Henning Melber and Christopher Saunders

Transition in Southern Africa – Comparative Aspects

Two Lectures

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From Apartheid to Democracy in Namibia and South Africa: Some Comparisons

Christopher Saunders

It is now over a decade since Namibia became independent, and more than seven years since the first democratic election in South Africa and the transfer of power there. There has of course been much recent criticism of lack of sufficient transformation since these events, but there can be no doubt of their historic importance. Over a century of colonial rule came to an end in Namibia, almost three hundred and fifty years of race-based rule in South Africa; both countries moved from highly authoritarian to formally democratic political systems. Yet while there is now a large body of literature on transitions from authoritarian to democratic rule in many parts of the world, some of it explicitly comparative,[1] no one has sought to compare the transitions in South Africa and its neighbour, and de facto colony, Namibia, systematically. [2]

To make the topic manageable, I shall focus on the formal transitions to democracy in the two countries, and discuss those transitions in relation to process and outcome. In the case of Namibia one can date the formal transition quite precisely to the period from 1 April 1989, the date of the implementation of the United Nations (UN) settlement plan, to 21 March 1990, the date of independence. That was the period of the international monitoring of a formal transition process. In the case of South Africa, the equivalent period may be said to have begun on 2 February 1990, when F.W. de Klerk made his breakthrough speech, unbanning the liberation movements and opening the door to formal political negotiations for a new, democratic constitution. It may be said to have ended either with the founding election of April 1994, which led to the transfer of power to a majority government in early May 1994, or with the acceptance of the final constitution at the end of 1996, though in some respects the political transi-

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The key works include G.O'Donnell et al., *Transitions from Authoritarian Rule* (Baltimore, 1986) and J.J.Linz and A.Stepan, *Problems of Democratic Transition and Consolidation* (Baltimore, 1996). I have also found useful V.Bunce, 'Comparative Democratization. Big and Bounded Generalizations', *Comparative Political Studies*, 33 (August/September 2000).

I offered a preliminary sketch of such a comparison in 'The Transitions to Democracy in Namibia and South Africa', *Oxford International Review*, Winter 1998/99, pp. 2–7. The present paper draws upon my primary research for a monograph on South Africa and Namibia in the period ca. 1975 to 1990. For a brilliant comparison between the South African and Zimbabwean liberation struggles see I.Phimister, 'Comrades Compromised', *Journal of Historical Sociology*, 1995. For what is, in my view, a less successful comparative exercise see E.Wood, *Forging Democracy from Below. Insurgent Transitions in South Africa and El Salvador* (Cambridge, 2000).

tion continued even after that.[1] 'Transition' is necessarily a slippery concept, but the establishment of democratic institutions does mark the end of a process of change.

The two 'formal' transitions, as defined above, were of course part of a broad process of decolonisation throughout southern Africa. As Henning Melber has recently pointed out, decolonisation everywhere involved liberation struggles against colonial rule and transitions to majority-ruled sovereign states.[2] But the Namibian and South African cases differ from all others. In the case of the decolonisations of Mozambique and Angola, the system of colonial rule in the Portuguese territories were substantially different, the transitions in those territories occurred in the mid-1970s, and decolonisation did not result in the installation of liberal democratic regimes. The process of transition to an independent Zimbabwe more closely resembles the cases of Namibia and South Africa, in that there was a constitutional framework for a controlled transition, involving a free election, but the Zimbabwean transition took place a decade earlier, and the nature of the war there, in which the liberation forces were able to gain control over much of the countryside, as well as British involvement, gave it a special character. In different ways, South Africa sought to undermine and destabilise the earlier examples of decolonisation in the region. The Namibian and South African cases differ from the others because they alone involved transitions from apartheid rule to liberal democratic rule, they occur at roughly the same time, and they are closely linked.

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Before I come to comparisons, let me say a few words about links. Both observers and leading participants had long believed that the independence of Namibia was a necessary prelude to changes in South Africa itself. Western governments working for change in southern Africa as a whole in the 1970s and 1980s saw the Namibian conflict as easier to deal with than the South African one, and believed that a peaceful resolution of the Namibian conflict would help in dismantling apartheid in the more important country, South Africa. If the South African military involvement in Angola could be ended – and that was achieved as a necessary preliminary to the Namibian settlement deal of 1988 – the role and importance of the military in South African politics would likely be reduced, and if a Namibian settlement proceeded smoothly, it was hoped that white fears of black majority rule would be allayed. A successful transition to democracy in Namibia, in short, would help make possible a similar process in South Africa. A counter view – that if Namibia was 'lost', the whites of South Africa would retreat further into a laager and be even more resistant to change – proved incorrect.

There is little doubt that President de Klerk would not have acted so boldly in February 1990, signalling a readiness to negotiate a new democratic order, had the Namibian transition become unstuck. By the time he gave his February 1990

In local government the interim arrangements lasted until 2000.

H. Melber, in *News from the Nordic Africa Institute*, January 2001.

speech, he knew that the Namibian transition had produced a result that his government could live with, that Namibia would have a liberal democratic constitution that would provide guarantees for minorities, and therefore that there would not be a mass exodus of whites to South Africa, which the National Party government had long feared would occur if the South-West African People's Organisation (SWAPO) came to power in Namibia. When the transition in Namibia did go off-course at the beginning of the process in April 1989, with the incursion of armed SWAPO combatants into the north of the territory, the lesson drawn by the South African government, once the UN Special Representative permitted South African troops to act against the combatants, was that the international community would be likely to be even-handed in relation to future change in South Africa itself. The difficulties encountered by SWAPO, in transforming itself from a liberation movement to a political party, constrained by democratic politics, cannot have been lost on the African National Congress (ANC), though the ANC had not worked closely with SWAPO and tended to regard the South African situation as quite distinct.[1]

