Du Pisani 2001:6). Cultural difference, which may lead to increased differentiation and emphasis on value differences, is seen as a potential political danger.

National identities themselves may also be exclusionary¹ and based on membership (or not) of a political cadre or shared experience, such as the armed liberation struggle. Should one not be a member of this group, one's loyalty as a citizen is also brought into question.²

Further, the implementation of democracy in Namibia initially brought about a great sense of patriotism. Namibia's citizens are said to be 'defining, negotiating and legitimizing their identities in a new Namibian nation' (Markusic 2000:1). Some of the (re)defining is most noticeable in terms of national identity, and some in terms of cultural and ethnic identities, not necessarily in terms of heritage or language. According to research in one district, people whom Markusic described as Oshiwambo-speaking, identified themselves as Namibian first and foremost, and as liberators of the country. Those described as Damara, on the other hand, identified themselves primarily as Damara and tended to ascribe many of the present problems of poverty, crime and unemployment to oppression by the Owambo majority. Thus, in one way and another, certain social divisions on the grounds of ethnic or cultural boundaries of difference remain drawn.

1. See Melber (2003d) and Emmett (1999) for critical discussions of this issue.

2. This is evidenced by Swapo Party Youth League appeals to government to ensure that only loyal cadres and proven SWAPO members are appointed in strategic government and parastatal positions. The appeal was later endorsed by cabinet, although certain members spoke out by warning against possible negative effects. (see *The Namibian*, 14 June 2002).

Music in Namibian Society

How does the above relate to music? In many instances musical practice, despite being touted as 'a universal language', can be seen to further draw the boundary lines between cultures and sub-cultures. This applies not only in terms of place (such as country), but also time (for example the era of Romantic music) and specific environment (such as the inner city). Music does not speak an international language, except insofar as certain genres of music have become globalised. Understanding of a musical 'language' requires learning experience in that musical practice. This is normally brought about by cultural immersion, but may also take place through formal education or by focused learning intent.

Although earlier musicological and philosophical studies tended to analyse music as an abstract entity, music has no existence in isolation from its existence as a human action. Music should in reality be seen as a verb rather than a noun, as it is something people do. For this reason it is always informed by the social context or culture from which a person or group emerges.¹ 'A society ... might also be conceived as something which happens "in music"' (Stokes 1994:2), something that articulates our knowledge of other peoples, places, times and things and ourselves in relation to them. Insofar as music-making represents and is social action, we realise that music is a potent form of social expression. It is a medium through which history, ideology, religion, emotion, education, social class and expectations are expressed. It is both a personal and a social system of knowledge and meaning and involves the reciprocal influence of the individual and his/her social context upon each other. Within a specific social context, an individual experiences and learns to evaluate music, but also to exert influence on the society through the music that is produced and 'consumed'.² This affects the kinds and frequency of music that is produced. Music is thus a form of social collaboration, and is based on a cognitive construction of 'musical world' that contributes to 'how people make sense of other people and themselves' (Fiske and Taylor 1991:14).

The construction of a 'musical world' takes place over a period of time and is embedded in the culture's cosmology, thus reflecting its values and beliefs. Broadly speaking, probably the most important reason why people make music is to 'humanise' and socialise individuals, subtly instructing them in terms of the values, morals, the behaviour values (life, death, procreation, etc.) and social-aesthetic values. The latter relate, for example, to understanding and appreciation of the qualities of performance and artifacts, the nature and importance attached to material goods, the meaning of 'quality of life' and so on. Peoples' understanding of relative poverty and wealth, for example, is based on and legitimised by their value system. These values are embodied, *inter alia*, in dress, architecture, art, dance and music. Simply put, music creates a context or framework through which people may relate to one another in different ways, and is woven into individual, familial and collective existence, within a particular sit-

1. Within the broad African context, music-making includes dance or play, using the body and instruments.

2. By 'consume' I am referring to the notion of buying music as a commodity for sale at shops (tapes, CDs, DVDs, etc.), at theatres and clubs, and even at private functions.

uation, circumstance, time and place. This holds true for musical practice past and present.

But people also actively construct and change their own values, beliefs and, thereby, their cultures. Their musical world and musical cognition includes all their music (songs and their structures, categories and repertoires of music, instrumental pieces, instruments used, dances and their structures, categories and repertoires of dance), as well as all the rules guiding the practice and circumstances for the performance of the music. The practice categorises music for everyday and for special occasions, music for children, adults, males, females, commoners, specialists and royalty. There are also exclusions indicating who may not perform certain things. Thus cultures have constructed musical worlds according to their ways of life, systems of production, values and beliefs—they have enculturated their social system. Being part of a musical culture involves identification with both the *process* and the *environment* of music making (cf., Mans 2003 and 2002a).

In contemporary post-independence Namibia, musical traditions and their purpose are thought to be undergoing many changes. The question is, does the music begin to reflect a democratised society? Traditionally, important knowledge, life skills and social values were transmitted through active participation in musical performance and dance, stories, narratives, games and rituals. In the absence of a school-based system of learning, the performance of stories, rituals, and play were ways in which people could be educated as a group. Apart from the explicit 'lessons', there have always been implicit meanings underlying performance. In the past, these meanings affirmed such values as familial links and lineage, social cohesion, the value attached to livestock or seasonal actions and so on. During the armed liberation struggle, some of the reiteration and praise of familial links became inappropriate to that context and were to some extent replaced by praise of leaders. Within the contemporary city environment, that again is changing and the inner city terminology and rhythms of 'gangsta-rap' are loaded with meaning for members of that sub-culture, transmitting different values. Agricultural values have lost meaning within this urban environment, and so too has the liberation ideology. Instead, they have been replaced by a curious mixture affirming material welfare (the car, the clothes and the cell phone) and instant sexual gratification 'all night long', mixed with warnings against AIDS and reminders of the ever-growing gap between rich and poor. Hence music and dance still link with the philosophical and moral systems that lie at the root of social structures, and can be seen as a metaphor of life.

It follows, therefore, that music communicates important messages in terms of social structure—the relationship order between different generations, genders, occupations and lineages. Certain Namibian societies are structured both matrilineally and patrilineally, with each lineage providing specific structuration in terms of marriage, material possessions and leadership. This is most evident in the praise songs (*omutandu*) and incantations of Ovaherero and Ovahimba, for example, celebrating historical events, family lines, heroes, places and even the cattle belonging to certain members of the family (Jacobsohn 1990, Ohly 1990, Kavari 2000). Similarly, Vakwangali, Hambukushu and Aawambo histo-

ry, lineage and totems are communicated orally in praises and chants.¹ Williams (1994) quotes informants as saying:

Yes, we remember the past of our people, although we did not have a tradition of writing it down ... Our children know our past because we told them, and we know because our parents and elders told us; this is how we remember our history (*ondjokonona*). (ibid.:12)

In the past, social positions were customarily defined by the importance of the musical instruments people were allowed to play and the roles they were allowed to assume in the form of masks, spiritual healers, vocal leaders or initiators of the dance. In many African societies, women are traditionally forbidden from playing (or even touching) the drums. These instruments are believed to contain so much power that a woman who breaks the taboo will either never cease menstruating, or will never menstruate again.² In other words, she will be punished at the perceived core of her femininity. Social position remains observable in the order in which people take turns to play—this is indicative of their status within that particular group. Thus, the play may begin with the smallest children and work up to the most experienced, or conversely, the wife of the king may begin, followed by relatives and then the rest of the crowd. This procedure was used to establish and sustain certain cultural inequalities within and between groups. Although this practice continues in the rural areas, there are changes in that the youth feel themselves freer to participate among adults, and since traditional leaders do not carry the same level of authority as in the past, their status in the performance might also be changing, although I have not specifically researched this. In towns and city, the multicultural blend pays little heed to traditional status. Instead, status is more likely to be based upon wealth, education and especially political connections. It matters little, however, as urban people rarely create situations for the performance of musical traditions and prefer to acquire prerecorded music and dance in clubs or at parties. In my experience, it seems that the more important the person, the less likely he or she is to participate in singing or dancing. Hence, the notion is transmitted that such performance is limited to 'artists' or to the lower classes.

Genderisation of performance still reinforces many gender stereotypes in traditional as well as contemporary dances. In northern Namibia, an amazing number of performance categories separate the genders, for example *omupembe*, *outjina*, *onkankula*, *okandeka* or *omuhiva*. Traditionally, men's and women's work functions defined the genres of performance. Women's song categories often included lullabies, birthing songs, maize stamping, hoeing and threshing songs, and songs relating to girls' transformation ceremonies. Men's song traditions typically included boys' transformation songs, herding, praising,

1. In addition to Williams (1994), see Gibson, Larson, and McGurk (1981) for discussion on clans and kinship among people in the Okavango region. Research in Omusati Region by Mans (1999–2001) has resulted in several recordings of such music.

2. At the 2000 FESPAM Symposium in Brazzaville, this was the main conference topic and was confirmed by all the male participants from many African countries. As one of only two female participants, I created a stir when I pointed out that Namibia is one of the few African countries where women do play the drum, e.g., in Ovazimba, Batswana and Owambo musics. South Africa is another—e.g., in Vhavenda and Zulu performances. My instrumental entry in the *Encyclopedia of African Folklore*, (P.M. Peek and K. Yankah, eds., forthcoming 2003) discusses this phenomenon.

healing, hunting and drinking songs, as well as the lonely songs of migrant workers. Within the mission church environments, however, men and women came together to sing in worship. This had the effect of creating whole new musical structures in Owambo songs, for example. Whereas most of the older songs in Oshiwambo only have male or female singing parts, the church hymns introduced four part singing. This practice was readily assimilated and continued in the singing of freedom songs during the liberation struggle. In a sense, therefore, these song structures reflect a process of social democratisation, in that genders began to perform together on an egalitarian basis, where either man or woman may take up the role of lead singer. The status of the lead singer in *okakorasa* today is based on musical ability rather than social status.

Traditionally, music has been very structured in terms of its exclusions, with categories of performance for children (*iiyimbo yaanona*, *outetera*, *omukwenga*, *abate*, etc.), adolescents (*uudhano*, *onyando*, *simbayoka*, *kharu-oms*, *onkandeka*, etc.), adults (*ondjongo*, *omutjopa*, *eenghama*, *ongovela*, *lgais*, *siyamboka*, *epera*, etc.) and elders (*otjiluka*, *endjomba*, *omuhelo*, *omutandu*). Much of this firm categorisation has become blurred in contemporary performance. Generally, adults are unlikely to participate in children's performance, except to instruct (as happens for example when learning *uudhano* at a special baobab tree in Ombalantu). But children do learn adult music and dance by observing and imitating, and in some cases joining in. This provides a medium for intergenerational as well as intragenerational socialising. Since the demographic changes caused by obligatory school attendance have had an impact upon the tradition of learning music orally from elders, many of the musical categories in which children were involved now become their own responsibility, or that of the education system.

Rituals are a means of perpetuating prevailing values, powers and the meaning of life—an aspect of the static side of culture. In the past, Namibian rituals included healing ceremonies, the casting out of (evil) spirits, religious rites, initiation rites, wedding rituals, inaugurations and funeral rites, among others. Some of these continue to be practised. The ritualisation of rites of passage informed and prepared the younger generation in terms of social expectations and community ethos. Examples included *efundula*, *olufuko* and *ohango* in northern Namibia, *ethuko*, *etanda* and *ouwhame* in the Kaoko, *simbayoka* in the Caprivi, *!khae-oms* in the south and Ju/'hoan *tcòqmá* in the east. In all of these the music played a cardinal role. In post-independence Namibia, these ceremonies have taken on a negative connotation. As pointed out earlier on, they are linked to the past in terms of the colonial period and indicate a 'lack of development' in the eyes of the new elite. Especially strong criticism is levelled at traditional healers, although the Western world is looking with new intensity at the commercial value of indigenous knowledge of medicines and the properties of herbal remedies. Rites of passage and inductions involving ritual scarification or mutilation, such as male and especially female circumcision, are not accepted by modern society. The Christian church also frowns upon 'tribal' rituals involving spiritual possession and trance. What, therefore, has replaced these rituals?

Interestingly enough, it appears that in present-day Namibian society it is mainly the church, institutionalised medicine and politics that emphasise ritual

behaviour to perpetuate certain value and power systems. In the case of the latter, for example, consider the ritual rising at gatherings as the elite cadres appear, the singing of the national anthem and the African (previously OAU) anthem, followed by lengthy speeches and a feast where wealthy and powerful people eat as though they suffered real hunger. Music still plays a minor role, but this is more to create an atmosphere of formality, legitimising power relationships, than for real ritual purpose or instruction. For such occasions, past traditions are recalled in a much diminished and superficial form as cultural troupes or choirs are called in to entertain and then depart. The lack of democratisation on such occasions is revealed by the fact that, whereas in the past egalitarian participation in musical performance was open to all those who knew the culture and music, today performers are hired, kept waiting outside until called and do not participate in the feast that follows the speeches. To all intents and purposes, they are treated as 'hired help' (in a way reminiscent of eighteenth century European musicians), confirming once again new formations and structures of elites.

From the above, one might discern that indigenous musical traditions and other art traditions are little valued by the state. In terms of development priorities, the arts always appear at the bottom of the list, passed over in favour of economic, technological and structural development. Even sport draws the visible support of ministers, while cultural performances remain ill attended. Seeing that music played such a vital role in the liberation struggle, which helped bring SWAPO to power, this appears surprising. Music is a powerful political tool. Musical performance plays a formative role in the construction, expression, and legitimisation of power relationships in the modern world. In many countries, governments may align themselves with or against particular 'cultural troupes', and may even exert influence that may reshape dances 'to suit its [a government's] own national or regional interests, (Ottenburg 1997:14). Stokes (1994) argues that it is because music is so intensely involved in the propagation of dominant classifications that it plays an important role in the hands of government of new states, or the reinvention of states. Might this be why its role is so consistently played down?

In Namibia, music and dance have long been utilised to confirm dominant categories—in praise of leaders, wealth (cattle-owners), masculinity and divinity. In earlier times, for example, Valozi chiefs used to retain personal musicians and they travelled accompanied by a *silimba* player.¹ Similar evidence of special music and dance performances relating to political structures includes the royal musics of Sambyu and Gciriku people. The status of those in power was defined and confirmed by these performances. During the liberation struggle, the performance of *omaimbilo emanguluko* (freedom songs) and *uudhano wopankond-jelo* (dance-play with liberation texts) in the exile camps was an important way of conveying and affirming ideology and maintaining patriotism. Similarly, performances of the band 'Ndilimani' played an important role in raising support for SWAPO. Music wields this significant ideological and political power be-

1. The last known Valozi chief's musician playing the 'old music' in Namibia is Mr. Sikwalunga Mului, from Bukalo in eastern Caprivi, who described his life as a chief's musician to me, 1993.

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cause it can touch us in ways and places that nothing else can (Bowman 1994:20).

What has happened since independence? It appears as though the political and artistic status of musicians dwindled as soon as their political function declined. When band members from 'Ndilimani' applied in 1995 for state support to further their studies in music at UNAM, this was denied. Yet, the need for some cultural affirmation during important events remains. On more than one state occasion a wonderfully accomplished women's cultural group from Ombalantu is brought in to perform. They bring cultural pride and history to such events, yet these women receive little or no financial reward or increase in social status for this, merely the honour represented in a fading photograph.¹ So the question remains, why the neglect of an important cultural expression that could (and was) so powerfully and effectively utilised in the past? Could cultural diversity not become a way of building a nation, in much the same way as South Africa uses the 'rainbow nation' idea?

The situation of artists and all areas of cultural heritage was seen to be so neglected that an initiative was started a few years ago to devise a cultural policy so as to gain advocacy for people, places and stories relating to culture. The process of creating a cultural policy in Namibia was a stop-start affair that took several years. As I have discussed this at length elsewhere (Mans 2000), suffice it to say here that creating a cultural policy is a positive step, although it would not have happened if artists themselves did not play a major role in the initial impetus. Further, as a member of the initial group that drafted the first few versions of the new national *Policy on Arts and Culture* (2001), it was clear to me that there were underlying and sometimes conflicting agendas. Concerns about fundamental value questions such as the discrimination between arts and culture encapsulated in the title (as though the arts are not one form of the expression of culture) were ignored. This title makes an ambivalent and un-African statement to the broad population—that there are 'arts' located within formal structures, such as galleries, a conservatoire, cinemas and theatres; and then there are 'crafts' and 'cultural music and dance' which, by implication, are of 'lower' standard and do not qualify as art.² Following such questions, the appointed action group was discontinued. The draft policy later appeared in penultimate form at an open conference where it was hotly debated. Not surprisingly, this democratic open debate generated much enthusiastic input. Unfortunately, democratic principles were not followed through all the way, and not many of the proposals were incorporated into the final form, which appeared in public for the first time after approval by Cabinet.

On even a first reading it is clear that the politics of nationalism guides the policy. It echoes the state's call for unity in its subtitle, "Unity, Identity and Creativity for Prosperity", and vision statement where every sentence begins

1. According to conversations with members, Outapi 1999, 2000.

2. While nearly all members of the policy working group agreed that this was inappropriate, the objection was ignored, because the division protected the positions of the two Directors who were functioning within one Directorate. Although the Prime Minister has since operationally sanctioned this situation, the deeper value issues embedded within the national policy were never reopened or addressed.

with: 'We envisage ourselves as a united and flourishing nation ...' (MBESC 2001:2). The ideologies of state are perfectly encapsulated in the policy (ibid.:3):

1. Our first goal is to uphold unity in diversity.
2. We understand by this that all Namibians feel free to practise any culture (provided this does not infringe on the rights of others) *while still retaining a strong sense of loyalty to one nation* (my italics).
3. Unity is maintained by mutual understanding, respect and tolerance.

Closer scrutiny of the content of the policy document reveals that many policy points are administrative terms of governance that locate and reinforce centralised arts control within the Ministry. The policy does not confront the deeper underlying issues of identity that underpin nation building as a cultural act, nor were issues of identity and values (mentioned above) ever reopened.

Within a fully democratised nation there is no place for cultural domination or an enforced homogeneous culture. Nation building is important, but the question remains, should the end purpose of culture and arts activities be nation building through unity? At present, artists who praise the SWAPO government receive praise as good citizens and 'great artists', even at public events. Those who go their own individual way or promote individual cultural identities receive little attention or support and are even 'suspect'. Namibian authorities are quick to publicly criticise, even ban, theatre that criticises government or its policies for undermining national unity. This was the case, for example, when Vickson Hangula's play "The Play is Not Over" was banned for criticising certain public figures. Conversely, 'traditional dances' in forms old and new, may remain indicative of specific cultural identities, but are considered backward rather than as a valued heritage. The message reads that loyal citizens *will* create art to praise government and nation.

Conclusion

From the above, an apparent conflict of interest between unity and diversity can be seen. Naturally, new nations seek to develop a 'new' history, culture and identity. One of the ways this might be expressed is through musical performance. Indeed, music has been shown to be more than just expression: It can be used to celebrate nationhood or stimulate subversity, to create unity or sow the seeds of divisiveness. But contrary to current political opinion, diversity is not necessarily the precursor of divisiveness. Music is a product of human creativity and ingenuity. By its nature it tends to be most powerful in its ability to change human experience when created freely, without overt or primary political or economic motives. The cultures expressed through indigenous musical traditions are complex systems of knowledge and meaning that have developed over time and through ages of interaction. They can and should inform contemporary musical practice, at least in terms of underlying values. Through an honest appraisal of our past and a non-restrictive creative freedom, music can contribute to reconciliation, peace and prosperity. As a form of the kind of indigenous knowledge

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that is now being considered globally important, music has cultural, historical, political and economic value. During the 'Global Knowledge for Development' conference and several UNESCO conferences, it became clear that 'multiple wisdoms have to be preserved, and not just one wisdom'.¹ The diversity of musical systems worldwide attests to the creative initiative of different individuals, communities and societies.

In essence, a democratised and reconciled society should be able to find a balance between the past and present, between the search for unifying commonalities and the enjoyment of creative but potentially divisive difference. It is the duty of government to enable such a society.

1. See *IK Worldwide. Linking Global and Indigenous Knowledge*. The Hague: NUFFIC (Netherlands organisation for international cooperation in higher education), January 2002.