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There are of course many striking differences between South Africa, a semi-industrialized country with a population of some forty million, and Namibia, which though two-thirds the size of South Africa has a total population even today of only a million and a half, more than half of which lives within 100 kilometres of the Angolan border. And a crucial difference for our purposes here is the fact that Namibia was a de facto colony of SA, making the process of transition a clear-cut one of decolonisation, though different from others in sub-Saharan Africa in that the ruling power was next door and imposed the same apartheid policies as in the 'metropolis'. The South African transition, by contrast, involved the transfer of power from one group within the country to another. Though the process there did in some ways resemble decolonisation, it was at best, to coin a phrase, decolonisation of a special type. [2]

While it is impossible here to analyse the causes of the two transitions in any depth, we may note another fundamental difference: in the case of South Africa there were many forces for change, but it is generally agreed that the single most important one in bringing apartheid to an end was not, say, the external pressure through the armed actions of Umkhonto we Sizwe (MK) or international sanctions, but the internal resistance of the mid-1980s, especially the mass protest against the apartheid regime in what is known as the 'township revolt' of 1984–1986. It was this revolt that, for example, led directly to the imposition of financial sanctions against South Africa in 1985. In Namibia, by contrast, SWAPO's

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Like other assertions in this paper, this is based on primary research, including interviews, and will be elaborated upon in my forthcoming monograph. When this paper was presented at Uppsala, Tor Sellström confirmed this point.

C. Saunders, 'The Transitions from Apartheid to Democracy in Namibia and South Africa in the Context of Decolonisation', *Journal of Colonialism and Colonial History*, I (l) 2000.

diplomatic strategy and armed action, combined with international pressure for a settlement of the conflict, including the Cuban escalation in southern Angola in late 1987, led to the successful outcome of the negotiations in 1988 and the transition to independence.

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I shall return to the result of this and other differences, but wish first to consider similarities between the two cases under discussion. In very broad ways, what happened in the formal periods of transition was similar in Namibia and South Africa. In each case, the ground was prepared for an election that could be judged to be free and fair. That meant the release of political prisoners, the repeal of discriminatory laws, the return of exiles and other acts of liberalization, as well as the establishment of a transitional authority to act impartially during the election period.

In both countries apartheid rule was modified some time before it was ended. The occupying South African regime in Namibia accepted the idea of a form of independence for the territory as early as the mid-1970s, and in 1978 the Western Contact Group won agreement from both the South African government and SWAPO for a plan for a transition to an internationally-recognized independence for Namibia. While implementation of that plan was stalled, the South African regime introduced changes aimed to bring about a client party in Namibia to which power could be devolved and which it was hoped would eventually become a successor government. A Transitional Government of National Unity was installed in June 1985; most of its members were black. In South Africa, the Soweto uprising of 1976, which began a new and deeper crisis of legitimacy for the apartheid regime, ushered in an era of apartheid reform. Though these reforms were designed to bolster the core of the system, they had unintended consequences that helped to undermine it. It can be argued for both Namibia and South Africa that these longer transitions – during which extremely brutal repression accompanied periods of relative liberalization – helped ease the larger processes of change when the formal transitions of 1989–90 and 1989–94 began. For all its brutality, there continued, under apartheid, a semblance of democratic process for whites, and so the transition, when it came, could be presented as the extension of democracy to the entire society, and not the initiation of an entirely new system of rule.

In both cases, decisions taken by the apartheid regime in control at the time the formal transitions began, were crucial in the process of change. These decisions – P.W. Botha's 1988 decision to withdraw from Namibia and de Klerk's of February 1990 to enter into formal negotiations with the ANC – were taken under great pressure, but involved an element of choice. The South African Defence Force had received a major setback by being held to a stalemate outside Cuito Cuanavale in 1987–88, but was not actually defeated militarily in the war in southern Angola. Though by 1988 the apartheid regime had its back to the wall, the security forces remained intact and loyal and it is generally agreed, that

de Klerk could have held on to power for at least another period of years had he wished to do so. In first withdrawing from Namibia and then moving to formal negotiations in South Africa itself, the apartheid regime was looking for rewards and hoped to be able to manage change, believing that any alternative was less desirable. De Klerk repeatedly told his electorate that that was the lesson of Zimbabwe: that country's ruling white minority had not negotiated in time, from a position of relative strength.[1] In the event, of course, de Klerk was not able to manage change as he had hoped he would be able to.[2]

In neither case was apartheid rule overthrown by force: neither PLAN, SWAPO's army, nor MK, the armed wing of the ANC, was successful enough in military terms to force Pretoria to capitulate. A series of negotiations produced compromise agreements, accepted by the apartheid regime – John Vorster and P.W. Botha in the case of Namibia, F.W. de Klerk in the case of South Africa itself – and the main liberation movement. In both cases, the apartheid regime came to recognise that the possible coming to power of the main liberation movement would not be as disastrous as it had earlier thought, and that the risks involved were worth taking for the benefits likely to accrue. From the mid-1980s the South African government's perceptions began to change significantly, as contacts with SWAPO grew, and as evidence began to emerge that it was not, after all, committed to Marxist policies. At the same time, government officials began secretly to engage in dialogue with the ANC. When Nelson Mandela began to consider peaceful options and then to suspend the armed struggle, the door was open to formal negotiations. In 'talks about talks' in the late 1980s, government officials came to believe that the ANC would drop nationalisation and accept a free enterprise economy if it came to power. Under similar influences, in the same global context, both liberation movements jettisoned their socialist inclinations and agreed to work for economic growth within a capitalist framework.

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But there were crucial differences in what may appear to be similar processes. Following from the fact that Namibia was a colony, with a special international status, meant the international community played a very different role in the two formal transitions. Though ruled by South Africa since 1915, Namibia was never formally part of South Africa, and enjoyed a special international status from the time it became a mandate under the League of Nations. In the late 1970s the Western Contact Group played a major role, first persuading the parties to accept a settlement proposal, then in 1982 formulating Constitutional Principles for Namibia providing for multi-party democracy. That Namibia moved to indepen-

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F.W. de Klerk, *The Last Trek, A New Beginning : The Autobiography* (Basingstoke, 1998).