Liberation and Tolerance

Andre du Pisani¹

We praise our capacity for reason,
But are unreasonably intolerant
Of other people's validity, and reasons.
Okri (1999), *The stony ground*, 1:34.

To practice *tolerance* means to forgive. To reprieve. To exonerate that which runs counter to our own interests. To reconcile. To be merciful. To be gentle. To have patience with the 'other' and his/her opinions, especially if these differ from one's own. For tolerance, Comte-Sponville (1996:159) reminds us, 'arises only in matters of opinion', which is why it arises so often. Not to be imperious. Not to allow the deadly seeds of self-mythology to govern our lives and actions. Not to be afraid to love, or be loved. *Passive tolerance* means to have patience with the other. *Active tolerance* means to interact with the 'other'; to grow and deepen one's humanity through the 'other'. To take own risks. To be counted, even if it is not popular.

Universal tolerance, for example, in the sense of tolerating racism, torture or extermination camps, is morally reprehensible. (Universal tolerance would also be self-contradictory in practical terms. Taken to its extreme, tolerance would end up negating itself since it would give free reign to those who seek to destroy it). It would mean forgetting the victims, abandoning them to their fate, and perpetuating injustice and inhumanity. For Comte-Sponville (1996:160), tolerance has value only when exercised against one's own interests and for the sake of someone else's. Significantly, he adds, 'we cannot claim tolerance when we have nothing to lose, much less when we have everything to gain, by putting up with—in other words, by doing nothing about—what we might otherwise choose to combat or resist'. To tolerate is to take upon oneself: A tolerance that relies on others is no longer tolerance.

Tolerance, therefore, can only apply within certain boundaries, which maintain and preserve the conditions that make it possible. Karl Popper (1966, Vol. 1:265) calls this 'the paradox of tolerance' and characterises this 'paradox' as

1. An earlier version of this paper was presented on 17 February 2002 under the auspices of the Evangelisch-Lutherische Kirche in Namibia (DELK). A slightly revised version was subsequently published in *The Namibian*, entitled "Tolerance in Namibia", on 15 March 2002. This chapter draws on the contribution that appeared in *The Namibian*, but has been reworked in important respects. Permission to use the original text is acknowledged with gratitude.

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follows: 'If we extend unlimited tolerance even to those who are intolerant, if we are not prepared to defend a tolerant society against the onslaught of the intolerant, then the tolerant will be destroyed, and tolerance with them'. This qualification is valid only to the extent that humanity is the way it is—given to conflict, passion and division. A society in which unlimited tolerance was possible would no longer be a human society. Moreover, it would have no need of tolerance.

The Stony Ground of History

In post-independent Namibia, tolerance is one of the key virtues that informs the constitution. It finds, among other provisions, expression in Articles 8, 10, 13, 16, 17 and 19.¹ It is interesting to note in passing that respect for human dignity (Article 8) is the jewel in the crown when it comes to virtues and values. Tolerance is also foundational to the politics of national reconciliation and nation building, and was an important virtue that supposedly informed the politics of liberation. Apart from freedom, the liberation struggle was also a struggle for affirming and protecting the validity and human dignity of all Namibians. Therefore, 'tolerance' can be legitimately seen as one of its fruits. But, what about history?

Namibia's recent past was a stony ground of intolerance—under apartheid a narrative of ethnic nationalism and social exclusion. The politics of disassociation (if 'politics' is seen as 'the art and practice of associating together', to paraphrase Aristotle, then apartheid was no politics). The liberation struggle, too, brought the politics of nationalism and blind loyalty. Nationalism, by definition, privileges unity over diversity. From experience, we know that liberation politics runs the risk of degenerating into the politics of betrayal and name-calling, for it needs to invoke one or more 'enemies' to work. Liberation and apartheid politics do not provide fertile soil for forgiveness and conciliation. Both apartheid and liberation cast a shadow, admittedly of a different magnitude, over tolerance and democracy. Yes, liberation politics carried many redeeming seeds with it: idealism, community activism (which seems to have largely lost its way twelve years after independence), social energy, freedom and a unity of will. Tolerance, however, was one of its lesser fruits. Our country has inherited a democracy- and tolerance deficit at independence.

These thoughts, however, are not negative and narrow. It is not a case of the proverb: *Happy is the country which has no history*. We do have a history. One that we should not devalue. For tolerance to take root in the stony ground of our particular history, we need to *act* as if our future is greater than our past. We need to be tolerant not only of other tolerant people, but also of those who are less virtuous. We must be guided by the principles of tolerance. Though we should not tolerate everything, since to do so would ensure the collapse of tol-

1. In addition to the provisions of the constitution, several other statutes and international human rights instruments are also relevant. These include, among others, *The Racial Discrimination Prohibition Act (Act 26 of 1991)*, *The International Convention on All Forms of Racial Discrimination, 1966*, and *The Convention on the Elimination of All Forms of Discrimination against Women, 1979*.

erance, we should extend tolerance to those who do not themselves respect it and to those who hold different opinions from ourselves.

Syntax of Intolerance

From the above opening comments, it should not be concluded that Namibia is a profoundly intolerant society, or that most or all Namibians are unreasonably intolerant. Research into tolerance/intolerance and political culture suggests a more complex phenomenon. There is, indeed, need for further debate on, and research into, these matters.

Since tolerance of diversity, dissent, minorities and 'other people's validity, and reasons', to paraphrase Ben Okri (1999), is widely seen as a necessary condition for democratic life,¹ one can concur with Olivier Graefe (2001:358) when he opines:

Thus the force of democracy does not lie in its laws, in the ensemble of democratic institutions or in majority rule, but rather in civil society and its political culture, which exists in Namibia. The example of the written press, of the association of the former SWAPO detainees, as well as representatives of women, workers, students and churches, shows that civil society is successfully transforming the rule of law in a positive direction, despite the authoritarian spasms of the Central Government.

Research into Namibia's nascent political culture (cf., Mattes et al. 2000) supports Graefe's assertion. For example, research conducted in June to August 1999 that involved 1,000 Namibians, found that 69 per cent of those interviewed agreed that freedom of speech and the right to criticise government were necessary elements of a democracy. This result showed that over two-thirds (69%) of the respondents were in favour of freedom of speech, even when it meant criticising government. What was particularly significant was that 68,9 per cent of SWAPO supporters agreed with the statement that Namibians should have freedom of speech and the right to criticise government (Keulder et al. 2000:246).

With respect to social pluralism in parliament, the findings of the same survey were more ambiguous. The results showed that a large proportion of respondents (46,4%) were in favour of *unanimity* among parliamentarians, while almost a similar number of respondents (43,1%) were of the view that the opinions of *minorities* should be represented in parliament. (In an earlier survey conducted in 1997 among UNAM students, it was found that students usually discuss politics with those with whom they agree or with students belonging to the same social, language or ethnic group. To put it differently, they are tolerant of those who think and tolerate what they themselves tolerate.)

The explanation for the above findings is interesting, since variables such as age and education do not have any significant influence on the findings. However, if regions are taken into consideration, more meaningful differences in the overall trend become apparent. Strongest support for *unanimity* in parliament

1. The British liberal social theorist and philosopher, John Locke, provided a celebrated defence of toleration: of freedom of religious belief and expression. A careful reading of Locke, however, shows that while he certainly felt extremely strongly about such matters, he did not think very carefully about them.

came from the Oshana and Oshikoto Regions, where over 30 per cent strongly agreed with the statement. These were also the two sample regions in which the SWAPO Party obtained a resounding electoral return in the 1999 national and presidential elections (Keulder et al. 2000:248).

With respect to *tolerance*, one survey measured it through a two-level approach. The first level asked respondents to identify, by means of an open-ended question, any groups that they *strongly disliked*. The second level explored, through various questions, respondents' *willingness* to afford the disliked groups civil and political rights. Significantly, only 28 per cent of respondents provided an answer to the first question. According to these responses, criminals were the most disliked of all (38,5%), followed by 'poor people' (16,6%), Owambo-speaking Namibians (7,7%), 'Whites' (5,3%), Mafwe (4,5%), 'Witches' (3,2%), 'Foreigners' (2,8%), 'Homosexuals' (2%) and 'Coloureds' (2%) (Keulder et al. 2000:248).

Significantly, the respective responses for the different ethnic groups were comparatively small. This may provide supportive evidence that tolerance among the country's various ethnic groups is relatively high and that ethnicity itself is not very politicised. Alternatively, that there is a 'private world' of ethnicity, meaning that ethnicity is not regularly debated in the public realm. Given the legacies of apartheid politics, when ethnicity functioned as an ideological justification for exclusion and privilege, such findings do not come as a surprise.

A further question at the second level of the tolerance index asked respondents to give their opinions on whether or not members of disliked groups should be allowed to *teach* in their neighbourhood school. For obvious reasons, criminals were omitted from this response category. One-quarter (25%) of respondents strongly disagreed with the statement that 'disliked groups' should be allowed to teach in their neighbourhood school. A further 25 per cent disagreed with the statement.

The survey showed that *tolerance* is even lower towards members of 'disliked groups' (excluding criminals) *owning property* in the respondents' neighbourhood. A total of 65 per cent of respondents disapproved or strongly disapproved of such a prospect. Based on the results of this survey, as well as a careful reading of earlier research on the attitudes of Namibians towards cross-border migrants from neighbouring South Africa (cf., Frayne and Pendleton 1998), and a study on ethnic stereotyping in postapartheid Namibia (cf., LeBeau 1993), the following tentative observations may be advanced:

- 1) A significant number of Namibians do not seem to have specific 'disliked groups'. If they do, they seem rather unwilling to indicate which these are.
- 2) The finding that few Namibians expressed a strong dislike for particular ethnic, religious or sexual groups, suggests that the policy of national reconciliation works, at least at the symbolic level.
- 3) Tolerance diminishes sharply when members of 'disliked groups' move into respondents' immediate spatial, education, work or home environment.

- 4) The cross-border migration study, published in 1998, indicated that Namibians regard 'home as best'. On the whole, Namibians expressed high levels of national identity and regarded international borders as an important part of defining who they are. The study also found that Namibians were concerned about uncontrolled and undocumented migration. While supporting basic human rights and civil liberties for migrants, they were also concerned about the negative aspects of migration.
- 5) Data collected in 1988–89—a period of deep transformation—for a study on ethnic stereotyping, found that race was the only variable strongly linked to ethnic stereotyping (LeBeau 1993). Gender, age or marital status did not influence respondents' attitudes towards other ethnic groups. An analysis of the data on the stereotyped characteristics revealed that Afrikaner and Damara persons were frequently seen in an unfavourable light. Afrikaners were widely seen as 'racist' and 'unfair', Damara as 'unintelligent' and 'untrustworthy'. English-speaking and Herero-speaking Namibians, on the other hand, were described more favourably. An analysis of stereotyped occupations showed that stereotypes about *women's* occupations were significantly stronger than those for men.

Race still seems to be at the heart of a recent spate of degrading incidents, with fellow Namibians being either called 'baboons' or human persons that act (and presumably think?) like such terrestrial primates. Race also seems to inform most recent statements by a leading trade unionist with respect to the recent land grab and political developments in Zimbabwe.

Signs: Past, Present and Future

From the above it is clear that the matter of *tolerance* is a complex one. Any argument or debate about it in Namibia or elsewhere needs to proceed with caution and must be sensitive to context, narrative and history. In Namibian society, however, there have been moments of unreasonable intolerance. One is reminded of the hate speech against gays and lesbians in 1997 and since (cf., Melber 2002:89f., 107f., 136), allegations of betrayal in respect of the founding of the Congress of Democrats (CoD) and its leader Ben Ulenga (cf., Dobell 1998)—largely confined to the pages and editorials of *Namibia Today*, SWAPO Party of Namibia's official mouthpiece—the anger that greeted the publication of Pastor Groth's book provocatively titled *Breaking the Wall of Silence* that dealt with the issue of former SWAPO detainees¹ and the angry remarks that subsequently followed the founding of the *Breaking the Wall of Silence Movement (BWS)* (cf., Lombard 2001). Intolerance also permeates violence against women and children and features in complex forms of verbal stereotyping. Recent debates in parliament on the *Domestic Violence Bill* not only demonstrated how lightly tolerance can be worn, particularly by men, but also illustrated the corrosive force

1. See the separate chapter in this volume by John Saul and Colin Leys.

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of patriarchy. Road-rage is another telling sign of intolerance, as a surprisingly high number of Namibians succumb on the country's roads.

There are also other dimensions of intolerance. In this respect, Kössler and Melber (2001:158) in a recent offering, write:

Members of the Cabinet increasingly strike out against reports in the media. Generally, politicians bemoan the lack of 'constructive' criticism. This may also betray an increasing touchiness on the part of politicians. Rather than welcoming or at least respecting criticism as a sign of a nascent civil society, critical voices are discredited as traitors to the cause and accused of lacking loyalty towards the new independent State.

There has also been *limited* evidence to suggest a proclivity on the part of some members of the *executive* to control public opinion, notably through the Namibian Broadcasting Corporation (NBC) and its recently appointed Board. Namibia's political culture, it seems, drinks from the fonts of populism and the notion of 'Big Man politics'. Neo-patrimonial politics is much in evidence and with it a tendency to be rather intolerant of criticism, especially when it comes to issues that are regarded as in the 'national interest' or vital for 'development'. The power of definition of the former, 'national interest', seems to have become the preserve of a few notables or those closely associated with SWAPO party structures. The latter, 'development', is of course a much abused word, while the reality of a dominant party system does not augur well for tolerance.

This brings me to the last part of this cursory essay on tolerance. There is sufficient evidence to suggest that in present-day Namibia public criticism of the head of state and of the symbols of liberation politics is not universally tolerated. An instructive case in point has been the reaction of a member of cabinet to a paragraph in the *Namibia Human Development Report 2000* that reads as follows:

Many thousands of Namibian exiles received military training and identity as combatants. Not surprisingly, a decade after the end of the liberation struggle, military rhetoric and symbols still play a large part in the political life of the country. The images and vocabulary of violence continue to receive significant attention. The names of the national soccer teams, the Brave Warriors and the Young Warriors, perpetuate images of violence in popular culture (The name of the one team originated from the national anthem Namibia Land of the Brave). (UNDP 2000:54)

The member of cabinet, his sentiments echoed by others, insisted on a formal apology from the Resident Co-ordinator of the United Nations System in Namibia and regarded the particular paragraph as an affront to those who lost their lives for the freedom of this country.

This example merely illustrates that the embers of 'liberatory intolerance'—a rather unsavoury phrase that hails from the African National Congress (ANC) in neighbouring South Africa—are still alive and that public criticism that may be construed as being directed at those (or their memories) who participated in the liberation struggle, is not universally welcome. This means that Namibia, in common with other societies, has notions of what one should believe and how one should behave in order to avoid suspicion and derision.

The recently released *Youth and Politics Survey 2000/2001*,¹ provides valuable insights into the attitudes of young Namibians towards democracy. Most

young Namibians defined democracy in terms of freedom and civil liberties. This suggests, in the words of Keulder and van Zyl (2001:1), 'a liberal understanding of democracy, and as such, conforms to the gist and spirit of the Namibian Constitution'. Predictably, the majority of respondents felt that *majority rule* was an essential element of a democratic society. A minority (28.9%) of the youth expressed the opinion that it was absolutely essential to have *complete freedom for anyone to criticise government* in order for a society to be considered democratic. Some 40.2 per cent of the youth felt this was important, but not absolutely essential. Almost one-third (30.9%) of the respondents felt that freedom of speech was not very important (22.4%) or not important at all (8.5%).

Support for democracy was measured against support for non-democratic alternatives. A majority of young Namibians (62.7%) indicated that a democratic government was preferable to any other kind of government. More than one-fifth (21.6%) were *indifferent* to the kind of government in power, while almost 16 per cent expressed the opinion that, in some circumstances, a *non-democratic government could be preferable to a democratic one*. This last response raises deeper questions about the understanding of young Namibians of opposition and disloyalty as two essential strands of democratic politics. These findings, according to the researchers, mean that more than one-third of young Namibians 'do not value democratic government enough, or are informed enough regarding the nature of democratic government, to be willing to express open support for it' (Keulder and van Zyl 2001:2).

Conclusions

By and large, Namibians are tolerant. Tolerance of social and ethnic diversity seems to be relatively well internalised, but is influenced by spatial and perhaps (increasingly) by socioeconomic factors, such as grinding poverty and a deeply skewed social economy. At the symbolic level, the politics of reconciliation still seems to work, but this may change if socioeconomic empowerment does not provide new life chances to more Namibians. In such a scenario, tolerance may well evaporate like mist under an unforgiving sun. There seems to be a corrosive culture of personal aggrandisement at work. Are we perhaps sowing the deadly seeds of self-mythology? Perhaps all of us first need to *understand and respect the preconditions for a good life before we busy ourselves too self-importantly with the content of such a life*.

To flower, tolerance, like Love, for Love is its source, requires human agency, civility, respect for the self and the 'other'. Politicians may not be the most appropriate persons to instil it in our hearts and lives. Tolerance is simply too important to be left to the politicians alone. If indeed we value tolerance, we Namibians need to begin a new era of practical and positive tolerance which

1. The Youth and Politics Survey 2000/2001 was conducted by the Institute for Public Policy Research (IPPR) in collaboration with Research Facilitation Services (RFS). The study was based on a nationally representative survey of 1,200 respondents between the ages of 18 and 32 years. Face-to-face interviews were conducted with the respondents. See also Keulder and Spilker (2001) for a corresponding effort.

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could be characterised, at least tentatively, by notions of human dignity, human rights, social justice, respect, mutual understanding and collective responsibility. For tolerance to be sustained, many more Namibians will have to become masters of the material means that make possible the genuine transformation of our society.

Bibliography

- Abrahamsen, Rita (2003), "African Studies and the Postcolonial Challenge", *African Affairs*, Vol. 102, No. 2, 189–210.
- Åfreds, Johanna (2000), *History and Nation-Building. The Political Uses of History in Post-Colonial Namibia*. Uppsala: Department of Economic History/Uppsala University.
- Alexander, Jocelyn, JoAnn McGregor, Terence Ranger (2000), *Violence and Memory. One Hundred Years in the Dark Forests' of Matabeleland*. Oxford: James Currey/Portsmouth, NH: Heinemann/Cape Town: David Philip/Harare: Weaver Press.
- Alexander, Neville (2002), *An Ordinary Country. Issues in the Transition from Apartheid to Democracy in South Africa*. Pietermaritzburg: University of Natal Press.
- Andersen, Michael Bruun (1997), "Television, Political Culture and the Identity of Citizenship", *Critical Arts*, Vol. 11, No. 1–2, 28–43.
- Angula, Nahas (2002), Personal Interview. Windhoek, Ministry of Higher Education, Technology and Employment Creation.
- Anon (1997), *Breaking the Wall of Silence Movement, A Report to the Namibian People*. Windhoek.
- Assmann, Aleida (1999), *Erinnerungsräume. Formen und Wandlungen des kulturellen Gedächtnisses*. München: Beck.
- (2001), "Speichern oder Erinnern? Das kulturelle Gedächtnis zwischen Archiv und Kanon", in Moritz Csáky and Peter Stachel (eds), *Speicher des Gedächtnisses. Bibliotheken, Museen, Archive Part 2: Die Erfindung des Ursprungs. Die Systematisierung der Zeit*. Wien: Passagen, 15–29.
- Assmann, Jan (1992), *Das kulturelle Gedächtnis. Schrift, Erinnerung und politische Identität in frühen Hochkulturen*. München: Beck.
- (2000), "Körper und Schrift als Gedächtnisspeicher. Vom kommunikativen zum kulturellen Gedächtnis", in Moritz Csáky and Peter Stachel (eds), *Speicher des Gedächtnisses. Bibliotheken, Museen, Archive. Part 1: Absage an und Wiederherstellen von Vergangenheit. Kompensation von Geschichtsverlust*. Wien: Passagen, 199–213.
- Barber, Karin (ed.) (1997), *Readings in African Popular Culture*. Bloomington and Indianapolis: Indiana University Press in association with The International African Institute.
- Basson, Nico and Ben Motinga (1989), *Call them spies – a documentary account of the Namibian Spy Drama*. Windhoek and Johannesburg: African Communications Project.
- Bauer, Gretchen (1999), "Challenges to Democratic Consolidation in Namibia", in R. Joseph (ed.), *State, Conflict and Democracy in Africa*. Boulder and London: Lynne Rienner, 429–48.
- (2001), "Namibia in the First Decade of Independence: How Democratic?", *Journal of Southern African Studies*, Vol. 27, No. 1, 33–55.
- Becker, Heike (2000), "Let me come to tell you". Loide Shikongo maps out power – gender identity and gendered subjectivity in colonial Ovamboland. Paper presented at the "Public History: Forgotten History" Conference, University of Namibia, Windhoek, 22–25 August.
- Berg, Lasse and A. Ribbsjö (1997), *Last Year's Rain Fell on a Monday*. Stockholm: Sveriges Television/Dokumentarfilm Stockholm.
- Berman, Marshal (1992), "Why Modernism Still Matters", in Scott Lash and Jonathan Friedman (eds), *Modernity and Identity*. Oxford and Cambridge: Blackwell, 33–58.
- Bieseke, Megan (2000), "To Whom it May Concern: Or, Is Anyone Concerned? The Nyae Nyae Ju/'hoan Tape Archive, 1987–1993", *Critical Arts*, Vol. 14, No. 2, 145–74.