The best overview of the process is R. Davenport, *The Transfer of Power in South Africa* (Cape Town, 1998). For more analytical approaches see especially T. Sisk, *Democratization in South Africa* (Princeton, 1995) and A. Guelke, *South Africa in Transition. The Misunderstood Miracle* (London, 1999); for an Africanist view, J. Kunnie, *Is Apartheid Really Dead? Pan-Africanist Working Class Cultural Critical Perspectives* (Boulder, 2000).

dence under UN auspices profoundly influenced the form of the new Namibian democracy. How different the South African transition: the international community had long accepted that South Africa was a sovereign country, despite the continuation of white minority rule, and, having played a vital role in pressing for the end of apartheid, the international community took a relatively minor role in the formal transition from 1990, being involved only in mediation efforts to stop the ongoing violence, and in helping to monitor the election. All key negotiations, especially those held at the World Trade Centre from 1991 to 1993, were arranged internally and took place without external involvement.

These South African negotiations were in other ways very different from those that led, ultimately, to Namibia's independence and democracy. In the Namibian case there had been a series of negotiations. Those of 1977–78 had involved the Western Contact Group and, separately, South Africa and SWAPO, to formulate a plan to take Namibia to independence; those held in the early 1980s to try to secure the implementation of the settlement plan had involved a wider range of parties, including the internal parties promoted by the South African rulers, but nothing substantive was achieved. The second series of substantive negotiations, held in 1988 under United States mediation, led to agreement between South Africa, Cuba and Angola on the implementation of the settlement plan. In each set of negotiations, the South African government first accepted the deal presented – by the Western Contact Group and then in the 1988 negotiations – and then SWAPO agreed to it; there was no direct bargaining between the apartheid regime and the liberation movement. That SWAPO was excluded from the 1988 negotiations that brought about the transition to independence – exclusion justified on the grounds that if SWAPO were included, other non-state actors would have to be – had important consequences for the formal transitions that followed. In that transition, the only bargaining between SWAPO and the other Namibian political parties took place at the Constituent Assembly elected in November 1989 to draw up the new constitution for the independent country. SWAPO – the sole liberation movement of significance, with no party to its left to worry about[1] – was then so keen to secure an agreement to bring about independence and come to power that agreement was swiftly reached, and the new constitution was approved unanimously before three months had elapsed form the opening of the Constituent Assembly. That SWAPO, which had only very reluctantly supported the Western plan for a settlement in 1978, was then excluded from the final negotiations on the implementation of the Western plan in 1988, made it easier for the whole process to be seen as an outside imposition. This in turn made it easier, say, for SWAPO, eight years after independence, to support an amendment to the constitution to give President Nujoma a third term.[2]

In the Namibian case, the main rival to SWAPO, SWANU, did not adopt the armed struggle. Though the Pan-Africanist Congress did develop an armed wing (APLA), like SWANU (and the later SWAPO-Democrats, a breakaway from SWAPO) the PAC was not successful politically.

This was said to be a special case, in that Nujoma had first been chosen by the Constituent Assembly, before independence, and only elected president in 1994.

The South African transition was very different. Whereas the Western plan had laid down a timetable for the formal transition and a set of procedures for how it would take place in Namibia, in South Africa there was no road-map worked out in advance for the way in which the country would move towards democratic rule. The very process itself only emerged as a result of hard bargaining between the main parties during the period of transition. From May 1990 negotiations took place between the government and the African National Congress to prepare the way for the formal multi-party negotiations that began in December 1991. After these collapsed in 1992, the government and the ANC eventually resumed bilateral talks and reached an agreement on the way forward. This involved a two stage process, for the drawing up of an interim constitution by the unrepresentative gathering at the World Trade Centre, an interim constitution embodying constitutional principles and providing for a democratic election, and then in the second stage an elected Constitutional Assembly drew up a final constitution bound by the constitutional principles adopted in the first stage. While in both cases a set of Constitutional Principles played an important role, the Namibia ones were proposed by the Western Contact Group, and so came from outside, whereas the South African ones emerged from the bargaining negotiations at the World Trade Centre. All this gave the constitution that emerged in South Africa greater legitimacy in the eyes of the new government than in the Namibian case.

Not only was the process different in the two cases, but in some ways the outcomes were too. In both countries certain sunset clauses provided that civil servants and top military personnel could not be forced out of their jobs for a number of years, but in Namibia, because there had not been a bargained process before the founding election, SWAPO was able to come to power on its own, whereas in South Africa a Government of National Unity took office that included the former ruling National Party. South Africa gained a constitutional court and a number of commissions and other institutions designed to provide safeguards against executive action for which there were no parallels in Namibia. In South Africa, the two main players recognized the need to make the process as inclusive as possible, and worked to bring others into the game, especially Inkatha, but also the Pan Africanist Congress and even the Afrikaner far-right. This was sufficiently successfully for opposition to the process to be diffused, and to allow the founding election to take place peacefully in April 1994. Fundamentally, however, the process involved an elite pact between the old regime and the main liberation movement, and a set of compromises, with the ANC conceding most – especially the idea of a sharing of power – in order to secure an agreement that would make possible the democratic election it expected to win. And from this essentially bargained nature of the South African settlement flowed other differences from what had happened in Namibia. In Namibia the transitional authority was, as provided in the settlement plan, a joint one, with the United Nations exercising a mainly supervisory role and the South African appointed Administrator-General running the country. In South Africa the nature of the

transitional authority was one of the key matters to be negotiated. For the government and the ANC there was no question of an outside body filling this role in what was a sovereign country; only the PAC called for such outside intervention. After much contestation, a multi-party Transitional Executive Council was inaugurated in December 1993 and a non-party Independent Electoral Commission was appointed to run the election.