Bibliography

- Biwa, Serafina (2000), "The History of the Vaalgras People of Namibia". Paper presented at the "Public History: Forgotten History" Conference, University of Namibia, Windhoek, 22–25 August.
- Blair, David (2002), *Degrees in Violence: Robert Mugabe and the Struggle for Power in Zimbabwe*. London: Continuum.
- Bollig, Michael (1997), *Resource Management and Pastoral Production in the Epupa project area*. Köln: Universität Köln.
- Bollig, Michael and Jan-Bart Gewald (2000a), "People, Cattle and Land – Transformations of Pastoral Society", in Michael Bollig and Jan-Bart Gewald (eds), *People, Cattle and Land. Transformations of a Pastoral Society in Southwestern Africa*. Köln: Köppe, 3–52.
- (eds) (2000b), *People, Cattle and Land. Transformations of a Pastoral Society in Southwestern Africa*. Köln: Köppe.
- Bowman, Wayne D. (1994), "Sound, Society and Music 'Proper'", *Philosophy of Music Education Review*, Vol. 2, No. 1, 14–24.
- Bratton, Michael and Robert Mattes (2001), "How People View Democracy. Africans' Surprising Universalism", *Journal of Democracy*, Vol. 12, No. 1, 107–21.
- Brenzinger, Matthias (1997), *Moving to survive: Kxoe communities in Arid Lands*. Köln: Universität Köln.
- Brynjúlfssdóttir, Ölöf Lóa (1998), *Tolerance for Non-Conformity. A Study of the Namibian Political Elite*. Uppsala: Department of Government/Uppsala University.
- Bukurura, Sufian Hemed (2002), *Essays on Constitutionalism and the Administration of Justice in Namibia 1990–2002*. Windhoek: Out of Africa.
- Cameron, Edwin (2001), "Constitutional Protection of Sexual Orientation and African Conception of Humanity", *South African Law Journal*, Vol. 118, No. 4, 642–50.
- Cliffe, Lionel, Ray Bush, Jenny Lindsay, Brian Mokopakgosi and Donna Pankhurst (1994), *The Transition to Independence in Namibia*. Boulder and London: Lynne Rienner.
- Commonwealth Secretariat (1995), *The Presidential and National Assembly Elections in Namibia, 7-8 December 1994. The Report of the Commonwealth Observer Group*. London: Commonwealth Secretariat.
- Comte-Sponville, Andre (1996), *A Short Treatise on the Great Virtues The Uses of Philosophy in Everyday Life*. London: Heinemann.
- Cooper, Catherine R. (1998), "Theories Linking Culture and Psychology: Universal and Community-Specific Processes", *Annual Review of Psychology*, (<http://www.findarticles.com>).
- Cover, Robert (1975), *Justice Accused: Antislavery and the Judicial Process*. New Haven, Connecticut: Yale University Press.
- Crandall, David P. (2000), *The Place of the Stunted Ironwood Trees. A Year in the Lives of the Cattle-herding Himba of Namibia*. New York: Continuum.
- Daniels, Clement (1999), "Land reform in Namibia – 9 years after Independence". Paper delivered at a Conference organised by the Forum for the Future, Windhoek
- Davids, Yul Derek, Christiaan Keulder, Guy Lamb, Joao Pereira and Dirk Spilker (2002), *Measuring Democracy and Human Rights in Southern Africa*. Compiled by Henning Melber. Uppsala: The Nordic Africa Institute (Discussion Paper No. 18).
- Diener, Ingolf and Olivier Graefe (eds) (2001), *Contemporary Namibia. The First Landmarks of a Post-Apartheid Society*. Windhoek: Gamsberg Macmillan.
- Dobell, Lauren (1992), "New Lamps for Old? The Evolution of Swapo's Philosophy of Development, 1960–1991". M.A. thesis. Queen's University.
- (1996), "Namibia's Wall of Silence", *Southern Africa Report*, Vol. 11, No. 4, 30–33.

Bibliography

- (1997), “Silence in Context: Truth and/or Reconciliation in Namibia”, *Journal of Southern African Studies*, Vol. 23, No. 2, 373–82.
- (1998a), *SWAPO’s Struggle for Namibia, 1960–1991: War by Other Means*. Basel: P. Schlettwein.
- (1998b), “The Ulenga Moment SWAPO and Dissent”, *Southern Africa Report*, Vol. 13, No. 4, 3–8.
- Döhring, Karl (1990), “Die Verfassung von Namibia”, *Europäische Grundrechte-Zeitschrift*, Vol. 17, No. 13/14, 318–22.
- Drechsler, Horst (1980), *Let Us Die Fighting: The Struggle of the Herero and Nama against German Imperialism (1884–1915)*. London: Zed.
- Du Pisani, Andre (2001), “Non-Emancipatory Politics”, *The Namibian*, 3 May.
- Du Pisani, Andre and Guy Lamb (n.d.), “The Role of the Military in State Formation and Nationbuilding: An Overview of the European and African Experiences” (unpublished).
- Dyzenhaus, David (1998), *Truth, Reconciliation and the Apartheid Legal Order*. Cape Town: Juta.
- The Electoral Commissions Forum of SADC Countries (1999), *The Namibian Elections Report December 1999*. Compiled by Tom Lodge. Auckland Park: Electoral Institute of Southern Africa.
- Emmett, Tony (1999), *Popular Resistance and the Roots of Nationalism in Namibia, 1915–1966*. Basel: P. Schlettwein.
- Erasmus, Gerhard (2000), “The Constitution: Its Impact on Namibian Statehood and Politics”, in Christiaan Keulder (ed.), *State, Society and Democracy. A Reader in Namibian Politics*. Windhoek: Gamsberg Macmillan, 77–104.
- Erdheim, Mario (1991), “Revolution, Totem und Tabu. Vom Verenden der Revolution im Wiederholungszwang”, in Eva Maria Blum (ed.), *Ethnopschoanalyse 2: Herrschaft, Anpassung, Widerstand*. Frankfurt am Main: Brandes and Apsel, 153–66.
- Ezzell, Carol (2001), “The Himba and the dam”, *Scientific American*, Vol. 284, No. 6, 80–89.
- Fanon, Frantz (2002), *The Wretched of the Earth*. London: Penguin (French original 1961).
- Fazal, J. H (1984), “The Decline of Trial as a Public Event”, *South African Law Journal*, No. 101, 363–75.
- Fiske, Susan T. and Shelley E. Taylor (1991), *Social Cognition* (2nd edition). New York: McGraw-Hill.
- Fliedl, Gottfried (2001), “Die Pyramide des Louvre. Welt als Museum”, in Moritz Csák and Peter Stachel (eds), *Die Verortung von Gedächtnis*. Wien: Passagen, 303–33.
- Forrest, Joshua Bernard (1998), *Namibia’s Post-Apartheid Regional Institutions: The Founding Year*. Rochester: Rochester University Press.
- Forum for the Future (1999), *Conference Report: Namibia After Nine Years – Past and Future*. Windhoek: Forum for the Future
- Frank, Jerome (1949), *Courts on Trial: Myth and Reality in American Justice*. Princeton, New Jersey: Princeton University Press.
- Frayne, Bruce and Wade Pendleton (1998), *Namibians on South Africa: Attitudes towards Cross-Border Migration and Immigration Policy*. Cape Town: IDASA/SAMP.
- (2000), “Namibians on South Africa: Attitudes towards cross-border migration and immigration policy”, in D.A. McDonald (ed.), *On Borders. Perspectives on International Migration in Southern Africa*. New York: St. Martin’s Press, 86–118.
- Geertz, Clifford (1973), *The Interpretation of Cultures*. New York: Basic.
- Gessner, Ingrid (2000), *Kollektive Erinnerung als Katharsis? Das Vietnam Veterans Memorial in der öffentlichen Kontroverse*. Frankfurt am Main: Lang.

Bibliography

- Gewald, Jan-Bart (1998), "Herero Annual Parades: Commemorating to Create", in Heike Behrend and Thomas Geider (eds), *Afrikaner schreiben zurück. Texte und Bilder afrikanischer Ethnographen*. Köln: Köppe, 131–52.
- (1999), *Herero Heroes: A Socio-political History of the Herero of Namibia between 1890 and 1923*. Oxford: James Currey.
- (2000), "Colonization, Genocide and Resurgence: The Herero of Namibia 1890–1933", in Michael Bollig and Jan-Bart Gewald (eds), *People, Cattle and Land. Transformations of a Pastoral Society in Southwestern Africa*. Köln: Köppe, 187–226.
- Ghai, Yash Pal (1976), "Notes Towards a Theory of Law and Ideology: Tanzanian Perspectives", *African Law Studies*, No. 13, 31–105.
- Gibson, Gordon D., Thomas J. Larson and Cecilia R. McGurk (1981), *The Kavango Peoples*. Wiesbaden: Franz Steiner.
- Gibson, James L. and Amanda Gouws (2003), *Overcoming Intolerance in South Africa. Experiments in Democratic Persuasion*. Cambridge: Cambridge University Press.
- Glover, Susan K. (2000), "Namibia's Recent Elections: Something New or Same Old Story?", *South African Journal of International Affairs*, Vol. 7, No. 2, 141–48.
- Goldstone, Richard J. (1997), "Frieden und Gerechtigkeit – Ein unvereinbarer Gegensatz?", in Gary Smith and Avishai Margalit (eds), *Amnestie. Die Politik der Erinnerung in der Demokratie*. Frankfurt am Main: Suhrkamp, 37–47.
- Graefe, Olivier (2001), "Conclusion", in Ingolf Diener and Olivier Graefe (eds), *Contemporary Namibia. The First Landmarks of a Post-Apartheid Society*. Windhoek: Gamsberg Macmillan, 355–58.
- Groth, Siegfried (1995), *Namibia: The Wall of Silence*. Wuppertal: Peter Hammer.
- Gubbay, Anthony R. (2001), "The Role of Courts in Promoting Human Rights: The case of Zimbabwe". Paper presented at the Bergen Seminar on Development, Bergen, 18–19 June (<http://www.suntimes.co.za/business/legal/2001/07/08/carmel01.asp>).
- Halbach, Axel (2000), *Namibia – Wirtschaft, Politik, Gesellschaft nach zehn Jahren Unabhängigkeit*. Windhoek: Namibia Wissenschaftliche Gesellschaft.
- Halbwachs, Maurice (1950), *La mémoire collective*. Paris: Albin Michel.
- (1994), *Les cadres sociaux de la mémoire*. Paris: Albin Michel (originally 1925).
- Harring, Sidney and Willem Odendaal (2002), "One day we will be equal..." – a Socio-legal Perspective on the Namibian Land Reform and Resettlement Process. Windhoek: Legal Assistance Centre.
- Hartmann, Wolfram (1998), "'Ondillimani!' Iipumbu ya Tshilongo and the Ambiguities of Resistance in Ovambo", in Patricia Hayes, Jeremy Silvester, Marion Wallace and Wolfram Hartmann (eds), *Namibia under South African Rule. Mobility and Containment 1915–1946*. Oxford: James Currey/Windhoek: Out of Africa/Athens, Ohio: Ohio University Press, 263–88.
- Hayes, Patricia (1998), 'The "Famine of the Dams". Gender, Labour and Politics in Colonial Ovamboland 19129-1930', in Patricia Hayes, Jeremy Silvester, Marion Wallac and Wolfram Hartmann (eds), *Namibia under South African Rule. Mobility and Containment 1915–1946*. Oxford: James Currey/Windhoek: Out of Africa/Athens, Ohio: Ohio University Press, 117–46.
- Hayes, Patricia, Jeremy Silvester, Marion Wallace and Wolfram Hartmann (eds) (1998), *Namibia under South African Rule. Mobility and Containment 1915–1946*. Oxford: James Currey/Windhoek: Out of Africa/Athens, Ohio: Ohio University Press.
- Hess, Klaus and Klaus Becker (eds) (2002), *Vom Schutzgebiet bis Namibia 2000*. Göttingen and Windhoek: Klaus Hess.

Bibliography

- Heuva, William E. (1992), "Resistance in Print: the Aims of the Nationalist Press during the Namibian Liberation Struggle". BA (Hons.) thesis. Grahamstown: Rhodes University (unpublished).
- (1993), "Resistance in Print: the Nationalist Press during the Namibian Liberation Struggle", *Ecquid Novi*, Vol. 14, No. 1, 94–103.
- (2001), *Media and Resistance Politics: The Alternative Press in Namibia, 1960–1990*. Basel: P. Schlettwein.
- Hinz, Manfred O. (2001), "To Achieve Freedom and Equality: Namibia's New Legal Order", in Ingolf Diener and Olivier Graefe (eds), *Contemporary Namibia. The First Landmarks of a Post-Apartheid Society*. Windhoek: Gamsberg Macmillan, 75–91.
- Hinz, Manfred O., Sam K. Amoo and Dawid van Wyk (eds) (2002), *The Constitution at Work. 10 years of Namibian Nationhood*. Windhoek: University of Namibia Press.
- Hishongwa, Ndeutala (1992), *The Contract Labour System and its Effects on Family and Social Life in Namibia. A Historical Perspective*. Windhoek: Gamsberg Macmillan.
- Hopwood, Graham (2000), "Caprivi – A Year After", *The Namibian*, 2 August.
- Jacobsohn, Margaret (1990), *Himba, Nomads of Namibia*. Cape Town: Struik.
- Johnson, R.W. (1998), "Six Countries in Search of Democracy", *Focus*, No. 9, Helen Suzman Foundation, (http://www.hsf.org.za/focus_9/f9-survey.htm).
- (2002), "The Final Struggle is to Stay in Power", *Focus*, No. 25, Helen Suzman Foundation, (<http://www.hsf.org.za/focus25/focus25johnson.html>).
- Kadalie, Rhoda (2001), "Interview", *Focus*, No. 24, Helen Suzman Foundation (<http://www.hsf.org.za/focus24interview.html>).
- Katjavivi, Peter H. (1988), *A History of Resistance in Namibia*. Paris: UNESCO/London: James Currey.
- Kavari, Jekura Uaurika (2000), "The Form and Meaning of Otjiherero Praises". Thesis submitted in Fulfilment of the Requirements for the degree of Doctor of Philosophy. London: School of Oriental and African Studies/University of London (unpublished).
- Kellner, Douglas (1992), "Popular Culture and the Construction of Postmodern Identities", in Scott Lash and Jonathan Friedman (eds), *Modernity and Identity*. Oxford and Cambridge: Blackwell, 141–77.
- Keulder, Christiaan (1998), *Voting Behaviour in Namibia – Local Authority Elections 1998*. Windhoek: Friedrich Ebert Foundation.
- (1999), *Voting Behaviour in Namibia II – Regional Council Elections 1998*. Windhoek: Friedrich Ebert Foundation.
- (ed.) (2000), *State, Society and Democracy. A Reader in Namibian Politics*. Windhoek: Gamsberg Macmillan.
- (2001), *Support for the Political System and Democratic Regime among the Youth in Namibia*. Windhoek: Institute for Public Policy Research (IPPR Briefing Paper No. 2).
- Keulder, Christiaan, Antonie Nord and Christoph Emminghaus (2000), "Namibia's Emerging Political Culture", in Christiaan Keulder (ed.), *State, Society and Democracy: A Reader in Namibian Politics*. Windhoek: Gamsberg Macmillan, 237–63.
- Keulder, Christiaan and Dirk Spilker (2001), *Political and Social Participation among Namibia's Youth*. Windhoek: Institute for Public Policy Research (IPPR Briefing Paper No. 8); also published as: "In Search of Democrats in Namibia: Attitudes Among the Youth", in Henning Melber (comp.), *Measuring Democracy and Human Rights in Southern Africa*. Uppsala: The Nordic Africa Institute 2002 (Discussion Paper No. 18), 19–28.

Bibliography

- Keulder, Christiaan and Deon van Zyl (2001), *An Overview of the Youth and Politics Survey 2000/2001 Findings*. Windhoek: Institute for Public Policy Research (IPPR Briefing Paper No. 9).
- Klaaren, Jonathan (1998), "The Truth and Reconciliation Commission, the South African Judiciary, and Constitutionalism", *African Studies*, Vol. 57, No. 2, 197–220.
- Kober, Gudrun D. (1997), "Articulating Difference: Texts of Identity in Post-Independence Namibia". Dissertation submitted in accordance with the requirements for the degree of Doctor of Literature and Philosophy in the subject Psychology. University of South Africa (unpublished).
- Kriger, Norma (1992), *Zimbabwe's Guerilla War. Peasant Voices*. Cambridge: Cambridge University Press.
- (1995), "The Politics of Creating National Heroes: The Search for Political Legitimacy and National Identity", in Ngwabi Bhebe and Terence Ranger (eds), *Soldiers in Zimbabwe's Liberation War*. London: James Currey/Portsmouth: Heinemann/Harare: University of Zimbabwe Publications, 139–62.
- Krüger, Gesine (1999), *Kriegsbewältigung und Geschichtsbewusstsein. Realität, Deutung und Verarbeitung des deutschen Kolonialkriegs in Namibia 1904 bis 1907*. Göttingen: Vandenhoeck.
- Kössler, Reinhart (1993), *Towards Greater Participation and Equality? Some Findings on the 1992 Regional and Local Elections in Namibia*. Windhoek: The Namibian Economic Policy Research Unit.
- (2000), "From Reserve to Homeland: Local Identities and South African Policy in Southern Namibia", *Journal of Southern African Studies*, Vol. 26, No. 3, 447–62.
- (2001), *The Construction of a Political Tradition: From Witbooi Fees to Heroes Day in Gibeon, Namibia, 1928–1997*. Bellville: Department of History and Institute for Historical Research of the University of the Western Cape: South African and Contemporary History, 12 June (www.uwc.ac.za/arts/history/Seminar_Series/Papers/Seminar_138.doc).
- (2003), *Struggling for Survival and Dignity. Two Traditional Communities in Southern Namibia under South African Rule*. Windhoek: Gamsberg Macmillan/Frankfurt am Main: IKO (in print).
- Kössler, Reinhart and Henning Melber (2001), "Political Culture and Civil Society: On the State of the Namibian State", in Ingolf Diener and Olivier Graefe (eds), *Contemporary Namibia. The First Landmarks of a Post-Apartheid Society*. Windhoek: Gamsberg Macmillan, 147–60.
- (2002), "The West German Solidarity Movement with the Liberation Struggles in Southern Africa. A (Self-)Critical Retrospective", in Ulf Engel and Robert Kappel (eds), *Germany's Africa Policy Revisited*. Münster and Hamburg: LIT, 103–26.
- Kössler, Reinhart, Henning Melber and Per Strand (2003), *Development From Below. A Namibian Case Study*. Uppsala: The Nordic Africa Institute (Discussion Paper No. 21).
- Lamb, Guy (2001), "Putting Belligerents in Context: The Cases of Namibia and Angola", in Simon Chesterman (ed.), *Civilians in War*. Boulder and London: Lynne Rienner, 25–39.
- (2002), "Debasing Democracy: Security Forces and Human Rights Abuses in Post-Liberation Namibia and South Africa", in Henning Melber (comp.), *Measuring Democracy and Human Rights in Southern Africa*. Uppsala: The Nordic Africa Institute (Discussion Paper No. 18), 30–49.
- LeBeau, Debie (1993), *Namibia: Ethnic Stereotyping in a Post-Apartheid State*. Windhoek: Multi-Disciplinary Research Centre/University of Namibia.