Whereas in Namibia the release of political prisoners was relatively easily arranged, for the numbers were small, an independent jurist decided controversial cases, there was a timetable to be observed, and both sides were keen to move ahead to the election, in South Africa the issue of who was a 'political prisoner' was bitterly contested and used as a bargaining counter, at a time when neither the ANC nor the National Party were ready to fight an election and each was trying to turn the process to its own advantage. And out of the bargaining compromise in South Africa came the Truth and Reconciliation Commission. In Namibia there was agreement on a provision to grant general amnesty to all, because neither the South Africans nor SWAPO wanted the past history of human rights violations investigated. When, after independence, the Namibian opposition raised the need for an enquiry into human rights violations, it was not strong enough to achieve anything. SWAPO could say, and continues to say, that such a commission would be one-sided, for it would be impossible to get those who had committed atrocities on the South African side to appear before it. In South Africa, by contrast, one of the key deals struck between the parties was that while there would be no general amnesty, the interim constitution provided for amnesty, and that allowed the ANC-dominated government that came to power in 1994 to make amnesty conditional on full disclosure. So South Africa had its TRC, Namibia did not.[1]

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For all these many differences it is the similarities that are most striking when the outcomes are considered. In both countries, a liberal democratic constitution was agreed, providing for regular multi-party elections and an independent judiciary. Given how highly authoritarian and coercive apartheid rule had been – with securocrats increasingly dominating policy-making in the 1980s – and how anti-democratic the liberation movements in exile were in their practices, born in part of the war they were waging, such an outcome was not inevitable. That there were democratic outcomes is partly to be explained of course, by the world-wide shift to democratic systems and influences from the Western countries and solidarity movements. SWAPO's philosophy had been influenced by South African liberals and Namibian church-people, while the ANC had a long history of commitment to democracy. From the dock in the Rivonia trial in 1964 Nelson

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Cf. L. Dobell, 'Silence in Context: Truth and/or Reconciliation in Namibia', *Journal of Southern African Studies*, 23 (2) 1997; D. Tutu, *No Future without Forgiveness* (London, 1999); A. Boraine, *A Country Unmasked* (Cape Town, 2000); K. Christie, *The South African Truth Commission* (London, 2000).

Mandela had made the ringing declaration that his goal was a democratic and free society, and the ANC's constitutional tradition was championed in the 1980s by exile lawyers, including Jack Simons, Kader Asmal and Albie Sachs, while within South Africa, the United Democratic Front, drawing on the traditions of the Congress Alliance of the 1950s and the Freedom Charter, advocated participatory democracy, sometimes in an extreme form.[1]

By the time the South African negotiators began working on a new constitution, there was the Namibian example to follow. In the bargaining process, each party sought checks on the other. The National Party, in particular, hoped that democratic rule would, along with federalism, ensure minority protection, to prevent persecution of whites of the kind meted out to blacks under apartheid. When the ANC and the government came to the recognition that neither was able to defeat the other and that compromise was needed, the way out of the conflict situation was through agreement on the democratic regulation of political competition. But in neither case did the path to democracy run through democratic practice, for in neither country was there significant popular participation in the drawing up of the new constitution. In Namibia this was in part because the Constituent Assembly wanted to complete the new constitution as soon as possible, as a prelude to independence: its writing was mainly done by a committee meeting behind closed doors; the public was denied information on its deliberations. When the Assembly ratified the new constitution in February 1990, there was no question of submitting it to a referendum. In South Africa, the only referendum in the transition was one held among white voters, asking them to endorse continuing the negotiations; in the negotiations themselves there was little popular input, even at the Constitutional Assembly phase, despite some window-dressing.[2]

If the first major area of similarity relating to outcomes is constitutional/political change, a second concerns socio-economic policy. The early literature on the South African transition, like the very much smaller amount of literature on the Namibian one, emphasized the extent of the political change with the introduction of a democratic order. It made the obvious point that given the nature of the conflict, the political outcome was in each case remarkable, as was the relatively peaceful way it was achieved. (As an aside, there was far more political violence in the formal transition in South Africa than in Namibia, and even in South Africa much of this was not directed at the process itself, while to the extent that it was designed to abort the process it was largely counter-productive, for it served to focus the negotiators on the need to make a settlement.) Within the last few years, however, a different take on the transitions has emerged in the literature. This seeks to relate the formal political agreements to informal economic ones.

J. Seekings, *The UDF* (Cape Town, 2000); I. van Kessel, '*Beyond Our Wildest Dreams*'. *A History of the United Democratic Front in South Africa* (Charlottesville, Va, 2000).

Popular influence on the Constitutional Assembly is exaggerated in H. Ebrahim, *The Soul of a Nation. Constitution-Making in South Africa* (Cape Town, 1998).

For those who came to power abandoned their previous support for socialist or semi-socialist ideas and agreed to retain the existing capitalist system. SWAPO immediately made it clear that there would be no nationalisation (nationalisation of the mines being the most obvious possibility) and that, on the contrary, every effort would be made to attract foreign investment, which meant adherence in effect to the strategies of the World Bank and the International Monetary Fund. This was at a time when the newly released Mandela still insisted that the policy of the ANC was nationalisation, and there was no question of changing that.[1] From 1992 the ANC, forced to concentrate its mind by the prospect of coming to office, changed its tune. When Mandela became President he was quick to say, on May Day 1994 indeed, that 'In our economic policies…there is not a single reference to things like nationalization, and that is not accidental. There is not a single slogan that will connect us with any Marxist ideology'.[2] And in June 1996, with the currency under pressure, the government suddenly announced its adherence to a neo-liberal macro-economic strategy that effectively bought into the prescriptions of the World Bank and the IMF, and the Growth, Employment and Redistribution (GEAR) strategy has remained government policy ever since.

How does one explain the retreat from belief in nationalization and state intervention in the economy to acceptance of the neo-liberal capitalism of GEAR? Clearly with the political settlements went less formal economic agreements, in which the SWAPO and ANC leaderships reached compromises with business elites, local and global, on the way the economies were to be managed. They agreed to pursue policies of fiscal discipline, cutting the state deficit and moving to privatisation. In his autobiography De Klerk points to the way he persuaded the ANC to accept such policies as his greatest achievement. He says that no political settlement would have been reached unless he and others in the ruling party had been convinced of the change in the ANC's economic thinking, and that only when they were so convinced were they prepared to go ahead with a negotiated political settlement that would mean the loss of political power.[3]

SWAPO moved to power at the end of the 1980s, and then the ANC in the early 1990s, in a global climate in which disillusionment with socialism went along with the apparent triumph of the view that there was really no alternative to entering the new global economy and seeking foreign investment on the terms laid down by the main institutions of global capitalism. Given this new global order at the end of the Cold War, there was probably no alternative to the course the liberation movements took. But let us note that while both were led to accept the prescriptions of global capitalism, they did so in different ways. While Lauren Dobell and others have argued that SWAPO's commitment to socialism had always been for pragmatic rather than ideological reasons, and that it had always

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I heard him say this in Cape Town to an audience mostly of business people as late as the second half of 1991.

Quoted in H. Marais, *South Africa: The Limits of Change* (Cape Town, 1998). Cf. P. Bond, *Elite Transition: From Apartheid to Neoliberalism in South Africa* (London, 2000).

De Klerk, *The Last Trek*.

been primarily a nationalist organization,[1] it had had an explicitly socialist agenda in its political programme from 1976. By contrast, the Freedom Charter, adopted by the ANC in the mid-1950s, was at most ambiguously socialist and the ANC had never committed itself to full-fledged socialism. But SWAPO could more easily ditch its socialist ideas than the ANC because there was no significant challenge to its left; it was able to subordinate the Namibian trade union movement much more easily than the ANC could the Congress of South African Trade Unions (COSATU). But within a few years of coming to power, the ANC felt strong enough to brush aside the opposition it knew would come from COSATU and the South African Communist Party when it adopted its neo-liberal GEAR policy.

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TOWARDS A CONCLUSION

I chose deliberately to focus on 'transition' defined narrowly, to make the paper manageable. My discussion of similarity and difference in these two transitions, thus defined, was necessarily selective, but I have tried to highlight what I see to be the major features to be compared. The aim was not to come up with large generalisations, applicable to democratisation elsewhere. What I hope I have shown is that, on the one hand, there were many broadly similar processes at work in the two transitions and on the other a number of significant differences. This should not, of course, surprise us. One would expect similar processes, given that the same apartheid rulers were involved in both transitions and that the two transitions occurred within a few years of each others', and under many of the same external influences. In both cases there was a negotiated settlement, even if this involved, in Namibia, the withdrawal of the South African military and administration, while in South Africa itself a series of elite pacts provided for a founding election. This led directly to a transfer of power from the former ruling political party, drawing its support largely from the white minority, to the main liberation movement, which the election showed enjoyed majority support.

The special international as well as colonial status of Namibia inevitably meant that the transition there would take a somewhat different character from that in South Africa. So too the nature of the two countries, and their sizes and complexities, would lead one to expect significant differences. But the relationship between similarity and difference is, as I have tried to show, extremely complex, and operates on different levels: broad similarities may conceal specific differences, while apparent difference may obscure what is in fact similar. Unravelling this complexity is, I would argue, not only a stimulating and worthwhile exercise in itself, but may offer new illumination of each individual case, and suggest lines for future research.

L. Dobell, *Swapo's Struggle for Namibia*, 1960–1991 (Basel, 1998); C. Leys and J. Saul, *Namibia's Liberation Struggle* (London, 1995).

The way these transitions are viewed will inevitably change over time, as they recede further into the past, and as democracy is either consolidated or fails in the two countries. In both cases, now that initial euphoria about the success of the move to formal democracy has faded, it is for historians to show both how remarkable these transitions were, in bringing intractable political conflicts to an end relatively peacefully, and ushering in democratic constitutions, and at the same time, how the particular forms these transitions took helped shape the nature of the successor regimes. [1]

On Namibia since independence see, e.g., J. Forrest, *Namibia's Post-Apartheid Regional Institutions* (Rochester, 1998); H.Melber, ed., *Namibia: A Decade of Independence* (Windhoek, 2000); *Namibia: A Decade of Peace, Democracy and Prosperity, 1990–2000* (Windhoek, 2000); G. Bauer, 'Namibia in the First Decade of Independence: How Democratic?', *Journal of Southern African Studies*, 27 (March 2001); on South Africa since 1994 see especially W. James, *Pulse : Passages in Democracy-building: Assessing South Africa's Transition* (Cape Town, 1998); T. Lodge, *South African Politics since 1994* (Cape Town, 1998) and *Consolidating Democracy: South Africa's Second Popular Election* (Cape Town, 1999).

Liberation and Democracy in Southern Africa: The Case of Namibia

Henning Melber

Formal decolonisation in Africa was by and large completed with the dramatic changes in the southern region during the last quarter of the 20th century. In the mid-1970s the MPLA in Angola and FRELIMO in Mozambique seized state power after the coup in Portugal. In 1980, ZANU/PF took control over Zimbabwe after the first general elections. In 1990, SWAPO gained political power in Namibia as result of internationally supervised elections. Finally, during 1994, a democratic political system in South Africa under an ANC-led government was established as the last step towards controlled change in the Southern African region.[1] In the meantime, the second "winds of change" of a post-colonial era have started to blow, and the countries of Southern Africa – so far most dramatically and visibly in Zimbabwe[2] – are confronted with the challenges of a "'Second Liberation' from non-colonial internal repression and disorder" (Kambudzi 1999: 78).