Bibliography

- (2002), “Traditional and Western medical knowledge systems in Namibia – is collaboration in diversity possible?”, in Volker Winterfeldt, Tom Fox and Pempelani Mufune (eds), *Namibia – Society – Sociology*. Windhoek: University of Namibia Press, 361–72.
- Legassick, Martin (2002), *Armed Struggle and Democracy. The Case of South Africa*. Uppsala: The Nordic Africa Institute (Discussion Paper No. 20).
- Leys, Colin (1996), *The Rise and Fall of Development Theory*. Nairobi: EAEP/Bloomington, Indianapolis: Indiana University Press/Oxford: James Currey.
- Leys, Colin and Susan Brown (eds) (2003), *Histories of Namibia*. London: The Merlin Press (in print).
- Leys, Colin and John S. Saul (1994), “Liberation without Democracy? The SWAPO Crisis of 1976”, *Journal of Southern African Studies*, Vol. 20, No. 1, 123–47.
- (eds) (1995), *Namibia’s Liberation Struggle: The Two-Edged Sword*. London: James Currey/Athens, Ohio: Ohio University Press.
- Lister, Gwen (2002), “What About The Have-Nots?”, *The Namibian*, 22 November.
- Lodge, Tom (2000), “Heavy Handed Democracy. SWAPO’s Victory in Namibia”, *Southern Africa Report*, Vol. 15, No. 2, 26–29.
- Lombard, Christo (1999), “The Role of Religion in the Reconstruction of Namibian Society: The Churches, the New Kairos and Visions of Despair and Hope”, *Journal of Religion and Theology in Namibia*, No. 1.
- (2001), “The detainee issue: an unresolved test case for SWAPO, the churches and civil society”, in Ingolf Diener and Olivier Graefe (eds), *Contemporary Namibia: The First Landmarks of a Post-Apartheid Society*. Windhoek: Gamsberg Macmillan, 161–84.
- Lush, David (1993), *Last Steps to Uhuru*. Windhoek: New Namibia Books.
- Mans, Minette E. (2000), “Creating a cultural policy in Namibia”, *Arts Education Policy Review*, Vol. 101, No. 5, 18–24.
- (2002a), “To Pamwe or to Play: the role of play in arts education in Africa”, *International Journal of Music Education*, No. 39, 50–64.
- (2002b), “Constructing Cultural Identities in contemporary musical traditions – strategies of survival and change”, in Volker Winterfeldt, Tom Fox and Pempelani Mufune (eds), *Namibia Society Sociology*. Windhoek: University of Namibia Press, 253–70.
- (2002c), “Playing the Music: Comparing Children’s Song and Dance in Namibian Education”, in L. Bresler and C. Thompson (eds), *The Arts in Children’s Lives: Context, Culture and Curriculum*. Dordrecht: Kluwer Academic Press, 71–86.
- (2003), *Music as Instrument of Diversity and Unity: Notes on a Namibian Landscape*. Uppsala: The Nordic Africa Institute (Research Report No. 124).
- Markusic, Tracy (2000), “History, Memory and the Politics of Identity in Hakahana, Omaruru”. Paper presented at the conference “Public History: Forgotten History”, University of Namibia, Windhoek, 22–25 August.
- Mattes, Robert (1999), “Do Diverse Social Identities Inhibit Nationhood and Democracy? Initial Considerations from South Africa”, in Mai Palmberg (ed.), *National Identity and Democracy in Africa*. Uppsala: The Nordic Africa Institute, 261–86.
- Mattes, Robert, Michael Bratto, Yul Derek Davids and Cherrel Africa (2000), *Public Opinion and the Consolidation of Democracy in Southern Africa: An Initial Review of Key Findings of the Southern African Democracy Barometer*. The Southern African Democracy Barometer Project. Cape Town: IDASA/The Center for Democracy and Development in Ghana/Michigan State University.
- McGregor, JoAnn (2002), “The Politics of Disruption: War Veterans and the Local State in Zimbabwe”, *African Affairs*, Vol. 101, No. 1, 9–37.

Bibliography

- Melber, Henning (2000a), "The Culture of Politics", in Henning Melber (ed.), *Namibia – A Decade of Independence 1990–2000*. Windhoek: The Namibian Economic Policy Research Unit, 165–90.
- (ed.) (2000b), *Namibia – A Decade of Independence, 1990–2000*. Windhoek: The Namibian Economic Policy Research Unit.
- (2001), "Liberation and Democracy in Southern Africa: The Case of Namibia", in Henning Melber and Christopher Saunders, *Transition in Southern Africa – Comparative Aspects. Two Lectures*. Uppsala: The Nordic Africa Institute (Discussion Paper No. 10), 17–28.
- (2002a), *Namibia 1990–2000. Eine analytische Chronologie*. Windhoek: Namibia Wissenschaftliche Gesellschaft.
- (ed.) (2002b), *Zimbabwe's Presidential Elections 2002. Evidence, Lessons and Implications*. Uppsala: The Nordic Africa Institute (Discussion Paper No. 14).
- (2002c), "Contested Territory: Land in Southern Africa. The Case of Namibia", *Journal*, No. 50, Windhoek: Namibia Scientific Society, 77–85.
- (2002d), "Namibia's Fiscal Policy: Challenges and Constraints", *Namibia Review*, Vol. 11, No.1, 13–17.
- (2002e), "From Liberation Movements to Governments: On Political Culture in Southern Africa", *African Sociological Review*, Vol. 6, No. 1, 161–72.
- (2002f), "Heroism and Memory Culture", *Namibia Review*, Vol. 11, No. 2, 36–40.
- (2002g), "Nachkoloniale Heldenverehrung in Namibia – Befreiung von der Zukunft", *der überblick*, Vol. 38, No. 4, 91–93.
- (2003a), "'Namibia, Land of the Brave': Selective Memories on War and Violence within Nation Building", in Jon Abbink, Mirjam de Bruijn and Klaas van Walraven (eds), *Re-thinking Resistance: Revolt and Violence in African History*. Leiden and Boston: Brill (African Dynamics No. 2), 305–27.
- (2003b), "Of Big Fish and Small Fry: Rent-Seeking Capitalism Made in Namibia – The Case of the Fishing Industry", *Review of African Political Economy*, Vol. 30, No. 95, 142–49.
- (2003c), "Will NEPAD rehabilitate Africa?", *Namibia Review*, Vol. 11, No. 3, 10–14.
- (2003d), "From Controlled Change to Changed Control: The Case of Namibia", *Journal of Contemporary African Studies*, Vol. 21, No. 2, 267–84.
- Ministry of Basic Education, Sport and Culture (MBESC) (2001), *Unity, Identity and Creativity for Prosperity. Policy on Arts and Culture of the Republic of Namibia*. Windhoek: Government of the Republic of Namibia
- Mugabe, Robert (2002), *Presidential Inauguration Speech*, 17 March (<http://www.allafrica.com/stories/printable/200203181162.html>).
- Mwase, Ngila (1988), "The Media and the Namibian Liberation Struggle", *Media, Culture and Society*, Vol. 10, No. 2, 225–37.
- Nash, Andrew (2002), "Mandela's Democracy", in Sean Jacobs and Richard Calland (eds), *Thabo Mbeki's World*. Pietermaritzburg: University of Natal Press.
- Nathanael, Keshii Pelao (2002), *A Journey to Exile: The Story of a Namibian Freedom Fighter*. Aberystwyth: Sosisumi Press.
- National Society for Human Rights (NSHR) (1996), *Critical Analysis: SWAPO's "Book of the Dead"*. Windhoek: NSHR.
- (1998), *Media and Issue of "Missing Persons": Press Clippings, 1990–1998*. Windhoek: NSHR.
- (2001), *Namibia: Human Rights Report, 2001*. Windhoek: NSHR.

Bibliography

- Neocosmos, Michael, Raymond Suttner and Ian Taylor (2002), *Political Cultures in Democratic South Africa*. Compiled by Henning Melber. Uppsala: The Nordic Africa Institute (Discussion Paper No. 19).
- Ngavirue, Zedekia (1997), *Political Parties and Interest Groups in South West Africa (Namibia): A Study of a Plural Society*. Basel: P. Schlettwein.
- Nora, Pierre (1990), *Zwischen Geschichte und Gedächtnis*. Berlin: Wagenbach.
- Nujoma, Sam (2001), *Where Others Wavered: The Autobiography of Sam Nujoma*. London: Panaf.
- (2002), *Ten Years of Freedom, Peace and Prosperity. Speeches of the President of Namibia, March 1990 – March 20, 2000* (2 vols.). Windhoek: Republic of Namibia.
- Ohly, Rajmund (1990), *The Poetics of Herero Song*. Windhoek: University of Namibia.
- Okri, Ben (1999), *Mental Fight*. London: Phoenix House.
- Olivier, E. (1994), *Musical Repertoires of the Jul'Hoansi: Identification and Classification*. (Proceedings of the Meeting Khoisan Studies: Multidisciplinary Perspectives). Köln: Köppe.
- Ottenburg, Simon (1997), "Introduction: Some Issues and Questions on African Dance", in Esther A. Dagan (ed.), *The Spiri's Dance in Africa. Evolution, Transformation and Continuity in Sub-Sahara*. Montreal: Galerie Amrad African Art.
- Owen, David (1991), *Time to Declare*. London: Joseph.
- Pakleppa, Richard (2001), *Report on Community Consultation and Human Rights Education, Tsumkwe District West, Namibia, 20 September and 1 October 2001*. Windhoek: WIMSA.
- Peek, Philip and Kwesi Yankah (2003), *Encyclopedia of African Folklore*. New York: Routledge (in print).
- Pepetela (1996), *Mayombe*. London: Heinemann
- Pickering, Arthur (1995), "Instilling Democracy and Human Rights Values in Namibian Society", in *Human Rights Education and Advocacy in Namibia in the 1990s. A Tapestry of Perspectives*. Windhoek: Gamsberg Macmillan, 101–07.
- Popper, Karl (1996), *The Open Society and its Enemies* (Vol. 1). London: Routledge and Kegan Paul.
- Reichel, Peter (1999), *Politik mit der Erinnerung. Gedächtnisorte im Streit um die national-sozialistische Vergangenheit*. Frankfurt am Main: Fischer.
- Renan, Ernest (1993), "Was ist eine Nation?", in Michael Jeismann and Henning Ritter (eds), *Grenzfälle. Über neuen und alten Nationalismus*. Leipzig: Reclam, 290–311 (originally published 1882).
- Rex, John (1996), "National Identity in the Democratic Multi-Cultural State", *Sociological Research Online*, Vol. 1, No. 2 (<http://www.socresonline.org.uk/1/2/1.html>).
- Riddle, C. (1991), *The History of the Voice of Namibia*. Grahamstown: Rhodes University (unpublished).
- Ridgway, Dawn, Milly Jafta, Nicky Kautja, Magda Oliphant and Kapofi Shipingana (1991), *An Investigation of the Shooting at the Old Location on 10 December 1959*. Windhoek: University of Namibia (Discourse, No. 2).
- Rowland, J.R. (1994), "Amendments to Zimbabwe's Constitution: A Summary", *Legal Forum*, No. 6, 38–42.
- Salih, Mohamed M.A. (2000), *Majority Tyranny in a World of Minorities*. The Hague: Institute of Social Studies.
- Saul, John S. (1999), "Liberation without Democracy? Rethinking the Experiences of the Southern African Liberation Movements", in Jonathan Hyslop (ed.), *African Democracy in the Era of Globalisation*. Johannesburg: Witwatersrand University Press, 167–78.