Such "winds of change" at times provide some ironic twists in the personal careers of individuals involved in the previous and present struggle. Such a case is illustrated by means of the following quotes. They are from a statement on "Future Challenges", and offer an uncompromising (if not unfair) attack on the present political rulers in the region. Presented on the occasion of a Conference on "Nordic Solidarity with the Liberation Struggles in Southern Africa, and Challenges for Democratic Partnerships into the 21st Century" at Robben Island in February 1999, the eloquent academic maintained among other things that

> it would be a mistake to justify the struggles for national liberation purely on the basis of the need to remove the white minority regimes from power and to replace them with black majority regimes that did not respect or subscribe to fundamental principles of democracy and human rights.

According to him

> ruling personalities have hijacked the movement and are doing totally unacceptable things in the name of national liberation. Being here at Robben Island for the first time, I am immensely pained by the fact that some people who suffered here left this place only to turn their whole countries into Robben Islands. This has been possible, in my view, because the liberation movements did not have democratic cultures.

For a recent comparison of the latter two cases, their similarities and differences, see Saunders (2000).

See the recent overview by Sithole (2001).

These are certainly valuable, though extremely harsh views for discussing the notion of democracy under the present constellation in these Southern African countries. Unfortunately, the critical scholar himself abandoned his reputation as an honest intellectual of moral integrity, when appearing less than a year later as personal adviser to Zimbabwe's President Robert Mugabe and assuming office as Minister of Information in the newly, but hardly democratically elected ZANU/PF government. — Indeed, the words cited above are from Jonathan Moyo (1999: 17)!

Similar though different

Each of the decolonisation processes referred to above can claim a degree of uniqueness, based on historically genuine features of the particular society and its social forces. One should therefore abstain from premature generalisations. Angola's continuous post-colonial internal war makes its case most different. The emphasis on free elections and an agreed constitutional framework for a controlled transition in Zimbabwe, Namibia and South Africa suggests most similarities in terms of shaping the post-colonial environment. Notwithstanding such distinctions, all five cases represent examples of liberation movements turning into parties to occupy political power in a formally independent, sovereign post-colonial state. These parties have managed to consolidate their dominant position and have so far maintained control over the state apparatus. They have obtained the power of definition within the political environment and discourse of their societies and operate with rather strict concepts of inclusion/exclusion in terms of the nation building process.[1]

In all cases the legitimacy is based on being the – more or less democratically elected – representative of the majority of the people. At the same time, however, the democratic notion is also a contested territory. Post-colonial policies in these countries display a lack of commitment to democratic principles and/or practices.[2] There are visible trends towards autocratic rule, nepotism and clientele relations. "Good governance" and "civil society" – whatever the terms might refer to (and there are many doffering conceptual definitions) – are neither the paradigms nor guiding principles acknowledged in the daily applied measures to secure continued political rule. Instead, the "national interest" serves as an instrumental concept, which is subject to highly biased and selective interpretations by those in control.

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[1] See for nationbuilding in the (Southern) African and in particular Namibian and South African context Melber (2000a and 2001).

[2] This does not imply that the people of these countries are less democratically minded in their orientations and expectations than anywhere else (cf. Mattes et al. 2000 and Bratton/Mattes 2001).

Sobering experiences

John Saul (1999), a scholar who actively supported the forces of liberation in Southern Africa for decades, proposes as a result of this sobering reality to question these changes as "Liberation without Democracy". The track records of the liberation movements with regard to their internal practices during the wars of liberation as well as their lack of democratic virtues and respect towards the protection of human rights once in power are far from positive examples. Victims were as liberators often also perpetrators. While these movements – supported by an international solidarity arguing along moral and ethical categories – were fighting against systems of institutionalised violation of basic human rights, they were at the same time not always sensitive to human rights issues within their own ranks.

Fighting against unjust systems of oppression, rooted in totalitarian colonial rule of a minority, did not protect them from falling prey to undemocratic practices applied by themselves against dissenting internal and external forces. Often, popular support in the struggle was based more on coercion and internal contradictions among the colonised than on the genuine resistance against the colonial state, as Norma J. Kriger (1992) suggests in the case of Zimbabwe.

In her recent study on the Namibian liberation movement SWAPO, Lauren Dobell (1998) argues – similarly to in a previous undertaking by Colin Leys and John Saul (1994) – that there has been a lack of democratic convictions within the ranks of the organised social forces seizing political power. Zimbabwe's first generation of policy makers provides during its two decades of dominance and control (and finally decline) sufficient evidence to underline this view, also illustrated in a number of recent studies on the consolidation of power not only during the Chimurenga (Alexander et al. 2000, Ranger 1999).[1]

Scope and limits of emancipation

In the light of such evidence, the relationship between liberation and democracy ought to be empirically investigated and analytically reflected upon in more detail. This should offer more insights into the scope and limitations of social emancipation in Southern Africa under the given constraints of liberation movements seizing power by ways that include the application of underground practices, conspiracy activities and military means in the process. A hypothesis to be explored further is that certain forms of resistance were possibly a necessity to achieve liberation from colonialism. But they implied a tribute, since the anti-colonial war was hardly a suitable environment to instil and cultivate the internalisation and implementation of democratic values and norms. The organisation of a serious liberation struggle had much in common with the authoritarianism

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See also the documentation on the atrocities committed during the mid-1980s (Catholic Commission for Justice and Peace in Zimbabwe/Legal Resources Foundation 1997).

and hierarchical organisation reflecting the totalitarian structures inherent to the colonial system opposed. To this extent, features of the colonial character are reproduced in the fight for their abolishment and the emerging concepts of power applied in the post-colonial reconstruction phase.

The result of such constraints is at best restricted permissiveness and hardly any receptive attitude towards criticism, especially when articulated 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 subsequently the own credibility and legitimacy. The circle of political office bearers tends to be restricted to those comrades who gained reputation and respect for the display of personality structures of a command-and-obey system, but not for their democratic convictions as independent minded, autonomous individuals. Similar mechanisms for the recruitment of a political elite occur in societies the world over.[1] As Ellis observes, "there has for some years been a growing perception … that many self-proclaimed liberators in Africa have achieved rather little of what they promised" (Ellis 2000: 70). Notwithstanding this general insight, the specific constellation of the liberation struggle in Southern Africa might have resulted in a particular genuine legacy on the way towards truly democratic structures, institutions and foremost individuals. To explore such hypothesis further, might be a fruitful challenge for academically motivated, sound research efforts.

THE CASE OF NAMIBIA

Celebrating Independence on 21st March 1990, the sovereign Republic of Namibia had been welcomed to the international community of states as a success story. It marked the end of more than a century of oppressive colonial rule characterised by organised racial domination. Ending such an intolerable anachronism of systematic violation against human rights towards the end of the twentieth century was a long overdue correction of moral injustice and in itself an achievement that marked historic progress.[2]

One should therefore explicitly mention that such questions do not imply a historical constellation with emerging constraints confined to Southern African societies only. This is not a "typical African" problem but related to organised movements in transition towards establishing political power under similar circumstances anywhere. Obvious cases would not only include Cambodia or Vietnam, but also Nicaragua or, for that matter, the French Resistance under German occupation during World War II (to mention just a few selective examples to illustrate the point). The clarification is necessary to avoid the misperception that there are double standards applied and similar problems and processes elsewhere ignored. On the other hand, such awareness does not imply that the critical analysis is unjustified or irrelevant.

On the basis of this understanding it should be made clear that the critical analysis presented here does by no means advocate the idea that there existed any "good old times" for the colonised majority. Hence the criticism is motivated by a concept of loyalty towards improving the social

This progress was brought about mainly on the basis of committed, organised protest and resistance of the people themselves, who as victims of minority rule were denied their basic rights for generations. From the 1970s their ambitions were recognised internationally through the national liberation movement SWAPO, which originally emerged in the late 1950s to finally become the representative of a majority of the Namibian people. While SWAPO´s armed liberation struggle, launched in the mid-1960s, was not the decisive factor, it had a major impact on the further course of decolonisation.

Namibian Independence was also the achievement of an international community, which finally after the end of the Cold War period managed to end lengthy and complicated diplomatic negotiations first and foremost dominated by the strategic interests of the two power blocks. The internationally negotiated settlement ultimately resulted, after far too many delays and sacrifices, at least in a by and large peaceful transition towards Independence with United Nations involvement. It paved the way for a legitimate government led by the previous liberation movement SWAPO, which obtained a clear absolute majority in the internationally supervised first general elections in November 1989.

Controlled change

The process towards Independence was, however, marked by a bigger agenda than the long overdue right to self-determination for the Namibian people. In the context of an appeasement strategy towards the Southern African region, Namibia was the laboratory for testing the scope of controlled change for South Africa too. The policy of national reconciliation was the reflection of such an approach, pragmatically and not free of own interests followed by the new government and previous liberation 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 (cf. Groth 1996).[1] 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 measured against the – by all standards far larger – atrocities committed by the Apartheid regime.

The Constitution adopted and widely praised, was a showpiece of democratic values and civil liberties. At the same time, however, it was contributing towards conserving the status quo of socio-economic realities. While the constitutional

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reality under a legitimate government and does not argue in favour of restoring colonial anachronisms. Post-colonial Namibia is an achievement, despite all limitations displayed.

A "Media Statement by SWAPO Party on the So-Called Detainee Issue" of 12 March 1996, drafted as a response to the debate reactivated by the book of Groth (which a prominent SWAPO politician in a public speech suggested should be burnt) illustrates the uncompromising stance. It maintained that SWAPO "cannot allow this country to be made ungovernable and be turned into a chaotic and lawless society by irresponsible, unpatriotic elements and foreign remainents (sic!) of fascism and apartheid".

principles guaranteed at least formally a wide range of individual civic rights, it defined a very tight framework limiting redistribution of wealth. It therefore paved the way for a democracy, which benefited mainly a materially privileged minority by protecting its interests. Notwithstanding the general limitations for social change, the transition process offered access for members of the new political elite to gain privileges through their positions in control of the state and its bureaucracy. Occupation of political offices and the higher echelons of public administration as well as parastatals created the platform for establishing a new post-colonial system of modified but similarly gross inequality. As a result, the class structure became more permissive and less racially exclusive but underwent no fundamental changes.

For the majority of the population, Independence was mainly confined to the restitution of personal dignity in terms of civil liberties and basic human rights in the absence of any meaningful redistribution of wealth. Namibia remained a country with one of the most skewed income disparities in the world. More than half of its population continues to live in absolute poverty, while the average annual per capita income (which since Independence has remained more or less the same around 1800 to 2000 US $) places it in the range of a lower middle income country.

This constellation – where self-respect is based more on idealistic values and norms in the political sphere than material well being – contains a latent tension. It provokes frustrations among those who had also expected from liberation a change in the economic reality. Disappointment over the sobering post-colonial experience, however, creates a potential for undermining social stability. At the same time – as Zimbabwe has shown – this is a variable that could easily be activated for populist manipulation of public opinion even for the sake of pursuing hidden agendas by those in power or others who actually failed to meet the demands.

Changed control

The constraints at Independence need to be recalled when it comes to the judgement of the achievements over the past decade. But it would be too easy an exit option to blame any failures of the first decade on the external or structural factors reducing the scope for change. Despite the limiting framework for social transformation there remains a space for internal policy options. As the absence of a vigorous land policy in the interest of the landless majority shows not only in Zimbabwe, negligence or self-interest of the new policy makers is a contributing factor to an unsolved issue undermining social stability and the rule of law (cf. Melber 2000c). This is so despite an impressive track record in other fields of social service delivery, as well as the marked improvement of material infrastructure (roads, electricity and water supply, schools and clinics) at least in some of the more densely populated areas of the vast country.