Bibliography

- (2000), “Lubango and After: ‘Forgotten History’ as Politics in Contemporary Namibia”. Paper presented at the Conference “Public History: Forgotten History”, University of Namibia, Windhoek, 22–25 August.
- (2002), “Cry for the Beloved Country”, in Sean Jacobs and Richard Calland (eds), *Thabo Mbeki's World*. Pietermaritzburg: University of Natal Press.
- Saunders, Christopher (2001), “From Apartheid to Democracy in Namibia and South Africa: Some Comparisons”, in Henning Melber and Christopher Saunders, *Transition in Southern Africa – Comparative Aspects. Two Lectures*. Uppsala: The Nordic Africa Institute (Discussion Paper No. 10), 5–16.
- Schwan, Gesine (1997), “Die Idee des Schlußstrichs – oder: Welches Erinnern und welches Vergessen tun der Demokratie gut?”, in Gary Smith and Avishai Margalit (eds), *Amnestie. Die Politik der Erinnerung in der Demokratie*. Frankfurt am Main: Suhrkamp, 90–99.
- Seidman, Robert B. (1969), “The Reception of English Law in Colonial Africa Revisited”, *East African Law Review*, No. 2, 47–85.
- (1978), *The State, Law and Development*. New York: St Martin's Press.
- Sen, Amartya (1999), *Development as Freedom*. Oxford: Oxford University Press.
- Serfontein, Hennie (1976), *Namibia?* Randburg: Fokus Suid.
- Shipanga, Andreas and Sue Armstrong (1989), *In Search of Freedom: The Andreas Shipanga story as told to Sue Armstrong*. Gibraltar: Ashanti.
- Shityuwete, Helao (1990), *Never Follow the Wolf. The autobiography of a Namibian freedom fighter*. London: Kliptown.
- Silvester, Jeremy (2000), “Assembling and Resembling: Herero History in Vaalgras, Southern Namibia”, in Michael Bollig and Jan-Bart Gewald (eds), *People, Cattle and Land. Transformations of a Pastoral Society in Southwestern Africa*. Köln: Köppe, 473–95.
- Simon, David (2000), “Namibian Elections: SWAPO Consolidates its Hold on Power”, *Review of African Political Economy*, Vol. 27, No. 83, 113–15.
- Sithole, Masipula (1999), *Zimbabwe: Struggles within the Struggle*. Harare: Rujeko.
- Small, Christopher (1984), *Music. Society. Education*. London: John Calder.
- Smith, Gary (1997), “Ein normatives Niemandsland? Zwischen Gerechtigkeit und Versöhnungspolitik in jungen Demokratien”, in Gary Smith and Avishai Margalit (eds), *Amnestie. Die Politik der Erinnerung in der Demokratie*. Frankfurt am Main: Suhrkamp, 11–20.
- Smith, Gary and Avishai Margalit (eds) (1997), *Amnestie. Die Politik der Erinnerung in der Demokratie*. Frankfurt am Main: Suhrkamp.
- Soiri, Iina (2001), “SWAPO Wins, Apathy Rules: The Namibian 1998 Local Authority Elections”, in Michael Cowen and Liisa Laakso (eds), *Multy-Party Elections in Africa*. London: James Currey, 187–216.
- Steenkamp, Philip (1995), “The Churches”, in Colin Leys and John S. Saul (eds), *Namibia's Liberation Struggle*. London: James Currey/Athens, Ohio: Ohio University Press, 94–114.
- Stokes, Martin (ed.) (1994), *Ethnicity, Identity and Music. The Musical Construction of Place*. Oxford, Providence: Berg.
- Suzman, James (2001), *An assessment of the status of the San in Namibia*. Windhoek: Legal Assistance Centre.
- SWAPO (1981), *To Be Born a Nation*. London: Zed.
- (1996), *Their Blood Waters Our Freedom*. Windhoek: SWAPO.
- SWAPO Party/Department of Information and Publicity (1999), *SWAPO – The Driving Force for Change*. Windhoek: SWAPO.

Bibliography

- Tapscott, Chris (1995), "War, Peace and Social Classes", in Colin Leys and John S. Saul (eds), *Namibia's Liberation Struggle. The Two-Edged Sword*. London: James Currey/Athens, Ohio: Ohio University Press, 153–70.
- (2001), "Class Formation and Civil Society in Namibia", in Ingolf Diener and Olivier Graefe (eds), *Contemporary Namibia. The first landmarks of a post-Apartheid society*. Windhoek: Gamsberg Macmillan, 307–25.
- Timm, Margo (1998), "Transpositions: the Reinterpretation of Colonial Photographs of the Kwanyama King Mandume ya Ndemufayo in the Art of Ndevasia Muafangejo", in Wolfram Hartmann, Jeremy Silvester and Patricia Hayes (eds), *The Colonising Camera. Photographs in the making of Namibian History*. Rondebosch: University of Cape Town Press/Windhoek: Out of Africa/Athens, Ohio: Ohio University Press, 145–50.
- Tomuschat, Christian (1990), "Die Verfassung Namibias", *Vereinte Nationen*, Vol. 38, No. 3, 95–100.
- Trewhela, Paul (1991), "SWAPO and the Churches: An International Scandal", *Searchlight South Africa*, Vol. 2, 3, No. 7, 65–88.
- UNDP with UN Country Team (2000), *Namibia: Human Development Report 2000*. Windhoek: UNDP Namibia.
- Urquhart, Brian (1987), *A Life in Peace and War*. New York: Harper and Row.
- Useb, Joram (2001), *WIMSA – Address to the 19th Session of the UN Working Group on Indigenous Populations*. Geneva, 23–27 July.
- Waterman, Christopher A. (1997), "'Our Tradition is a Very Modern Tradition' Popular Music and the Construction of Pan-Yoruba Identity", in Karin Barber (ed.), *Readings in African Popular Culture*. Bloomington and Indianapolis: The International African Institute in association with Indiana University Press/Oxford: James Currey.
- Weiland, Heribert (1995), "Landslide Victory for Swapo in 1994: Many New Seats But Few New Votes", *The Journal of Modern African Studies*, Vol. 32, No. 2, 349–57.
- (1999), "Namibias Demokratie auf dem Prüfstand: Ist das Experiment gescheitert?", *Aus Politik und Zeitgeschichte*, B 27/99, 21–29.
- Weiland, Heribert and Matthew Braham (eds) (1994), *The Namibian Peace Process: Implications and Lessons for the Future*. Freiburg: Arnold Bergstraesser Institute.
- Wellmer, Gottfried (2001), "Implications of the Red line on the Namibian economy". Paper presented at the Civil Society Conference on Land Reform, Windhoek, October.
- Werbner, Richard (1998a), "Beyond Oblivion: Confronting Memory Crisis", in Richard Werbner (ed.), *Memory and the Postcolony. African anthropology and the critique of power*. London and New York: Zed, 1–17.
- (1998b), "Smoke from the Barrel of a Gun: Postwars of the Dead, Memory and Reinscription in Zimbabwe", in Richard Werbner (ed.), *Memory and the Postcolony*. London and New York: Zed, 71–102.
- Williams, Frieda-Nela (1994), *Precolonial Communities of Southwestern Africa. A History of Owambo Kingdoms 1600–1920* (2nd edition). Windhoek: National Archives (Archeia No.16).
- Winterfeldt, Volker (2002), "Traditionalism – Social Reality of a Myth", in Volker Winterfeldt, Tom Fox and Pempelani Mufune (eds), *Namibia – Society – Sociology*. Windhoek: University of Namibia Press, 227–38.
- Winterfeldt, Volker, Tom Fox and Pempelani Mufune (eds) (2002), *Namibia – Society – Sociology*. Windhoek: University of Namibia Press.
- Wood, Brian (ed.) (1988), *Namibia 1884–1984: Readings on Namibia's history and society*. London: Namibia Support Committee.
- Ya France, Ponhele Andrew (1998), *An Address on the Occasion of the May Day Celebration*. Oshakati, 1 May.

Bibliography

- Yap, Katri P. (2001), "Uprooting the Weeds. Power, Ethnicity and Violence in the Matabeleland Conflict 1980–1987". PhD thesis Amsterdam (unpublished).
- Younge, Gary (2001), "Life after Mandela", *Guardian* (London), 16 May.
- Zeller, Joachim (2000), *Kolonialdenkmäler und Geschichtsbewusstsein. Eine Untersuchung der kolonialdeutschen Erinnerungskultur*. Frankfurt am Main: IKO.

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