During the first decade of Namibian Independence a political system emerged, which displayed tendencies towards a factual one party state under increasingly autocratic rule. Based on its reputation as the liberating force and in the absence of serious political alternatives, SWAPO managed in the second elections of December 1994 to obtain a clear two-thirds majority of votes. This political dominance was further consolidated with the election results at the end of 1999, when more than three-quarter of the voters opted for the party in power (cf. Melber 2000b). While the general consolidation of political dominance by SWAPO is underlined by these results, the increasingly repressive atmosphere during the election campaign might in 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.[1] While a slogan in the days of the liberation struggle claimed that SWAPO is the people, the adjusted slogan for today might be that SWAPO is the government and the government is the state. As a result, "the social forces that control the state are also capable of using the state organizations to pursue their interests in an arena characterised by domination and opposition" (Salih 2000: 19). This tendency towards abuse of state power fails to acknowledge the relevant difference between a 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. As a result, "the state often uses democracy to perpetuate hegemony rather than to advance rights, liberty and democracy. The adoption of non-democratic measures is often justified against the backdrop of achieving 'national' objectives through a democratic mandate" (Salih 2000: 24).

Consequently, the Constitution was changed for the first time in 1998 for the sole purpose to allow the President a third term in office. Such a move, ignoring all cautions that it might be perceived as the wrong signal, suggests that Namibia is not yet a sustainable democracy. According to Abbink (2000: 7) this would in contrast require "the consolidation of institutional, social and legal frameworks which make the process of open political communication independent of the persons who happen to be in power". The same year, the country joined a war in the Congo. Since the end of 1999 Namibia is involved in another military conflict with UNITA, which turns part of its own territory into a low-key war-zone. Critical voices on these and other issues are labelled as unpatriotic elements. Loyalty to Namibia is equated with loyalty to SWAPO's policy. 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

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This equation is supported in more recent views expressed by Tapscott, Weiland and du Pisani in Forum for the Future (1999) and Weiland (1999). I have presented some of the increasingly obvious signs of this disturbing trend during the last few years in more detail elsewhere (Melber 2000b and 2000d).

political office bearers, often combined with an "anti-white" slant.[1] Open self-enrichment by higher-ranking officials and politicians utilising their access to the state apparatus is tolerated at the expense of public morale. The independence of the judiciary is openly questioned when it takes unpopular decisions not in favour of the government's political will. The newspaper of SWAPO disseminates hate speeches and party officials articulate unconstitutional demands without being corrected by the leadership.[2]

Democracy at stake

The political culture of Namibia more than a decade after Independence reveals some disturbing features of deterioration. Populist rhetoric replaces the need to address the real issues at stake in terms of meaningful socio-economic transformation in the process of decolonisation. The pity is that such features of erosion of democratic political culture tend to discredit the positive aspects of Namibia's success story so far. After all, only few optimists would have expected during the transition to Independence, that the first decade of the sovereign Namibian State would be mainly characterised by relative peace and stability under the rule of law. The political sphere showed initially a remarkable degree of permissiveness and tolerance too. The emerging Namibian identity included in the beginning all Namibians of different social and cultural origin and political orientation. There are worrying signs that this has already changed even within the perception of the ordinary people.[3] A survey conducted at the turn of the century among six African countries by "The Southern African Democracy Barometer" (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

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See for dominant perceptions the studies by Åfreds (2000) and Brynjúlfsdóttir (1998). Gender relations (and in particular gender related violence) would be another interesting aspect not explored further within the limits of this paper. See for the initial stages of transition and its impact on female emancipation Becker (1995).

Quite the opposite, SWAPO conducted its election campaign during 1999 with a brochure which declared 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). This is a striking example to illustrate what Salih (2000: 25) described in the following way: "The omnipotence of the majority which legitimises the state takes the form of a despotic public opinion used by the state operators to justify minority oppression". Almost as a logical result, the Congress of Democrats (CoD), which obtained the second most votes in the 1999 elections was denied recognition of the status as "official opposition". The deliberate efforts to bend the democratic principles applied before can only be explained by the almost paranoid reaction displayed towards this new opposition party, which emerged in essential parts from dissatisfied individuals within the ranks of SWAPO.

According to a recent survey among citizens in Lesotho, Mozambique, Namibia and Zimbabwe, only 57% among interviewed Namibians (less than in the other countries) disagree with the opinion that freedom of movement should as a basic human right transcend national boundaries. 80% (more than in the other countries) shared the opinion that it is important for a country to draw borders, which make it different from other states (Frayne/Pendleton 2000: 16).

of democracy is a distant prospect in both these countries" (Bratton/Mattes 2001: 120). Another survey by the Helen Suzman Foundation among six Southern African states produced during the late 1990s another sobering result: Namibia was the only country in which a defeat of their own party would not be accepted by a large majority. The survey results furthermore diagnosed "a complete collapse of confidence in the future", while finally "not much more than one third of respondents felt confident of democracy's future" (Johnson 1998).

Namibia's political culture of today seems to suggest to a worrying degree that history can repeat itself. There are reasons for concern that Namibia's political leadership does not benefit from lessons offered through the mistakes of others. Tendencies point to a direction, which seems almost predictable and all too familiar when it comes to aspects of political rule not only but especially in other African states. Some of the crucial achievements at Independence have already been sacrificed for short-term gains of narrow-minded interests. A culture of democracy is in the process of being undermined before it can be internalised with lasting effects.

At the final press conference of the Windhoek SADC Summit in August 2000 a journalist from the South African Press Agency dared to question the Summit's endorsement of Zimbabwe's elections as free and fair. In response, Namibia's President argued that there was no point in trying to convince the white South African, as he had grown up under an Apartheid system and did not understand democracy. The almost philosophical reflection within such a statement might lie in the fact that anyone of the present political elite was of course socialised under Apartheid. The relevance of this opinion could therefore be that organised racial segregation under totalitarian rule might be no suitable training field to exercise and internalise democratic virtues for any member of such a society. To overcome the structural legacy of the past, concerning socio-economic, socio-political as well as socio-cultural terms alike, therefore remains the real challenge.

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